

1 AN ACT concerning vaccinations.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Life Care Facilities Act is amended by
5 adding Section 10.1 as follows:

6 (210 ILCS 40/10.1 new)

7 Sec. 10.1. Vaccinations.

8 (a) A facility shall annually administer a vaccination
9 against influenza to each resident, in accordance with the
10 recommendations of the Advisory Committee on Immunization
11 Practices of the Centers for Disease Control and Prevention
12 that are most recent to the time of vaccination, unless the
13 vaccination is medically contraindicated or the resident has
14 refused the vaccine. Influenza vaccinations for all residents
15 age 60 and over shall be completed by November 30 of each
16 year or as soon as practicable if vaccine supplies are not
17 available before November 1. Residents admitted after
18 November 30, during the flu season, and until February 1
19 shall, as medically appropriate, receive an influenza
20 vaccination prior to or upon admission or as soon as
21 practicable if vaccine supplies are not available at the time
22 of the admission, unless the vaccine is medically
23 contraindicated or the resident has refused the vaccine. In
24 the event that the Advisory Committee on Immunization
25 Practices of the Centers for Disease Control and Prevention
26 determines that dates of administration other than those
27 stated in this Act are optimal to protect the health of
28 residents, the Department is authorized to develop rules to
29 mandate vaccinations at those times rather than the times
30 stated in this Act. A facility shall document in the
31 resident's medical record that an annual vaccination against

1 influenza was administered, refused or medically
2 contraindicated.

3 (b) A facility shall provide or arrange for
4 administration of a pneumococcal vaccination to each resident
5 who is age 60 and over, in accordance with the
6 recommendations of the Advisory Committee on Immunization
7 Practices of the Centers for Disease Control and Prevention,
8 who has not received this immunization prior to or upon
9 admission to the facility, unless the resident refuses the
10 offer for vaccination or the vaccination is medically
11 contraindicated. A facility shall document in each resident's
12 medical record that a vaccination against pneumococcal
13 pneumonia was offered and administered, refused, or medically
14 contraindicated.

15 (c) A facility shall be held harmless from any action by
16 a resident, family member, or other interested party for
17 administration of immunizations, except in the case of
18 willful and wanton misconduct on behalf of the facility.

19 Section 10. The Nursing Home Care Act is amended by
20 changing Section 2-213 as follows:

21 (210 ILCS 45/2-213)

22 Sec. 2-213. Vaccinations.

23 (a) A facility shall annually administer a vaccination
24 against influenza to each resident, in accordance with the
25 recommendations of the Advisory Committee on Immunization
26 Practices of the Centers for Disease Control and Prevention
27 that are most recent to the time of vaccination, unless the
28 vaccination is medically contraindicated or the resident has
29 refused the vaccine. Influenza vaccinations for all residents
30 age 60 and over shall be completed by November 30 of each
31 year or as soon as practicable if vaccine supplies are not
32 available before November 1. Residents admitted after

1 November 30, during the flu season, and until February 1
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3 vaccination prior to or upon admission or as soon as
4 practicable if vaccine supplies are not available at the time
5 of the admission, unless the vaccine is medically
6 contraindicated or the resident has refused the vaccine. In
7 the event that the Advisory Committee on Immunization
8 Practices of the Centers for Disease Control and Prevention
9 determines that dates of administration other than those
10 stated in this Act are optimal to protect the health of
11 residents, the Department is authorized to develop rules to
12 mandate vaccinations at those times rather than the times
13 stated in this Act. A facility shall document in the
14 resident's medical record that an annual vaccination against
15 influenza was administered, refused or medically
16 contraindicated.

17 (b) A facility shall provide or arrange for
18 administration of a pneumococcal vaccination to each resident
19 who is age 60 and over, in accordance with the
20 recommendations of the Advisory Committee on Immunization
21 Practices of the Centers for Disease Control and Prevention,
22 who has not received this immunization prior to or upon
23 admission to the facility, unless the resident refuses the
24 offer for vaccination or the vaccination is medically
25 contraindicated. A facility shall document in each resident's
26 medical record that a vaccination against pneumococcal
27 pneumonia was offered and administered, refused, or medically
28 contraindicated.

29 (c) A facility shall be held harmless from any action by
30 a resident, family member, or other interested party for
31 administration of immunizations, except in the case of
32 willful and wanton misconduct on behalf of the facility.
33 Pneumonia--shots---Before-a-prospective-resident's-admission
34 to-a-facility--the--facility--shall--advise--the--prospective

1 resident--to--consult--a--physician--to--determine--whether--the
2 prospective-resident--should--obtain--a--vaccination--against
3 pneumococcal-pneumonia.

4 (Source: P.A. 90-366, eff. 8-10-97.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.