

HOUSE No. 737

The Commonwealth of Massachusetts

PRESENTED BY:

Norman J. Orrall, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to improve public health excellence, which will address disparities in the delivery of public health services for medically fragile inhabitants of the Commonwealth of Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christina Barefoot</i>		<i>1/20/2023</i>

HOUSE No. 737

By Representative Orrall of Lakeville (by request), a petition (accompanied by bill, House, No. 737) of Christina Barefoot relative to protective programs and the reporting of possible vaccine adverse events. Emergency Preparedness and Management.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to improve public health excellence, which will address disparities in the delivery of public health services for medically fragile inhabitants of the Commonwealth of Massachusetts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the General Laws, as appearing in the 2020 Official Edition, is hereby
2 amended by striking section 12C and inserting the following:-

3 12C. Education of physicians, nurses and other trained administrators of immunizations
4 regarding protective programs and the reporting of possible vaccine adverse events.

5 All healthcare providers, including alternative trained staff, administering any currently
6 available, CDC recommended Vaccination,, Covid-19 vaccine or any future vaccine for any
7 illness or condition, that is either recommended by the Center for Disease Control Advisory
8 Committee on Immunization Practices (ACIP) or has received emergency use authorization by
9 the United States Food and Drug Administration (FDA), Shall report any possible vaccine
10 adverse events occurring in connection with vaccination, weather found independently or
11 verbalized by a Patient or Patients Guardian, to the Vaccine Adverse Event Reporting System

12 (VAERS) or any future vaccine reporting system developed by the CDC, FDA, Mass DPH or
13 other State and federal agency- Reporting systems must allow for “all” potential reactions to be
14 documented not just some. The report must be made within 7 days of the identification or report
15 of a possible vaccine adverse event whether it is or is not clear that a vaccine caused the adverse
16 event. A copy of the VAERS report ID or other future reporting systems, shall be given to the
17 patient and or Patient Representative immediately after the report has been completed. A
18 Medical ICD diagnosis code will be added to the Patient's record that demonstrates an injury by
19 vaccine(s) is suspected, and the potential injury that has been incurred. An ICD code will also be
20 added to the record to demonstrate a VAERS report has been completed. If no code exists at this
21 time the Department of Public Health for Massachusetts will work with CMS et al to ensure
22 these codes are available via routine CMS coding updates and or Massachusetts DPH will create
23 independent codes that shall be mandatory, and available in all State Licensed Medical offices
24 and Facilities EMR systems.

25 A possible vaccine adverse event is defined as any new-onset symptom(s), medical
26 condition(s) and/or exacerbation of pre-existing medical condition(s) and/or death occurring in
27 temporal association with vaccine administration identified by any of the following person(s): a
28 person having received a vaccine, a parent or guardian of a person having received a vaccine, or
29 a health-care provider.

30 Healthcare providers practicing in settings, organizations, or practices with more than 2
31 providers, in which at least one provider administers vaccinations, shall be required to have an
32 automated vaccine adverse event detection and reporting system as part of the electronic medical
33 health record. Department of Public Health taxpayer funding shall be used to assist in
34 supplementation of costs or creation of a standardized system across the state. Any possible

35 vaccine adverse event (as defined above) occurring within 3 months of vaccination must be
36 automatically identified and flagged for possible reporting within the electronic medical health
37 record and, if appropriate, electronically submitted to VAERS. This system may be newly
38 developed or a currently available open-sourced platform such as ESP-VAERS.

39 The Massachusetts Department of Public Health (DPH) shall commission a study on the
40 long-term health outcomes of vaccine recipients including but not limited to incidence of SARS-
41 CoV-2, incidence of other infectious illnesses, incidence of autoimmune or inflammatory
42 conditions, incidence of exacerbation or onset of a genetic disorders symptoms and incidence of
43 carcinomas or autoimmune issues at 2-5 year post vaccination, stratified by age, by comparing
44 incidence rates of target health outcomes with non-vaccinated cohorts. Massachusetts DPH shall
45 share the outcomes with the Inhabitants of Massachusetts, all State licensed medical facilities,
46 medical offices and the Secretary of HHS.

47 -All healthcare providers, or alternative trained staff, administering any currently
48 available, CDC recommended Vaccination,, Covid-19 vaccine or any future vaccine for any
49 illness or condition, that is either recommended by the Center for Disease Control Advisory
50 Committee on Immunization Practices (ACIP) or has received emergency use authorization by
51 the United States Food and Drug Administration (FDA), Shall be trained in the VAERS and or
52 other adopted reporting systems with mandatory yearly competencies completed at all State
53 Licensed Medical offices and Facilities. Massachusetts Department of Public Health will ensure
54 this training is being completed yearly as they do with other Mandatory yearly educations in
55 Massachusetts Licensed facilities and Medical Offices for alternate important public safety
56 topics.