

1 vaccines and rules limiting the requirements that can be placed on children, their
2 parents, guardians, or custodians as a condition for receiving vaccines provided by the
3 State. These rules shall become effective January 1, 1994.

4 (d) Only vaccine preparations which meet the standards of the United States
5 Food and Drug Administration or its successor in licensing vaccines and are approved
6 for use by the Commission may be used. Vaccines, containing the preservative
7 thimerosal, administered to children under the age of eight years shall not contain more
8 than 0.5 micrograms of mercury per 0.5 milliliter dose.

9 (d1) Influenza vaccines administered to children 6-35 months of age and pregnant
10 women shall not contain the preservative thimerosal, except:

11 (1) Vaccines with a trace amount (<0.5ug/0/5ml dose) of mercury are
12 permissible only if there are no alternative vaccines available; or

13 (2) In times of emergency, supply disruption, vaccine shortage, or
14 epidemic as determined by the State Health Director. If an emergency
15 or epidemic is determined to exist, the State Health Director shall
16 notify the Commission for Health Services, the Governor, the Joint
17 Legislative Commission on Governmental Operations, and the general
18 public.

19 (e) When the Commission requires immunization against a disease not listed in
20 paragraph (a) of this section, or requires an additional dose of a vaccine, the
21 Commission is authorized to exempt from the new requirement children who are or who
22 have been enrolled in school (K-12) on or before the effective date of the new
23 requirement."

24 **SECTION 2.** The Department of Health and Human Services, Division of
25 Public Health, shall include information on the use of thimerosal and other preservatives
26 in vaccines in printed materials produced by the Department for distribution to parents,
27 guardians, and others regarding immunizations required by G.S. 130A-152(a). The
28 information shall include at a minimum the following information:

29 (1) Thimerosal is a preservative used in vaccines that contains forty-nine
30 and six-tenths percent (49.6%) mercury.

31 (2) A brief history of the use of thimerosal in vaccines, including the
32 request made in 1999 by the Academy of Pediatrics for the voluntary
33 removal of thimerosal from vaccines.

34 (3) The availability of vaccines that do not contain thimerosal.

35 (4) History and factual information regarding thimerosal. This information
36 shall be updated periodically to include recent developments in
37 scientific knowledge, standards of health care practice, and legal
38 requirements relevant to thimerosal.

39 (5) Other information that contributes to the ability of the patient, parent,
40 or guardian of the patient to make an informed decision when choosing
41 the type of vaccine to be administered.

42 **SECTION 3.** The Department of Health and Human Services shall study
43 and determine the feasibility of requiring that all vaccinations used to carry out the
44 provisions of G.S. 130A-152(a) shall be free of the preservative thimerosal. The

1 Department shall submit a written report of its findings, including a timetable for
2 implementation, to the 2008 Regular Session of the General Assembly upon its
3 convening.

4 **SECTION 4.** Section 1 of this act becomes effective January 1, 2008. The
5 remaining sections become effective when the act becomes law.