

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 411 Vaccination of Nursing Home Residents

**SPONSOR(S):** Miller

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 332

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Health Innovation Subcommittee	11 Y, 0 N	Castagna	Poche
2) Health Care Appropriations Subcommittee			
3) Health & Human Services Committee			

### SUMMARY ANALYSIS

Pneumococcal disease is an illness caused by the pneumococcus bacteria that can lead to serious infections such as pneumonia, bacteremia, or meningitis. Infections caused by pneumococcal disease are more likely to occur in older adults and persons with decreased immune function. The Centers for Disease Control and Prevention (CDC) recommends two pneumococcal vaccines for adults aged 65 years or older: the pneumococcal polysaccharide vaccine and the pneumococcal conjugate vaccine.

In Florida, nursing homes require newly admitted residents to be assessed and, if eligible, vaccinated for pneumococcal disease with the pneumococcal polysaccharide vaccination.

House Bill 411 requires nursing homes to vaccinate or revaccinate, when indicated, eligible newly admitted residents with any pneumococcal vaccination that is recommended by the CDC.

The bill appears to have no fiscal impact on state or local governments.

The bill provides an effective date of July 1, 2015.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

##### Pneumococcal Disease

Pneumococcal disease is an illness caused by pneumococcus bacteria.<sup>1</sup> The disease is often mild but can cause serious symptoms, lifelong disability, or death. Infections caused by pneumococcal disease are more likely to occur in older adults and persons with decreased immune function.<sup>2</sup> Pneumococcus can cause:

- Pneumonia, which causes inflammation in the lungs.<sup>3</sup> Pneumococcal pneumonia is the most common infection caused by pneumococcal disease, and results in 175,000 hospitalizations each year.<sup>4</sup>
- Bacteremia, which causes bacteria to enter the bloodstream.<sup>5</sup> Bacteremia occurs in about 25 to 30 percent of patients with pneumococcal pneumonia. More than 50,000 cases of pneumococcal bacteremia occur each year.<sup>6</sup>
- Meningitis, which causes inflammation of the membranes surrounding the brain and spinal cord.<sup>7</sup> An estimated 3,000 to 6,000 cases of pneumococcal meningitis occur each year. The case-fatality rate of pneumococcal meningitis is about 30 percent, but may be as high as 80 percent among elderly persons.<sup>8</sup>

Annually, pneumococcal disease results in approximately 18,000 deaths of adults 65 years or older.<sup>9</sup>

##### *Pneumococcal Immunizations for Older Adults*

There are two vaccines against pneumococcal disease, the pneumococcal polysaccharide vaccine (PPV) and the pneumococcal conjugate vaccine (PCV13). The Centers for Disease Control and Prevention (CDC) recently recommended that all adults aged 65 years and older receive both immunizations. The PCV13 protects against 13 of the approximate 90 types of pneumococcal bacteria that can cause disease and related infections. The PPV, referred to as the PPSV23 by the CDC, protects against 23 types of pneumococcal bacteria and prevents against more severe invasive infections, such as meningitis, but only offers low levels of protection against pneumonia.<sup>10</sup>

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<sup>1</sup> Centers for Disease Control and Prevention, *Pneumococcal Disease and the Vaccine (Shot) to Prevent It*, available at <http://www.cdc.gov/vaccines/vpd-vac/pneumo/fs-parents.html> (last visited February 3, 2015).

<sup>2</sup> Centers for Disease Control and Prevention. Pneumococcal Disease; Epidemiology and Prevention of Vaccine-Preventable Diseases; The Pink Book: Course Textbook - 12th Edition Second Printing (May 2012) available at <http://www.cdc.gov/vaccines/pubs/pinkbook/pneumo.html> (last visited February 2, 2015).

<sup>3</sup> Mayo Clinic, *Pneumonia*, (May 21, 2013), available at <http://www.mayoclinic.org/diseases-conditions/pneumonia/basics/definition/con-20020032> (last visited February 2, 2015).

<sup>4</sup> Supra at FN 1.

<sup>5</sup> Supra at FN 3.

<sup>6</sup> National Institute of Allergy and Infectious Diseases, *Pneumococcal Pneumonia* (September 2011), available at <http://www.niaid.nih.gov/topics/pneumonia/Pages/Default.aspx> (last visited February 2, 2015).

<sup>7</sup> Mayo Clinic, *Meningitis*, (May 19, 2013) available at: <http://www.mayoclinic.org/diseases-conditions/meningitis/basics/definition/con-20019713> (last visited February 2, 2015).

<sup>8</sup> National Foundation for Infectious Diseases, *Pneumococcal Disease Fact Sheet for the Media* available at <http://www.nfid.org/info/pneumococcal/media-factsheet.html> (last visited February 2, 2015).

<sup>9</sup> Centers for Disease Control and Prevention, *Pneumococcal Vaccines* (February 2015), available at: <http://www.cdc.gov/vaccines/hcp/patient-ed/adults-for-practice/standards/recommend.html> (last visited February 3, 2015).

<sup>10</sup> Supra at FN 2.

According to the CDC, adults who are 65 years of age or older and who have not previously received the PCV13 should receive a dose of the PCV13, followed 6 to 12 months later by a dose of the PPV. If an older adult has already received one or more doses of the PPV, the dose of the PCV13 should be given at least 1 year after the most recent dose of the PPV.<sup>11</sup>

### Immunization in Florida Nursing Home Facilities

Section 400.141(1)(t), F.S., requires licensed nursing home facilities to assess new residents within 5 days of admission for eligibility for the PPV. Eligible residents must be vaccinated or revaccinated with the PPV within 60 days, in accordance with CDC immunization recommendations.<sup>12</sup> Residents may elect to receive the PPV immunization from a personal physician and must submit proof of this immunization to the facility. Current law provides exemptions from the PPV requirement for medical contraindications and religious or personal beliefs.<sup>13</sup>

### **Effect of Proposed Changes**

House Bill 411 amends s. 400.141(1)(t), F.S., to remove the specific reference to pneumococcal polysaccharide vaccine and permits eligible nursing home residents to receive any CDC-recommended pneumococcal vaccine to satisfy the vaccination and revaccination requirement in statute.

The bill provides an effective date of July 1, 2015.

#### **B. SECTION DIRECTORY:**

**Section 1.** Amends s.400.141, F.S., relating to administration and management of nursing home facilities.

**Section 2.** Provides an effective date of July 1, 2015.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

##### **1. Revenues:**

None.

##### **2. Expenditures:**

None.

#### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

##### **1. Revenues:**

None.

##### **2. Expenditures:**

None.

#### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

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<sup>11</sup> Centers for Disease Control and Prevention, *Pneumococcal Vaccination: Who Needs It?*, available at <http://www.cdc.gov/vaccines/vpd-vac/pneumo/vacc-in-short.htm> (last visited February 3, 2015).

<sup>12</sup> Section 400.141(1)(t), F.S.

<sup>13</sup> *Id.*

**D. FISCAL COMMENTS:**

Vaccinating nursing home residents with both pneumococcal vaccines could result in lower health care costs through prevention of pneumococcal pneumonia and other diseases.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

**1. Applicability of Municipality/County Mandates Provision:**

Not applicable. This bill does not appear to affect county or municipal governments.

**2. Other:**

None.

**B. RULE-MAKING AUTHORITY:**

Not applicable.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**