

ESSB 5305 - H AMD 1142

By Representative Cody

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that vaccinations
4 and immunizations are among the most important public health
5 innovations of the last one hundred years. The centers for disease
6 control and prevention placed vaccinations at the top of its list
7 of the ten greatest public health achievements of the twentieth
8 century. In its efforts to improve public health in the world's
9 poorest countries, the Bill and Melinda Gates foundation has
10 identified childhood immunization as a cost-effective method of
11 improving public health and saving the lives of millions of
12 children around the world.

13 Fortunately, in Washington, safe and cost-effective
14 vaccinations against childhood diseases are widely available
15 through both public and private resources. The vaccines that the
16 Washington state department of health provides to meet the
17 requirements for the recommended childhood vaccination schedule
18 through its universal childhood vaccine program are screened for
19 thimerosal and preference is given toward the purchase of
20 thimerosal-free products. The department of health currently
21 provides thimerosal-free products for all routinely recommended
22 childhood vaccines. Regardless of the absence of thimerosal in
23 childhood vaccines in Washington, scientifically reputable
24 organizations such as the centers for disease control and
25 prevention, the national institute of medicine, the American
26 academy of pediatrics, the food and drug administration, and the
27 world health organization have all determined that there is no
28 credible evidence that the use of thimerosal in vaccines poses a
29 threat to the health and safety of children.

30 Notwithstanding these assurances of the safety of the vaccine
31 supply, the legislature finds that where there is public concern

1 over the safety of vaccines, vaccination rates may be reduced to
2 the point that deadly, vaccine-preventable, childhood diseases
3 return. This measure is being enacted to maintain public
4 confidence in vaccine programs, so that the public will continue to
5 seek vaccinations and their health benefits may continue to protect
6 the people of Washington.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95M
8 RCW to read as follows:

9 (1) Beginning July 1, 2007, a person who is known to be
10 pregnant or who is under three years of age shall not be vaccinated
11 with a mercury-containing vaccine or injected with a mercury-
12 containing product that contains more than 0.5 micrograms of
13 mercury per 0.5 milliliter dose.

14 (2) Notwithstanding subsection (1) of this section, an
15 influenza vaccine may contain up to 1.0 micrograms of mercury per
16 0.5 milliliter dose.

17 (3) The secretary of the department of health may, upon
18 declaration of a public health emergency, suspend the requirements
19 of this section for the duration of the emergency.

20 (4) All vaccines and products referenced under this section
21 must meet food and drug administration licensing requirements."

EFFECT: Adds legislative findings regarding the benefits of
vaccines and the safety of vaccines.

Removes the prohibition on providing mercury-containing
vaccines that are not licensed by the Food and Drug
Administration and extends the prohibition to vaccines that
contain up to 0.5 micrograms of mercury per 0.5 milliliter
dose, except for influenza vaccines which may contain up to 1.0
micrograms of mercury per 0.5 milliliter dose. Specifies that
all vaccines must be approved by the Food and Drug
Administration.

Extends the application date of the prohibition by one year.