

Section by Section Summary of the Vaccine Access and Supply Act

Section 1: Title

The bill will be cited as the Vaccine Access and Supply Act of 2005

Section 2: Authorities on Influenza and Other Vaccines

(a) This part of the bill adds several new sections to the Public Health Service Act.

- **Section 317A (a): Buyback of Flu Vaccine**

This section grants authority to the HHS Secretary to enhance the supply of flu vaccine by reaching agreement with manufacturers on the number of doses to be produced. This agreement can include a provision for the Secretary to purchase 50% of unsold doses for the season. The purchase price shall be the average sales price for the season. These provisions would apply to other vaccines which, like the flu vaccine, are regularly changed.

- **Section 317A (b): Vaccine for Adults Program**

This section establishes a new Vaccines for Adults program modeled on the successful Vaccines for Children program. Under this program, the federal government would purchase vaccines recommended for (1) uninsured adults; (2) adults who are receiving care in certain public clinics and have no insurance coverage for vaccination; (3) adults who are incarcerated and have no insurance coverage for vaccination; and (4) adults vaccinated by state public health departments. Like the Vaccines for Children program, Vaccines for Adults would be administered by states.

- **Section 317A (c): Information on Vaccines in Time of Shortage**

This section establishes that, in the event of a public health emergency caused by a vaccine shortage, the Secretary may require vaccine manufacturers and distributors of vaccines to provide information on the location of existing vaccines. This information shall be provided to states upon request.

- **Section 317A (d): Emergency Response Plan**

This section requires the Secretary to develop and maintain a plan to respond to vaccine shortages.

- **Section 317A (e): Research**

This section authorizes \$250 million for fiscal year 2006 and such sums as may be necessary through fiscal year 2010 for research towards the development of new vaccines for human use.

- **Section 317A (f): Adult Vaccine Education Program**

This section authorizes funding for the Secretary to develop and implement a program to promote immunizations among adults.

- **Section 317A (g): Definitions**

This section contains certain definitions related to the Vaccines for Adults Program.

- (b) This part of the bill contains several measures to ensure that private insurers do not drop vaccination coverage.

Section 3: Changes to Vaccines for Children Program

This section authorizes the expansion of the Vaccines for Children program to cover vaccines administered to children without insurance coverage for vaccines in public clinics. It gives the HHS Secretary the authority to lift price caps on a vaccine if the Secretary determines that the cap is adversely affecting the supply of the vaccine. It also permits the Secretary to sell vaccines from the vaccine stockpile and use the funding to purchase more vaccines.

Section 4: Amendments to State Vaccine Grants

This section provides for an additional \$80 million in vaccine grants to states in fiscal year 2006 to 2008, with adjustment for inflation. The section also clarifies that 317 funds may be used to conduct assessments in order to evaluate the need for vaccination, to develop and implement strategies to increase immunization rates, to educate the public on immunizations, to consult with health care providers on vaccinations, and to investigate and respond to outbreaks of vaccine-preventable diseases. This section requires states to have plans to respond to vaccine shortages.

Section 5: One-year Notice on Discontinuing Vaccine Production

This section requires vaccine manufacturers to inform the Food and Drug Administration at least 12 months prior to discontinuing vaccine production, with several possible exceptions for good cause. This information shall be shared with the Director of the Centers for Disease Control and Prevention and to appropriate physician and patient organizations.

Section 6: Pediatric Vaccine Stockpile

This section requires that within 30 days of enactment, the HHS Secretary, in consultation with the Chairman of the Securities and Exchange Commission, shall submit a plan to Congress to ensure the participation of vaccine companies in a stockpile of pediatric vaccines.

Section 7: Prohibition on Medicaid Cost-Sharing for Vaccines

This section prohibits states from charging co-payments for recommended vaccines.