

No. 2014-163

AN ACT

HB 1567

Requiring health care facilities to disseminate information relating to pertussis education; and imposing a duty on the Department of Health.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the Pertussis Education Act.

Section 2. Purpose of act.

The purpose of this act is to educate parents of newborn infants regarding pertussis disease and the availability of vaccination to protect newborn children against pertussis disease.

Section 3. Findings.

The General Assembly finds as follows:

(1) Commonly known as whooping cough, pertussis is a highly contagious disease that can be prevented by vaccination.

(2) During 2012, the Centers for Disease Control and Prevention (CDC) reported an increase in pertussis in the majority of states.

(3) Pennsylvania ranked 13th in the country in the incidence of reported cases of pertussis.

(4) Pennsylvania's incidence of pertussis is higher than the national incidence of cases of pertussis.

(5) Recommended vaccination for children is at 2, 4 and 6 months of age, followed by vaccination at 15 to 18 months of age, followed by vaccination when the child enters school with the final vaccination when the child is between 11 and 12 years of age.

(6) Pertussis can cause very serious illness which can be potentially life threatening in infants too young to be vaccinated.

(7) More than half of infants who contract pertussis must be hospitalized.

(8) Of those infants who are hospitalized with pertussis, about 1 in 5 will get pneumonia and 1 in 100 will die.

(9) The CDC recommends that families and caregivers of newborns be vaccinated at least two weeks prior to coming into close contact with a newborn.

Section 4. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Department." The Department of Health of the Commonwealth.

"Health care facility." As defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

Section 5. Dissemination of pertussis information by health care facilities.

(a) Options.—A health care facility that provides health care services to a pregnant woman, which services are directly related to her pregnancy, may provide the woman, and any other adult family member present, with educational information on pertussis disease and the availability of a vaccine to protect against pertussis. The educational information may be provided before the woman's discharge after giving birth. Provision in a timely manner of publications prepared by the department under section 6 shall constitute compliance with this subsection.

(b) Construction.—Nothing in this section shall be construed as requiring:

(1) A health care facility to provide or pay for vaccination against pertussis.

(2) A pregnant woman to receive vaccination against pertussis.

Section 6. Informational publications by department.

The department shall, on the department's publicly accessible Internet website, make available to health care facilities printable publications that include information on the Centers for Disease Control and Prevention's recommendations that pregnant women, family members and caregivers of infants receive vaccination against pertussis to protect their newborns from the transmission of pertussis.

Section 7. Effective date.

This act shall take effect in 60 days.

APPROVED—The 22nd day of October, A.D. 2014

TOM CORBETT