

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2431

BY DELEGATES ELLINGTON AND

ROHRBACH

[Introduced February 14, 2017; Referred
to the Committee on Health and Human Resources.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §16-3-4a, relating to allowing influenza immunizations to be offered to patients
 3 and residents of specified facilities on a voluntary basis based upon recommendations of
 4 the Center for Disease Control.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §16-3-4a, to read as follows:

**ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER
 INFECTIOUS DISEASES.**

§16-3-4a. Influenza Immunizations for Vulnerable West Virginians.

1 (a) Except as herein provided, and as recommended by the Advisory Committee on
 2 Immunization Practices of the Center for Disease Control, from October 1 of every year and
 3 continuing through March 1 of the following year any hospital licensed pursuant to the provisions
 4 of article five-b of this chapter shall offer to any inpatient who is sixty-five years of age or older an
 5 influenza immunization prior to discharge.

6 (b) Except as herein provided, and as recommended by the Advisory Committee on
 7 Immunization Practices of the Center for Disease Control, from October 1 of every year and
 8 continuing through March 1 of the following year any assisted living residence licensed pursuant
 9 to the provisions of article five-d of this chapter and any nursing home licensed pursuant to article
 10 five-c of this shall offer to any inpatient who is sixty-five years of age or older an influenza
 11 immunization.

12 (c) The immunizations set forth in subsections (a) and (b) shall not be offered in cases
 13 where the immunization is contraindicated.

14 (d) Nothing in this section should be construed to require an influenza immunization as a
 15 condition of receiving any type of service from any of the facilities listed in subsection (a) and (b)

16 or as a condition of discharge.

17 (e) The requirements of this section are subject to the availability for sufficient influenza

18 immunizations.

NOTE: The purpose of this bill is to allow influenza immunizations to be offered to patients and residents of specified facilities on a voluntary basis based upon recommendations of the Center for Disease Control.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.