

FIRST REGULAR SESSION

SENATE BILL NO. 174

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAAF.

Pre-filed December 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0213S.01I

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to replacement vaccines.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be known as section 210.005, to read as follows:

210.005. 1. Notwithstanding any provision of section 210.003 to the contrary, beginning June 1, 2019, the state of Missouri and the Missouri department of health and senior services shall not mandate the public clinic use of those children's vaccines containing human deoxyribonucleic acid (DNA), including those vaccines for such diseases as measles, mumps and rubella, varicella, and hepatitis A. Instead, the department shall develop a voluntary replacement alternative program, which shall include, at the earliest date of availability, replacement vaccines that have been approved by the Centers for Disease Control (CDC) and the Federal Drug Administration (FDA), and which contain no human DNA content.

2. In the fiscal year prior to including any replacement vaccines in the voluntary replacement alternative program, the department shall include in its annual budget request details for a state-wide registry for children enrolled in the program. Such request shall include a new schedule of delayed and separated vaccines, a periodic biennial individual screening survey with actual examination of those children with health or functional changes as noted by parents, a waiver of state liability for the CDC and FDA-approved vaccines, and estimated annual costs of the program's operation for ten years.

3. The department may promulgate rules to implement the

22 provisions of this section. Any rule or portion of a rule, as that term is
23 defined in section 536.010 that is created under the authority delegated
24 in this section shall become effective only if it complies with and is
25 subject to all of the provisions of chapter 536, and, if applicable, section
26 536.028. This section and chapter 536 are nonseverable and if any of
27 the powers vested with the general assembly pursuant to chapter 536,
28 to review, to delay the effective date, or to disapprove and annul a rule
29 are subsequently held unconstitutional, then the grant of rulemaking
30 authority and any rule proposed or adopted after August 28, 2017, shall
31 be invalid and void.

32 4. Notwithstanding the provisions of section 23.253 to the
33 contrary, the voluntary replacement alternative program authorized
34 under this section shall automatically expire on August 28, 2029, unless
35 reauthorized by an act of the general assembly.

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Bill

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