

111TH CONGRESS  
1ST SESSION

# S. 953

To provide for the establishment of programs and activities to increase influenza vaccination rates through the provision of free vaccines.

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IN THE SENATE OF THE UNITED STATES

MAY 1, 2009

Mr. HARKIN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide for the establishment of programs and activities to increase influenza vaccination rates through the provision of free vaccines.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Seasonal Influenza and  
5       Pandemic Preparation Act of 2009”.

6       **SEC. 2. FREE INFLUENZA VACCINE PROGRAM.**

7       (a) ESTABLISHMENT.—The Secretary shall establish  
8       a national voluntary influenza vaccination program for  
9       adults and children under which any individual may re-  
10      ceive an influenza vaccine at no cost at any federally quali-

1 fied health center, public or private hospital, physician of-  
2 fice, clinic, or other entity determined appropriate by the  
3 Secretary.

4 (b) PARTICIPATING ENTITIES.—

5 (1) REIMBURSEMENT.—An entity described in  
6 subsection (a) that elects to provide vaccines to indi-  
7 viduals through the program shall be reimbursed for  
8 the costs of administering such vaccines by the Sec-  
9 retary at the rate determined by the Secretary for  
10 such vaccine for purposes of title XIX of the Social  
11 Security Act (42 U.S.C. 1396 et seq.), or at such  
12 higher rate, including cost-based reimbursement, as  
13 determined appropriate by the Secretary. Such reim-  
14 bursement may include the costs of practice ex-  
15 penses or other costs associated with the administra-  
16 tion of the influenza vaccine.

17 (2) LIMITATION ON CHARGES.—An entity par-  
18 ticipating in the program shall not charge a co-pay-  
19 ment or apply any other cost-sharing requirements  
20 associated with the administration of influenza vac-  
21 cines, including any co-payment or other cost-shar-  
22 ing for the visit associated with the administration  
23 of such vaccine.

24 (3) VOLUNTARY PARTICIPATION.—Participation  
25 by an entity in the program shall be voluntary.

1 (c) PUBLIC-PRIVATE PARTNERSHIPS.—

2 (1) GRANTS.—The Secretary shall award  
3 grants to State and local health departments, public  
4 hospitals, federally qualified health centers, and  
5 other entities to facilitate the establishment of influ-  
6 enza vaccination programs in partnership with pri-  
7 vate entities, including retail outlets, pharmacies,  
8 faith-based organizations, private employers, and  
9 others as determined appropriate by the Secretary.

10 (2) LIMITATION ON CHARGES.—Any influenza  
11 vaccination provided to an individual under a grant  
12 under this subsection shall be at no cost to the indi-  
13 vidual.

14 (3) REIMBURSEMENT.—An entity participating  
15 in a program under a grant under this subsection  
16 may request reimbursement from the Secretary  
17 under the program under subsection (a) in addition  
18 to the amounts received under the grant.

19 (4) AUTHORIZATION OF APPROPRIATIONS.—  
20 There are authorized to be appropriated to carry out  
21 this subsection, \$500,000,000 for fiscal year 2010,  
22 and such sums as may be necessary for each fiscal  
23 year thereafter.

24 (d) SCHOOL PARTNERSHIPS.—

25 (1) GRANTS TO PUBLIC ENTITIES.—

1 (A) IN GENERAL.—The Secretary shall  
2 award grants to local health departments, pub-  
3 lic hospitals, federally qualified health centers,  
4 and other entities to facilitate the development  
5 of influenza vaccination programs for students  
6 and families of students in partnership with  
7 local primary and secondary educational institu-  
8 tions (including private institutions and Head  
9 Start programs).

10 (B) LIMITATION ON CHARGES.—Any influ-  
11 enza vaccination provided to an individual  
12 under a grant under this subsection shall be at  
13 no cost to the individual.

14 (2) GRANTS TO SCHOOLS.—The Secretary shall  
15 award grants to elementary and secondary schools to  
16 facilitate the development of a voluntary influenza  
17 vaccination program.

18 (3) LIMITATION ON CHARGES.—Any influenza  
19 vaccination provided to an individual under this sub-  
20 section shall be at no cost to the individual.

21 (4) AUTHORIZATION OF APPROPRIATIONS.—  
22 There are authorized to be appropriated to carry out  
23 this subsection, \$150,000,000 for fiscal year 2010,  
24 and such sums as may be necessary for each fiscal  
25 year thereafter.

1 (e) IMMUNIZATION PLANS.—The Secretary, under  
2 the programs under titles XVIII, XIX, and XXI of the  
3 Social Security Act, shall develop an immunization plan  
4 with immunization target numbers for the respective pop-  
5 ulations served under the program under each such title.  
6 The Secretary shall provide bonus payments to eligible  
7 health care providers and other entities who meet immuni-  
8 zation targets established by the Secretary in such plans.

9 **SEC. 3. PUBLIC OUTREACH.**

10 (a) IN GENERAL.—The Director of the Centers for  
11 Disease Control and Prevention shall establish and imple-  
12 ment a national public affairs campaign, to be carried out  
13 through radio, television, print, and other media and  
14 methods determined appropriate by the Secretary, to in-  
15 crease influenza immunization rates.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated to carry out this section,  
18 \$15,000,000 for fiscal year 2010, and such sums as may  
19 be necessary for each fiscal year thereafter.

20 **SEC. 4. DEFINITIONS.**

21 In this Act:

22 (1) PROGRAM.—The term “program” means  
23 the national voluntary influenza vaccination program  
24 established under section 2(a).

- 1           (2) SECRETARY.—The term “Secretary” means  
2           the Secretary of Health and Human Services.

