

2 **2ESSB 5291** - H COMM AMD **ADOPTED 3-7-02**  
3 By Committee on Health Care

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
8 ensure that long-term care facilities are safe.

9 (1) The long-term care resident immunization act is intended to:

10 (a) Prevent and reduce the occurrence and severity of the influenza  
11 virus and pneumococcal disease by increasing the use of immunizations  
12 licensed by the food and drug administration;

13 (b) Avoid pain, suffering, and deaths that may result from the  
14 influenza virus and pneumococcal disease;

15 (c) Improve the well-being and quality of life of residents of  
16 long-term care facilities; and

17 (d) Reduce avoidable costs associated with treating the influenza  
18 virus and pneumococcal disease.

19 (2) The legislature finds that:

20 (a) Recent studies show that it is important to immunize older  
21 citizens against the influenza virus and pneumococcal disease;

22 (b) The centers for disease control and prevention recommend  
23 individuals living in long-term care facilities and those over age  
24 sixty-five receive immunizations against the influenza virus and  
25 pneumococcal disease;

26 (c) The influenza virus and pneumococcal disease have been  
27 identified as leading causes of death for citizens over age sixty-five;  
28 and

29 (d) Immunizations licensed by the food and drug administration are  
30 readily available and effective in reducing and preventing the severity  
31 of the influenza virus and pneumococcal disease.

32 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.42 RCW  
33 to read as follows:

34 (1) Long-term care facilities shall:

1 (a) Provide access on-site or make available elsewhere for all  
2 residents to obtain the influenza virus immunization on an annual  
3 basis;

4 (b) Require that each resident, or the resident's legal  
5 representative, upon admission to the facility, be informed verbally  
6 and in writing of the benefits of receiving the influenza virus  
7 immunization and, if not previously immunized against pneumococcal  
8 disease, the benefits of the pneumococcal immunization.

9 (2) As used in this section, "long-term care facility" is limited  
10 to nursing homes licensed under chapter 18.51 RCW.

11 (3) The department of social and health services shall adopt rules  
12 to implement this section.

13 (4) This section and rules adopted under this section shall not  
14 apply to nursing homes conducted for those who rely exclusively upon  
15 treatment by nonmedical religious healing methods, including prayer.

16 NEW SECTION. **Sec. 3.** This act may be known and cited as the long-  
17 term care resident immunization act of 2002."

18 Correct the title.

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