

HOUSE No. 2100

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act providing for the prevention of influenza in health care workers and high risk patients..

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

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by adding the
2 following section:-

3 Section 221. Any physician, nurse, or health care worker, who is employed in a health
4 care setting or who provides health care to persons at high risk for influenza, shall receive an
5 annual influenza vaccine, unless exempted for any of the following conditions: (1) medical or
6 religious reasons; (2) if such individual refuses the vaccine after being fully informed of the
7 health risks of not being immunized; or (3) due to supply availability.

8 Elder care facilities shall offer and, upon consent, administer annual influenza vaccines to
9 their clients. These influenza vaccinations shall be administered by November 30 of each year.
10 Clients admitted between December 1 and January 31 shall be offered and, upon consent,
11 administered influenza vaccination prior to or upon admission to the facility.

12 The council shall promulgate regulations necessary to carry out this section, including
13 penalties for violations.

14 SECTION 2. The commissioner of public health shall file the regulations promulgated
15 under section 1 with the clerk of the house of representatives and the clerk of senate not later
16 than 6 months following the effective date of this act.