

By Mr. Moore, a petition (accompanied by bill, Senate, No. 607) of Richard T. Moore, Christine E. Canavan, Bruce E. Tarr, Susan C. Fargo and other members of the General Court for legislation to provide for the proper prevention of pneumonia in health care workers. Health Care.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT PROVIDING FOR THE PROPER PREVENTION OF PNEUMONIA IN HEALTH CARE WORKERS.

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. Section 5A of chapter 111 of the General Laws, as
2 appearing in the 2000 Official Edition, is hereby amended by
3 adding the following paragraph:—

4 The following individuals shall receive an annual pneumo-
5 coccal vaccine:

6 (1) all physicians, nurses and employees in the acute inpatient
7 hospitals and outpatient care settings, nursing homes and chronic
8 care facilities and those who provide home care to persons at high
9 risk for influenza; and

10 (2) health care workers with high-risk conditions or who are
11 aged 65 or older. The commissioner may establish exceptions to
12 this requirement based on medical concerns. Elder care facilities,
13 including nursing homes, chronic care facilities and adult day care
14 centers shall offer annual pneumococcal vaccines to all residents
15 and users of such facilities. Pneumococcal vaccination for all resi-
16 dents accepting the vaccine shall be completed by November 30
17 of each year. Residents admitted after November 30 and up to
18 February 1 shall also be offered a pneumococcal vaccination prior
19 to or on admission. The commissioner shall promulgate rules and
20 regulations necessary to carry out the provisions of this paragraph,
21 which regulations shall include provisions establishing civil fines

- 22 for violations of said rules and regulations requiring compliance
23 for any health care facility license renewal.

1 SECTION 2. A copy of the rules and regulations promulgated
2 pursuant to section 1 shall be filed by the Commissioner of Public
3 Health with the Clerks of the Senate and House of Representatives
4 not later than six months following the effective date of this act.