

Corrected
SESSION OF 2008

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2097**

As Agreed to April 2, 2008

Brief*

Senate Sub. for HB 2097 would create new law requiring school boards to provide information on immunizations to school age children and to parents and guardians of students in grades six through 12. The information would include:

- A list of sources for additional information; and
- Related standards issued by the National Centers for Disease Control and Prevention.

The Department of Health and Environment would be required to provide information on immunizations to school boards. If requested by a school board, the Department would be required to provide assistance. The Department would not be allowed to charge for the information or assistance it provides. School boards would be defined as the board of education of a school district or the governing authority of any nonpublic school.

The bill also would require the Kansas Department of Health and Environment to increase influenza immunization awareness and participation among parents of children age six months to five years who are enrolled in child care facilities. The Department of Health and Environment would be required

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

to have information on the benefits of annual immunization against influenza for children on its official website and to cooperate with the Department of Social and Rehabilitation Services in distributing information to parents and child care facilities in August and September every year.

The Department of Health and Environment also would be required to conduct a study of the feasibility of establishing a school-based influenza vaccination pilot program including the costs and benefits of a pilot program; barriers to implementation and strategies for removing the program barriers; and the fiscal impact of a pilot program. The Department would be required to submit a report on its findings to the Joint Committee on Health Policy Oversight prior to the 2009 Legislative Session and the Joint Committee could introduce bills or request funding for the pilot program. Also, the Department would be authorized to seek funding for implementation of the pilot study from any public or private source.

The bill also would require every maternity center and medical care facility licensed by the Department of Health and Environment to adopt written policies and inform parents regarding their options for the disposition of fetal remains in an event of fetal death.

Conference Committee Action

The Conference Committee agreed to amend the bill as passed by the Senate to further clarify the role of school boards and the Department of Health and Environment in providing immunization information; to clarify the type of immunization information to be provided; and to clarify the requirements of the study on the feasibility of establishing a school-based influenza vaccination pilot program. The Committee also agreed to insert the provisions of Senate Sub. for HB 2341 concerning the disposition of fetal remains into the bill.

Background

The Senate Committee on Public Health and Welfare amended HB 2097 by deleting the language in the original bill and inserting the provisions of SB 529 dealing with educational awareness of infectious disease vaccines and SB 548 dealing with a school-based influenza pilot program study. The original version of HB 2097 dealing with the giving of vaccines by pharmacists was amended into 2007 House Sub. for SB 11.

SB 529 was introduced by the Committee at the request of a representative of Sanofi-Pasteur. Proponents of the bill included a representative of Sanofi-Pasteur; the Director of the Bureau of Disease Control and Prevention, Kansas Department of Health and Environment; and Andy Marso, a private citizen, who presented testimony about the circumstances and long-term effects of having contracted meningococcal meningitis as a student at Kansas University, including the loss of his fingers and toes. Written testimony supporting the bill was provided by a representative of the Kansas Medical Society. There were no opponents to the bill.

The fiscal note prepared by the Division of the Budget on SB 529 states that passage of the bill would have no fiscal effect.

SB 548 was introduced by the Committee at the request of Senator Vicki Schmidt. Proponents of the bill included a representative of MedImmune, Inc.; a physician; and the Director of the Bureau of Disease Control and Prevention, Kansas Department of Health and Environment. Written testimony was provided by a representative of the Kansas Medical Society; the Director of Student Services, Auburn-Washburn Unified School District 437; and a rural Kansas pediatrician. There were no opponents to the bill. The Associate Director of Public Health Systems, Kansas Health Institute, appeared as a neutral conferee.

The fiscal note prepared by the Division of the Budget for SB 548 states that passage of the bill would increase

expenditures for the Department of Social and Rehabilitation Services by \$17,427, including \$6,696 from the State General Fund and \$10,731 from federal funds, to mail 52,178 notices to parents and child care facilities. The Division of the Budget did not receive fiscal information from the Department of Health and Environment concerning the Department's costs to implement the bill. Any fiscal effects resulting from the bill would be in addition to amounts recommended in *The FY 2009 Governor's Budget Report*.

The version of Senate Sub. for HB 2341, as amended by the House Committee on Federal and State Affairs, would have defined terms used in the bill; set out methods of final disposition of fetal remains; and required every hospital, birthing center, and other health care facility to adopt written standards for the final disposition of fetal remains and to inform the mother of the right to determine the final disposition. In both the House and Senate committee hearings, one individual and one member of the Legislature appeared in support of the bill. A representative of the Kansas Hospital Association appeared to suggest changes and, in the Senate hearing, to inform the Committee of a survey of Kansas hospitals that found such hospitals already have written policies in place. A representative of a Topeka hospital noted the legislation was probably not necessary and gave the Committee copies of the hospital's written policies and the forms furnished to parents.

There is no fiscal note for the amended version of the bill.

immunizations of school age children