

**Vermont Statutes**

**Title 18. HEALTH**

**Part 2. PUBLIC HEALTH REGULATIONS**

**Chapter 21. COMMUNICABLE DISEASES**

**Subchapter 4. IMMUNIZATION**

*Current through 2014 Legislative Session*

**§ 1130. Immunization funding**

(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" means any health care program providing immunizations with funds available through State and federal sources.

(6)

"Covered lives" means the number of Vermont residents covered under a health insurance plan provided or administered by a health insurer.

(b)

(1)

The Department of Health shall administer an immunization program with the goals of ensuring universal access to vaccines for all Vermonters at no charge to the individual and reducing the cost at which the State may purchase vaccines. 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 health insurers in the immunization 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 program for the purpose of ensuring its quality and maximizing protection of Vermonters against diseases preventable by vaccination.

(c)

The immunization program shall purchase vaccines from the federal Centers for Disease Control and Prevention at the lowest available cost. The Department shall determine annually which vaccines for adults shall be purchased under the program.

(d)

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

(e)

Health insurers shall remit to the Department the cost of vaccines, as established by the Commissioner of Health based on the recommendation of the Immunization Funding Advisory Committee established in subsection (g) of this section.

(f)

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

(g)

(1)

The Immunization Funding Advisory Committee is established to provide the Commissioner of Health with an annual per-member per-month cost for vaccines for the pediatric population, an annual per-member per-month cost for vaccines for the adult population, and a recommendation for the amount of the yearly vaccine assessment. The Committee shall comprise the following nine members:

(A)

the Executive Officer of the Board of Pharmacy;

(B)

the Executive Director of the Green Mountain Care Board;

(C)

a representative of the Vermont Blueprint for Health, nominated by the Director of the Blueprint and appointed by the Commissioner of Health;

(D)

three representatives of health insurers, one from each of the State's largest private health insurers, as determined by the number of covered lives, appointed by the Commissioner of Health;

(E)

a representative of the American Academy of Pediatrics, Vermont chapter, appointed by the Commissioner of Health;

(F)

a representative of the American Academy of Family Medicine, Vermont chapter, appointed by the Commissioner of Health; and

(G)

a representative of employers that self-insure for health coverage, appointed by the Commissioner of Health.

(2)

The Committee shall select a chair from among its members at the first meeting of each calendar year. The Committee shall receive administrative support from the Department of Health.

(3)

By January 1 of each year, the Committee shall provide to the Commissioner the annual fiscal assessment and the

per-member per-month cost for pediatric vaccines based on the total number of pediatric covered lives reported by health insurers and the per-member per-month cost for adult vaccines based on the total number of adult covered lives reported by health insurers.

(h)

If federal purchase requirements do not further the goal of ensuring universal access to vaccines for all, the Commissioner may, following consultation with the Immunization Funding Advisory Committee, discontinue the program with six months' advance notice to all health care professionals and to all health insurers with Vermont covered lives.

(i)

The Department may adopt rules under 3 V.S.A. chapter 25 to implement this section.

**Cite as 18 V.S.A. § 1130**

**History.** Amended by 2014, No. 179, §E.312.1, eff. 7/1/2014.

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