

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill No.
3 545 entitled “An act relating to issuing immunization recommendations”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 * * * Immunization Recommendations * * *

8 Sec. 1. 18 V.S.A. § 1130 is amended to read:

9 § 1130. IMMUNIZATION FUNDING

10 (a) As used in this section:

11 * * *

12 (4) “~~Immunizations~~ Recommended immunization” means ~~vaccines~~ an
13 immunization and the application of the ~~vaccines~~ immunization as
14 recommended by the practice guidelines for children and adults established by
15 the ~~Advisory Committee on Immunization Practices (ACIP) to the Centers for~~
16 ~~Disease Control and Prevention (CDC)~~ Commissioner pursuant to section
17 1130a of this title.

18 * * *

19 (b)(1) The Department of Health shall administer an immunization
20 program with the goals of ensuring universal access to ~~vaccines~~ recommended
21 immunizations for all ~~Vermonters~~ individuals domiciled in the State at no

1 charge to the individual and reducing the cost at which the State may purchase
2 ~~vaccines~~ recommended immunizations. The Department shall purchase,
3 provide for the distribution of, and monitor the use of ~~vaccines~~ recommended
4 immunizations as provided for in this subsection and subsection (c) of this
5 section. The cost of the ~~vaccines~~ recommended immunizations and an
6 administrative surcharge shall be reimbursed by health insurers as provided for
7 in subsections (e) and (f) of this section.

8 (2) The Department shall solicit, facilitate, and supervise the
9 participation of health care professionals, health care facilities, and health
10 insurers in the immunization program in order to accomplish the State's goal
11 of universal access to recommended immunizations at the lowest practicable
12 cost to individuals, insurers, and State health care programs.

13 (3) The Department shall gather and analyze data regarding the
14 immunization program for the purpose of ensuring its quality and maximizing
15 protection of Vermonters against diseases preventable by ~~vaccination~~
16 immunization.

17 (c) The Department shall determine which recommended immunizations
18 shall be purchased under the program. The immunization program shall
19 purchase ~~vaccines~~ recommended immunizations from the federal Centers for
20 Disease Control and Prevention or another vendor at the lowest available cost

1 identified by the Department. ~~The Department shall determine annually which~~
2 ~~vaccines for adults shall be purchased under the program.~~

3 (d) The immunization program shall provide for distribution of the
4 ~~vaccines~~ recommended immunizations to health care professionals and health
5 care facilities for administration to patients.

6 (e) Health insurers shall remit to the Department the cost of ~~vaccines~~
7 recommended immunizations, as that cost is established by the Commissioner
8 ~~of Health~~ based on the recommendation of the Immunization Funding
9 Advisory Committee established in subsection (g) of this section.

10 (f) The Department shall charge each health insurer a surcharge for the
11 costs and administration of the immunization program. The surcharge shall be
12 deposited into an existing special fund and used solely for the purpose of
13 administering the program.

14 (g)(1) The Immunization Funding Advisory Committee is established to
15 provide the Commissioner of Health with an annual per-member per-month
16 cost for ~~vaccines~~ recommended immunizations for the pediatric population, an
17 annual per-member per-month cost for ~~vaccines~~ recommended immunizations
18 for the adult population, and a recommendation for the amount of the yearly
19 ~~vaccine~~ immunization assessment. The Committee shall comprise the
20 following nine members:

21 (A) the Executive Officer of the Board of Pharmacy;

- 1 (B) the Executive Director of the Green Mountain Care Board;
- 2 (C) a representative of the Vermont Blueprint for Health, nominated
3 by the Director of the Blueprint and appointed by the Commissioner of Health;
- 4 (D) three representatives of health insurers, one from each of the
5 State's largest private health insurers, as determined by the number of covered
6 lives, appointed by the Commissioner of Health;
- 7 (E) a representative of the American Academy of Pediatrics,
8 Vermont chapter, appointed by the Commissioner of Health;
- 9 (F) a representative of the American Academy of Family Medicine,
10 Vermont chapter, appointed by the Commissioner of Health; and
- 11 (G) a representative of employers that self-insure for health coverage,
12 appointed by the Commissioner of Health.
- 13 (2) The Committee shall select a chair from among its members at the
14 first meeting of each calendar year. The Committee shall receive
15 administrative support from the Department of Health.
- 16 (3) By January 1 of each year, the Committee shall provide to the
17 Commissioner the annual fiscal assessment and the per-member per-month
18 cost for pediatric ~~vaccines~~ recommended immunizations based on the total
19 number of pediatric covered lives reported by health insurers and the per-
20 member per-month cost for adult ~~vaccines~~ recommended immunizations based
21 on the total number of adult covered lives reported by health insurers.

1 (h) If ~~federal~~ purchase requirements do not further the goal of ensuring
2 universal access to ~~vaccines~~ recommended immunizations for all, the
3 Commissioner may, following consultation with the Immunization Funding
4 Advisory Committee, discontinue the program with six months' advance
5 notice to all health care professionals and to all health insurers with Vermont
6 covered lives.

7 (i) The Department may adopt rules under 3 V.S.A. chapter 25 to
8 implement this section.

9 Sec. 2. 18 V.S.A. § 1130a is added to read:

10 § 1130a. RECOMMENDED IMMUNIZATIONS

11 (a) The Commissioner shall periodically issue recommendations regarding:
12 (1) which immunizations children and adults should receive;
13 (2) the recommended age at which each immunization should be given;
14 (3) the number of immunization doses that should be administered;
15 (4) the amount of time between doses of an immunization; and
16 (5) any other recommendations regarding immunizations necessary to
17 ensure the maintenance of public health and disease prevention in the State.

18 (b) Prior to issuing recommendations under subsection (a) of this section,
19 the Commissioner shall:

20 (1) consult with the Vermont Immunization Advisory Council,
21 established under section 1131 of this title; and

1 (2) consider recommendations for immunizations issued by the Centers
2 for Disease Control and Prevention’s Advisory Committee on Immunization
3 Practices (ACIP), the American Academy of Pediatrics (AAP), the American
4 Academy of Family Physicians (AAFP), the American College of
5 Obstetricians and Gynecologists (ACOG), the American College of Physicians
6 (ACP), and any other organizations the Commissioner may deem necessary.

7 (c) A health care professional who prescribes, dispenses, or administers an
8 immunization in accordance with the recommendations issued pursuant to
9 subsection (a) of this section shall be immune from civil and administrative
10 liability for immunization-caused adverse events, unless the health care
11 professional’s actions regarding prescribing, dispensing, or administering an
12 immunization constituted gross negligence, recklessness, or intentional
13 misconduct.

14 (d) The Commissioner may issue a standing order authorizing health care
15 professionals, including pharmacists, to prescribe, dispense, or administer
16 recommended immunizations, or any combination thereof, to the extent that
17 prescribing, dispensing, or administering recommended immunizations is
18 within the scope of the health care professional’s scope of practice.

19 (e) As used in this section, “health care professional” and “recommended
20 immunization” have the same meanings as in section 1130 of this title.

1 Sec. 3. 18 V.S.A. § 1131 is amended to read:

2 § 1131. VERMONT IMMUNIZATION ADVISORY COUNCIL

3 (a) Creation. There is created the Vermont Immunization Advisory
4 Council for the purpose of providing education policy, medical, and
5 epidemiological expertise and advice to the Department with regard to the
6 safety of immunizations and immunization schedules.

7 (b) Membership. The Council shall be composed of the following
8 members:

9 (1) a representative of the Vermont Board of Medical Practice,
10 appointed by the Governor;

11 (2) the Secretaries of Human Services and of Education or their
12 designees;

13 (3) the State epidemiologist or designee;

14 (4) the Department of Health's Immunization Program Manager or
15 designee;

16 (5) a practicing pediatrician licensed pursuant to 26 V.S.A. chapter 23 or
17 33, appointed by the Governor;

18 (6) two individuals who are professors, researchers, or physicians
19 licensed pursuant to 26 V.S.A. chapter 23 or 33, or any combination these
20 individuals, with expertise in infectious disease and human immunizations,
21 appointed by the Governor;

2 V.S.A. chapter 23 or 33, appointed by the Governor;

5 ~~(6)~~(9) any other persons deemed necessary by the Commissioner.

9 (2) provide any other advice and expertise requested by the

(d) Assistance. The Council shall have the administrative, ~~technical, and~~
legal assistance of the Department.

15 (1) The Council shall convene at the call of the Commissioner, but no
16 less than once each year.

(2) The Council shall select a chair from among its members at the first meeting.

19 (3) A majority of the membership shall constitute a quorum.

20 * * * Insurance Coverage * * *

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§ 4042. GROUP INSURANCE POLICIES; REQUIRED POLICY
PROVISIONS

* * *

(b) Protections for covered individuals.

* * *

(4) No cost sharing for preventive services.

(A) A group insurance policy shall not impose any co-payment,
coinsurance, or deductible requirements for:

* * *

(ii) recommended immunizations ~~for routine use in children,~~
~~adolescents, and adults that have in effect a recommendation from the~~
~~Advisory Committee on Immunization Practices of the Centers for Disease~~
~~Control and Prevention with respect to the individual involved~~ as defined in
18 V.S.A. § 1130;

* * *

Sec. 5. 33 V.S.A. § 1811 is amended to read:

§ 1811. HEALTH BENEFIT PLANS FOR INDIVIDUALS AND SMALL
EMPLOYERS

* * *

(d)(1) Guaranteed issue.

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* * *

This act shall take effect on July 1, 2026.

1 (Committee vote: _____)

2

3

Representative _____

4

FOR THE COMMITTEE