STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1079 By: Hildebrant

AS INTRODUCED

An Act relating to vaccinations; creating the Vaccine Transparency and Informed Consent Act; providing the purpose; providing transparency and disclosure requirements; providing for informed consent standards; providing for civil penalties; requiring confidentiality of records; providing for severability; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7500 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Vaccine Transparency and Informed Consent Act".

B. The purpose of this act is to ensure transparency in vaccine-related health care practices and to establish informed consent standards by requiring health care providers to disclose comprehensive, evidence-based information regarding vaccines before administration.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7501 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Before administering any vaccine, health care providers shall provide the patient with a written document containing the following:

1. A complete list of all ingredients in the vaccine, including active and inactive components, consistent with the Centers for Disease Control and Prevention (CDC) Vaccine Excipient and Media Summary;

2. A summary of the testing and development process of the vaccine, including but not limited to, clinical trial phases, study size, and results related to safety and efficacy; and

3. A comprehensive outline of all known and potential health and safety risks, including short-term and long-term side effects reported in:

a. clinical trials,

b. post-market surveillance, including U.S. Department of Health and Human Services and CDC Vaccine Adverse Event Reporting System (VAERS) data,

c. information regarding any ethical considerations, including the testing or use of fetal tissue cell lines, animal-derived components, or other materials deemed controversial during development or production,

d. a clear statement regarding the availability of exemptions under Oklahoma state law for religious, medical, or personal beliefs, and

e. information on the National Vaccine Injury Compensation Program (VICP) and patient rights regarding injury claims.

B. The written document shall:

1. Be provided prior to administration of the vaccine; and

2. Include a statement that the patient has the right to accept, decline, or defer the vaccine.

C. Health care providers shall:

1. Allow the patient sufficient time to review the materials; and

2. Answer any questions in a clear and understandable manner regarding vaccine risks, benefits, and ingredients.

D. Prior to administering any vaccine, health care providers shall obtain the patient's written informed consent, which shall include acknowledgment of the following:

1. Receipt and understanding of the materials provided under subsection A of this section;

2. The patient's voluntary decision to accept, decline, or defer the vaccine; and

3. Confirmation that the patient has had the opportunity to ask questions and receive answers.

E. Copies of the signed informed consent forms shall be retained in the patient's medical record for a minimum of seven (7) years.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7502 of Title 63, unless there is created a duplication in numbering, reads as follows:

1. Any health care provider or institution found in violation of this act shall be subject to:

a. a civil penalty of up to One Thousand Dollars ($1,000.00) per occurrence for failure to provide the required transparency and disclosure documentation, and

b. a civil penalty of up to Five Thousand Dollars ($5,000.00) per occurrence for administering a vaccine without obtaining written informed consent;

2. Repeat violations may result in additional penalties, including:

a. disciplinary action by the Oklahoma State Board of Medical Licensure and Supervision or other relevant regulatory authorities, and

b. suspension or revocation of licenses, where applicable; and

3. Patients who believe this act has been violated may:

a. file a formal complaint with the appropriate licensing board, and

b. pursue civil action for damages in a court of law.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7503 of Title 63, unless there is created a duplication in numbering, reads as follows:

All documentation, informed consent records, and related materials shall remain confidential and protected under the Health Insurance Portability and Accountability Act (HIPAA) and other relevant state and federal privacy laws.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7504 of Title 63, unless there is created a duplication in numbering, reads as follows:

If any provision of this act is found invalid, the remaining provisions shall remain in full force and effect.

SECTION 6. This act shall become effective November 1, 2025.

60-1-11357 TJ 01/05/25