

**Vermont Statutes**

**Title 18. Health**

**Chapter 21. COMMUNICABLE DISEASES**

*Current through 2013 Legislative Session*

**§ 1130. [Effective 1/1/2014] Immunization pilot program**

(a)

As used in this section:

(1)

"Health care facility" shall have the same meaning as in section 9402 of this title.

(2)

"Health care professional" means an individual, partnership, corporation, facility, or institution licensed or certified or authorized by law to provide professional health care services.

(3)

"Health insurer" shall have the same meaning as in section 9402 of this title, but does not apply to insurers providing coverage only for a specified disease or other limited benefit coverage.

(4)

"Immunizations" means vaccines and the application of the vaccines as recommended by the practice guidelines for children and adults established by the Advisory Committee on Immunization Practices (ACIP) to the Centers for Disease Control and Prevention (CDC).

(5)

"State health care programs" shall include Medicaid, Dr. Dynasaur, and any other health care program providing immunizations with funds through the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

(b)

(1)

The department of health shall establish an immunization pilot program with the ultimate goal of ensuring universal access to vaccines for all Vermonters at no charge to the individual and to reduce the cost at which the state may purchase vaccines. The pilot program shall be in effect from January 1, 2010, through December 31, 2014. During the term of the pilot program, the department shall purchase, provide for the

distribution of, and monitor the use of vaccines as provided for in this subsection and subsection (c) of this section. The cost of the vaccines and an administrative surcharge shall be reimbursed by health insurers as provided for in subsections (e) and (f) of this section.

(2)

The department shall solicit, facilitate, and supervise the participation of health care professionals, health care facilities, and insurers in the immunization pilot program in order to accomplish the state's goal of universal access to immunizations at the lowest practicable cost to individuals, insurers, and state health care programs.

(3)

The department shall gather and analyze data regarding the immunization pilot program for the purpose of ensuring its quality and maximizing protection of Vermonters against diseases preventable by vaccination.

(c)

The immunization pilot program shall include a bulk purchasing pool to maximize the discounts, rebates, or negotiated price of all vaccines for children and certain recommended vaccines for adults. The department shall determine which vaccines for adults shall be purchased under the program. The department may join a multi-state purchasing pool or contract with a wholesale distributor to negotiate prices for the vaccines provided through the program.

(d)

The immunization pilot program shall provide for distribution of the vaccines to health care professionals and health care facilities for administration to patients.

(e)

Health insurers shall reimburse the department for the actual cost of vaccines provided to their subscribers and for the administration surcharge established in subsection (f) of this section.

(f)

The department shall charge each health insurer a surcharge for the costs and administration of the immunization pilot program. The surcharge shall be deposited into an existing special fund and used solely for the purpose of administering the pilot program.

(g)

(1)

No later than July 1, 2009, the commissioner shall convene an advisory committee to provide recommendations regarding the immunization pilot

program, including:

No. 70, § 29; 2009, No. 61, §42; 2009, No. 156 (Adj. Sess.), §I.20.

(A)

the vaccines to be included in the pilot program;

**Note:***This section is set out twice. See also § 1130, effective until 1/1/2014.*

(B)

the pilot program's target patient utilization goal for each vaccine selected for inclusion in the pilot;

(C)

the purchase price of vaccines;

(D)

the administrative surcharge established pursuant to subsection (f) of this section; and

(E)

the design of the evaluation for the immunization pilot program.

(2)

The advisory committee shall include representatives from the three largest health insurers licensed to do business in Vermont and the department of Vermont health access and shall be chaired by the chief of the immunization program for the department of health.

(3)

The advisory committee shall meet throughout the term of the pilot program.

(h)

The department of health shall develop, with input from the advisory committee established pursuant to subsection (g) of this section, an evaluation methodology to determine the costs and effectiveness of the pilot program, including whether the total cost to health insurers of participation in the pilot program is less than or equal to their estimated costs had they not participated in the program.

(i)

The department may adopt rules under chapter 25 of Title 3 if necessary to implement this section.

**Cite as 18 V.S.A. § 1130**

**History.** Amended by 2013, No. 79, §17, eff. 1/1/2014.

Amended by 2012, No. 162, §C.200, eff. 5/17/2012.

Amended by 2012, No. 157, §4, eff. 7/1/2012.

Added 2005, No. 191 (Adj. Sess.), § 23; amended 2007,