

REFERENCE TITLE: informed consent; vaccinations.

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019

# HB 2471

Introduced by  
Representative Barto: Senator Boyer

## AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 32-3226; AMENDING SECTIONS 36-672 AND 36-673, ARIZONA  
REVISED STATUTES; RELATING TO IMMUNIZATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 32, article 1, Arizona Revised  
3 Statutes, is amended by adding section 32-3226, to read:

4 32-3226. Informed consent; vaccines

5 A HEALTH PROFESSIONAL WHO ADMINISTERS VACCINES MUST PROVIDE ALL OF  
6 THE FOLLOWING INFORMATION TO THE PATIENT OR, IF THE PATIENT IS A MINOR,  
7 THE PATIENT'S PARENT OR LEGAL GUARDIAN OR PERSON IN LOCO PARENTIS OF THE  
8 MINOR BEFORE ADMINISTERING A VACCINE:

9 1. THE BENEFITS AND RISKS OF EACH VACCINE.

10 2. THE VACCINE MANUFACTURER'S PRODUCT INSERT.

11 3. THE CENTERS FOR DISEASE CONTROL AND PREVENTION'S VACCINE  
12 EXCIPIENT AND MEDIA SUMMARY.

13 4. HOW TO REPORT A VACCINE-ADVERSE EVENT.

14 Sec. 2. Section 36-672, Arizona Revised Statutes, is amended to  
15 read:

16 36-672. Immunizations; department rules; required information

17 A. Consistent with section 15-873, the director shall adopt rules  
18 prescribing required immunizations for school attendance, the approved  
19 means of immunization and indicated reinforcing immunizations for  
20 diseases, and identifying types of health agencies and health care  
21 providers ~~which~~ THAT may sign a laboratory evidence of immunity. The  
22 rules shall include the required doses, recommended optimum ages for  
23 administration of the immunizations, persons who are authorized  
24 representatives to sign on behalf of a health agency and other provisions  
25 necessary to implement this article.

26 B. The director, in consultation with the superintendent of public  
27 instruction, shall develop by rule standards for documentary proof.

28 C. ANY INFORMATIONAL OR EDUCATIONAL MATERIALS THE DEPARTMENT  
29 DEVELOPS OR PROVIDES TO PARENTS AND GUARDIANS SHALL INCLUDE ALL OF THE  
30 INFORMATION REQUIRED TO BE PROVIDED FOR INFORMED CONSENT PURSUANT TO  
31 SECTION 32-3226.

32 ~~C.~~ D. Immunization against the human papillomavirus is not  
33 required for school attendance.

34 Sec. 3. Section 36-673, Arizona Revised Statutes, is amended to  
35 read:

36 36-673. Duties of local health departments; immunization;  
37 reimbursement; training; informed consent

38 A. A local health department in cooperation with each school within  
39 the county shall provide for the required immunization of pupils attending  
40 school.

41 B. A local health department shall provide immunizations required  
42 for school attendance at no cost to the pupil or pupil's parent, guardian  
43 or person in loco parentis. In order to receive reimbursement for the  
44 cost of the immunization from the pupil's or parent's private health  
45 insurance coverage, the local health department may enter into a contract

1 governing the terms of reimbursement and claims with the corresponding  
2 private health care insurer. The local health department may enter into a  
3 contract with a private health care insurer on its own, in conjunction  
4 with other local health departments or through a qualified intermediary.  
5 If the local health department chooses not to contract with a private  
6 health care insurer, or does not respond to the request to contract from a  
7 private health care insurer within ninety days ~~of~~ AFTER the request, the  
8 insurer is not required to reimburse the local health department for the  
9 immunization. If a private health care insurer declines or does not  
10 respond to a request to contract with a local health department, with a  
11 coalition of other local health departments or through a qualified  
12 intermediary within ninety days ~~of~~ AFTER the request to contract, the  
13 private health care insurer must reimburse the local health department at  
14 the rate paid to an in-network provider.

15 C. A local health department, on request by a school nurse and  
16 approval by the school administrator, shall train and authorize the school  
17 nurse to administer required immunizations.

18 D. A pupil ~~shall~~ MAY not be immunized without the informed consent  
19 of the parent, guardian or person in loco parentis of the pupil AS  
20 PROVIDED IN SECTION 32-3226. A pupil who is at least eighteen years of  
21 age or is emancipated may consent to immunization.