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HOUSE BILL 2840

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State of Washington                      65th Legislature                      2018 Regular Session

By Representatives Shea, McCaslin, Eslick, and Young

Read first time 01/17/18. Referred to Committee on Health Care & Wellness.

1            AN ACT Relating to protecting patients from vaccines containing  
2 mercury or aluminum; amending RCW 70.95M.115; and adding a new  
3 section to chapter 43.70 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 70.95M.115 and 2007 c 268 s 1 are each amended to  
6 read as follows:

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

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

15            ~~(3) The secretary of the department of health may, upon the  
16 secretary's or local public health officer's declaration of an  
17 outbreak of vaccine-preventable disease or of a shortage of vaccine  
18 that complies with subsection (1) or (2) of this section, suspend the  
19 requirements of this section for the duration of the outbreak or  
20 shortage. A person who is known to be pregnant or lactating or a  
21 parent or legal guardian of a child under eighteen years of age shall~~

1 ~~be informed if the person or child is to be vaccinated or injected~~  
2 ~~with any mercury-containing product that contains more than the~~  
3 ~~mercury limits per dose in subsections (1) and (2) of this section.~~

4 ~~(4) All vaccines and products referenced under this section must~~  
5 ~~meet food and drug administration licensing requirements.)~~ A vaccine  
6 with any mercury-containing product in any amount may not be  
7 purchased, distributed, or administered to any person in the state.

8 NEW SECTION. Sec. 2. A new section is added to chapter 43.70  
9 RCW to read as follows:

10 No vaccine purchased, distributed, or administered to any person  
11 in the state may exceed the following amounts of aluminum in the  
12 recommended individual dose of the vaccine:

- 13 (1) 0.85 milligrams, if determined by assay;  
14 (2) 1.14 milligrams, if determined by calculation on the basis of  
15 the amount of aluminum compound added; or  
16 (3) 1.25 milligrams determined by assay, provided that data  
17 demonstrating that the amount of aluminum used is safe and necessary  
18 to produce the intended effect are submitted to and approved by the  
19 director of the food and drug administration's center for biologics  
20 evaluation and research or the director of the food and drug  
21 administration's center for drug evaluation and research.

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