By Senator Garcia

36-01168A-25 20251362__

A bill to be entitled

An act relating to claims for adverse reactions to vaccines and drugs under the Medicare, Medicaid, and medically needy programs; providing a short title; creating s. 409.9043, F.S.; requiring the Agency for Health Care Administration to expedite the review and payment process for claims related to adverse reactions to vaccines, immunizing agents, and emergency countermeasure drugs under the Medicare, Medicaid, and Medicaid medically needy programs; requiring the agency to publish certain information on its website; requiring the agency to seek federal approval for a specified purpose under certain circumstances and to adopt rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as "Cody's Law: Florida No Vaccine-Injured Patient Left Behind."

Section 2. Section 409.9043, Florida Statutes, is created to read:

409.9043 Claims for adverse reactions to vaccines, immunizing agents, and emergency countermeasure drugs under the Medicare, Medicaid, and medically needy programs.—

(1) The Agency for Health Care Administration shall, under the Medicare program, the Medicaid program, and the Medicaid medically needy program, expedite the review and payment process for a claim in which the physician has diagnosed a severe,

debilitating, life-threatening, or lifelong injury caused by the administration of a vaccine or other immunizing agent or an adverse reaction to an emergency countermeasure drug if the vaccine, immunizing agent, or emergency countermeasure drug is recommended by the United States Food and Drug Administration or the Department of Health of this state.

(2)(a) The agency shall publish on its website:

1. A list of medical conditions related to a vaccine, immunizing agent, or emergency countermeasure drug for the expedited claims described in subsection (1).

2. A list of potential adverse reactions found in the manufacturer's product insert of a vaccine, immunizing agent, or emergency countermeasure drug which are deemed critical, severe, or temporarily or permanently disabling by the agency or the physicians who make the diagnoses in the claims described in subsection (1).

3. Any new medical condition related to a vaccine, immunizing agent, or emergency countermeasure drug which arises.

4. Any future vaccine, immunizing agent, or emergency countermeasure drug or treatment deemed appropriate by the agency or by the physicians who make the diagnoses in the claims described in subsection (1).

(b) The agency shall also inform its website visitors of the content of this section, including the requirements under subsection (1), so that physicians or other health care providers may best serve patients who have urgent medical needs as a result of an injury caused by the administration of a vaccine or other immunizing agent or an adverse reaction to an emergency countermeasure drug.

(3) The agency shall seek federal approval, if necessary, to implement this section and shall adopt rules to administer this section.

Section 3. This act shall take effect July 1, 2025.