

1 AMENDMENT TO HOUSE BILL 3440

2 AMENDMENT NO. _____. Amend House Bill 3440 by replacing
3 everything after the enacting clause with the following:

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 65 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

1 contraindicated or the resident has refused the vaccine. In
2 the event that the Advisory Committee on Immunization
3 Practices of the Centers for Disease Control and Prevention
4 determines that dates of administration other than those
5 stated in this Act are optimal to protect the health of
6 residents, the Department is authorized to develop rules to
7 mandate vaccinations at those times rather than the times
8 stated in this Act. A facility shall document in the
9 resident's medical record that an annual vaccination against
10 influenza was administered, refused or medically
11 contraindicated.

12 (b) A facility shall provide or arrange for
13 administration of a pneumococcal vaccination to each resident
14 who is age 65 and over, in accordance with the
15 recommendations of the Advisory Committee on Immunization
16 Practices of the Centers for Disease Control and Prevention,
17 who has not received this immunization prior to or upon
18 admission to the facility, unless the resident refuses the
19 offer for vaccination or the vaccination is medically
20 contraindicated. A facility shall document in each resident's
21 medical record that a vaccination against pneumococcal
22 pneumonia was offered and administered, refused, or medically
23 contraindicated.

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

26 (210 ILCS 45/2-213)

27 Sec. 2-213. Vaccinations.

28 (a) A facility shall annually administer a vaccination
29 against influenza to each resident, in accordance with the
30 recommendations of the Advisory Committee on Immunization
31 Practices of the Centers for Disease Control and Prevention
32 that are most recent to the time of vaccination, unless the

1 vaccination is medically contraindicated or the resident has
2 refused the vaccine. Influenza vaccinations for all residents
3 age 65 and over shall be completed by November 30 of each
4 year or as soon as practicable if vaccine supplies are not
5 available before November 1. Residents admitted after
6 November 30, during the flu season, and until February 1
7 shall, as medically appropriate, receive an influenza
8 vaccination prior to or upon admission or as soon as
9 practicable if vaccine supplies are not available at the time
10 of the admission, unless the vaccine is medically
11 contraindicated or the resident has refused the vaccine. In
12 the event that the Advisory Committee on Immunization
13 Practices of the Centers for Disease Control and Prevention
14 determines that dates of administration other than those
15 stated in this Act are optimal to protect the health of
16 residents, the Department is authorized to develop rules to
17 mandate vaccinations at those times rather than the times
18 stated in this Act. A facility shall document in the
19 resident's medical record that an annual vaccination against
20 influenza was administered, refused or medically
21 contraindicated.

22 (b) A facility shall provide or arrange for
23 administration of a pneumococcal vaccination to each resident
24 who is age 65 and over, in accordance with the
25 recommendations of the Advisory Committee on Immunization
26 Practices of the Centers for Disease Control and Prevention,
27 who has not received this immunization prior to or upon
28 admission to the facility, unless the resident refuses the
29 offer for vaccination or the vaccination is medically
30 contraindicated. A facility shall document in each resident's
31 medical record that a vaccination against pneumococcal
32 pneumonia was offered and administered, refused, or medically
33 contraindicated. Pneumonia--shots---Before--a--prospective
34 resident's--admission-to-a-facility-the-facility-shall-advise

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