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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-FIFTH  
SESSION

**HOUSE FILE No. 1917**

March 12, 2007

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act  
1.2 relating to public health; establishing a preference for mercury-free vaccines;  
1.3 amending Minnesota Statutes 2006, section 121A.15, by adding a subdivision.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 121A.15, is amended by adding a  
1.6 subdivision to read:

1.7 Subd. 3b. Preference for mercury-free vaccines. (a) All vaccines administered in  
1.8 the state of Minnesota must be free of all mercury and mercury compounds, including  
1.9 but not limited to, thimerosal, including preservative and trace amounts of mercury or  
1.10 mercury compounds, unless:

1.11 (1) a mercury-free vaccine is not manufactured;

1.12 (2) the health care provider finds that the mercury-free, medically recommended  
1.13 vaccine is not obtainable by utilizing reasonable efforts because of a shortage of supplies  
1.14 or because the vaccine was not available for purchase; or

1.15 (3) a vaccine containing mercury was ordered before July 1, 2007, and used before  
1.16 July 1, 2008.

1.17 (b) If a mercury-free vaccine is not available according to paragraph (a), then  
1.18 a vaccine containing a trace amount of mercury, as defined by the Food and Drug  
1.19 Administration, may be administered. If neither a mercury-free vaccine nor a vaccine  
1.20 containing a trace amount of mercury is available, then the available vaccine containing  
1.21 the least amount of mercury may be administered.

1.22 (c) A provider administering a vaccine containing more than a trace amount of  
1.23 mercury shall, before administering the vaccine, obtain informed consent from the patient,  
1.24 and also obtain a signed acknowledgment that the patient has received, and has had

2.1 verbally explained, the following written disclosure: "This vaccine contains more than a  
2.2 trace amount of the mercury compound thimerosal."

2.3 (d) The commissioner of health shall inform immunization providers of all the  
2.4 requirements of this section.

2.5 (e) The commissioner of health shall provide and maintain vaccine information on  
2.6 the Department of Health Web site, including, but not limited to, contact information for  
2.7 vaccine manufacturers, instructions as to how vaccines can be purchased and obtained, and  
2.8 the mercury content of vaccines. This information must be updated no less than quarterly  
2.9 and must be updated within seven days after a new vaccine product is approved for sale.

2.10 **EFFECTIVE DATE.** This section is effective July 1, 2007, except that the  
2.11 requirement in paragraph (d) is effective June 1, 2007, or the day following final  
2.12 enactment, whichever is later.