

June 1976 Spec. Sess.  
Assembly Bill 1

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**CHAPTER 423, Laws of 1975**

AN ACT to create 20.435 (1) (b) and (bc) of the statutes, relating to influenza immunization and making an appropriation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. At the appropriate places in the schedule in section 20.005 of the statutes, insert the following amounts for the purposes indicated:

	1975-76	1976-77
<b>20.435 Health and social services,</b>		
<b>Department of</b>		
<b>(1) PUBLIC HEALTH SERVICES</b>		
(b) Influenza immunization		
aids program	GPR A	800,000
	0	

SECTION 2. 20.435 (1) (b) and (bc) of the statutes are created to read:

20.435 (1) (b) *Influenza immunization — aids program.* The amounts in the schedule for aids to agencies, organizations or local governmental units for cost sharing of influenza immunization activities approved by the department. Allocation of such aids shall be determined by the department in accordance with a distribution formula approved by the joint committee on finance.

(bc) *Influenza immunization — funding emergencies.* From the general fund, a sum sufficient for emergencies directly related to influenza immunization. Such funds may be released only upon recommendation of the secretary of the department of health and social services and approval of the joint committee on finance and may be expended only on items not provided for under any other appropriation and only if such expenditure is necessary to ensure the health and safety of state inhabitants.

SECTION 3. **Influenza immunization.** (1) The department of health and social services shall coordinate influenza immunization throughout the state and shall formulate guidelines for the development of local plans. The department of health and social services must approve all local plans including plans for expending funds provided under section 20.435 (1) (b) of the statutes, as created by this act, for implementing influenza immunization and only such approved plans shall be eligible for assistance from the appropriation under section 20.435 (1) (b) of the statutes, as created by this act. No local plans approved under this subsection or guidelines formulated under this subsection may require any person to be immunized.

(2) Distribution of aids under section 20.435 (1) (b) of the statutes, as created by this act, shall be in accordance with a formula developed by the department of health and social services and approved by the joint committee on finance. Such formula shall:

(a) Provide incentive to localities to immunize as many inhabitants as are willing to be immunized;

(b) Make provision for economies of scale to be derived from densities of population; and

(c) Provide incentive for the use of volunteers in the administration of the vaccine. The guidelines formulated by the department of health and social services under subsection (1) shall be submitted to the joint committee on finance prior to the approval of the formula.

(3) (a) Any person participating under a written agreement signed by the person in the dispensation or other activities related to influenza immunization under this section shall be covered by the provisions of sections 165.25 (6), 895.45 and 895.46 of the statutes, as if such person were a state employe and as long as such person does not charge a fee.

(b) The department of health and social services shall prescribe the form of the written agreement. The written agreement shall be filed with the department of health and social services.

(4) Prior to the establishment of any rules and guidelines relating to influenza immunization as provided in this act, the department of health and social services shall submit the rules and guidelines to the senate committee on agriculture, human services, labor and taxation and to the assembly committee on health and social services.

**SECTION 4. Appropriation increase.** The appropriation under section 20.285 (1) (a) of the statutes, as affected by the laws of 1975, is increased by \$50,000 for the fiscal year 1976-77 for the purpose of supporting state laboratory of hygiene activities, including surveillance, carried out in relation to the influenza immunization provided under this act.

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