



PUBLIC HEALTH Law

27491

Control of diseases preventable by vaccination.

The Senate and Chamber of Deputies of the Argentine Nation meeting in Congress, etc. sanction with force of

law:

Article 1 - The purpose of this law is to regulate the implementation of a public policy for the control of diseases preventable by vaccination.

Art. 2 - For the purposes of this law, vaccination is understood as a preventive and highly effective public health strategy. It is considered a social good, subject to the following principles:

- a) Free vaccines and access to vaccination services, with social equity for all stages of life;
- b) Obligation for residents to apply vaccines;
- c) Prevalence of public health over private interest;
- d) Availability of vaccines and vaccination services;
- e) Participation of all health sectors and others linked to their social determinants, with the aim of achieving satisfactory vaccination coverage on a sustained basis.

Art. 3 - Declare vaccination as of national interest, understood as research, epidemiological surveillance, evidence-based decision making, acquisition, storage, distribution, provision of vaccines, ensuring the cold chain, as well as also its production and measures to promote vaccination in the population and strengthen surveillance of vaccine safety.

Art. 4 - The expense required to comply with this law must be attributed to the items of the general budget of the public administration corresponding to the area of whoever acts as the enforcement authority, which must guarantee the acquisition of the inputs require for compliance in accordance with the provisions of this law. Supplies are understood to include biologicals, syringes, needles, discarders and the unified vaccination card -CUV-.

Art. 5 - The authority for the application of this law will be established by the national Executive Branch, coordinating its actions with the competent jurisdictional authorities and the organizations with jurisdiction in the matter.

Art. 6 - The National Vaccination Calendar established by the application authority is approved.

Art. 7 - The vaccines of the National Vaccination Calendar, those recommended by the health authority for groups at risk and those indicated in an epidemiological emergency situation, are mandatory for all inhabitants of the country in accordance with the guidelines established by the health authority, application.

Art. 8 - The vaccines indicated by the application authority are mandatory for all people who carry out activities in the health field that have contact with patients, whether in public or private establishments, and for those people who carry out tasks in laboratories exposed to biological samples that may contain microorganisms preventable through vaccines.

Art. 9 - Compliance with the National Vaccination Calendar is accredited with the presentation of the certification in accordance with the guidelines determined by the application authority.

Art. 10.- Parents, guardians, curators, guardians, legal representatives or guardians of children, adolescents or incapable persons are responsible for the vaccination of the persons in their care.

Art. 11.- Members of educational and health establishments, public or private, and any public agent or official who is aware of non-compliance with the provisions of articles 7, 8, 10 and 13 of this law must notify said circumstance before the administrative authority for the protection of rights at the local level, under warning of incurring responsibility for said omission, in accordance with the Law for the Comprehensive Protection of the Rights of Girls, Boys and Adolescents, law 26,061.

Art. 12.- The proof of the application of the vaccine, with prior authorization from the employer, justifies the absence from work on the day of the application, both for the vaccinated person and for those responsible for their dependents, in accordance with article 10. Under no circumstances will there be a loss or reduction of wages, salaries or awards for this concept.

Art. 13.- Certification of compliance with the National Vaccination Calendar must be required in the procedures for:

- a) Entry and exit of the school year, both mandatory and optional, formal or informal;
- b) Carrying out medical health examinations that are carried out within the framework of law 24,557 on occupational risks;
- c) Processing or renewal of ID, passport, residence, prenuptial certificate and driver's license;

d) Processing of family allowances in accordance with Law 24,714 and non-remunerative monetary allowances, whatever their name, stipulated by current regulations.

The dissemination prior to the implementation of this article, its execution and the deadlines thereof, will be specified in the regulations, in such a way as to favor the population's access to vaccination at all stages of life without preventing the realization of these procedures.

Art. 14.- Failure to comply with the obligations provided for in articles 7, 8, 10 and 13 of this law will generate actions by the corresponding jurisdictional health authority, aimed at carrying out vaccination, which will range from notification to vaccination. compulsive

Art. 15.- Any member of the health team who unjustifiably refuses to comply with the obligations provided for in this law, or falsifies the CUV or any document that certifies vaccination, will be subject to the sanctions determined by the health authority. application.

Art. 16.- The National Registry of the Digital Vaccinated Population is created in which the data on the vaccination status of each of the inhabitants of all jurisdictions and health subsystems must be nominally recorded.

Art. 17.- The National Registry of Occasional Vaccinators is created as an extraordinary mechanism aimed at providing a timely and quality response to exceptional situations such as mass vaccination campaigns, blockade vaccination in the event of outbreaks and intensive or extramural actions in cases in which it is not possible. have sufficient human resources available.

Art. 18.- The functions of the application authority are:

a) Keep the National Vaccination Calendar updated in accordance with scientific criteria based on the national and international epidemiological and health situation, with the aim of protecting the vaccinated individual and the community. ;

b) Define the technical guidelines for vaccination actions to which jurisdictions must comply;

c) Provide inputs linked to the public policy provided for in Article 1;

d) Keep the registry created in article 16 updated in coordination with the jurisdictions;

e) Promote agreements with health providers, whatever their legal status, and public and private entities in order to strengthen actions to control diseases preventable by vaccination;

f) Develop dissemination, information and awareness campaigns about the importance of vaccination as a right for individual protection and a social responsibility for community health;

g) Design and provide a unified vaccination card -CUV- for the purposes of delivery to the jurisdictional health authorities;

h) Receive donations and record them in accordance with the provisions of article 32;

i) Declare the state of epidemiological emergency in relation to diseases preventable by vaccination, dictating the measures considered pertinent;

j) Coordinate with the jurisdictions the implementation of actions that ensure the population's access to the vaccines of the National Vaccination Calendar, those recommended by the health authority for risk groups, those that are available due to epidemiological emergency and that strengthen surveillance of vaccine-preventable diseases;

k) Arbitrate, in coordination with the jurisdictions, the necessary means to achieve vaccination and the corresponding sanctions, in the event of failure to comply with the provisions of articles 2, 7, 8, 10 and 13 of this document. law;

l) Articulate with the jurisdictions the implementation of the National Registry of Eventual Vaccinators;

m) Keep updated and periodically publish information related to the safety surveillance of vaccines used in the country.

Art. 19.- The vaccines provided by the enforcement authority within the framework of this law can only be applied following the technical guidelines provided for in section b) of article 18. Art. 20.- All health providers

, Whatever their legal status, those who apply the vaccines from the National Vaccination Calendar, special guests, health or laboratory personnel and those determined by the application authority in case of epidemiological emergency, acquired by the national State, must do so free of charge, certify its application through the CUV and notify said action to the competent jurisdictional health authority. The enforcement authority must provide vaccines and supplies free of charge to health workers, within the framework of the functions provided for in sections c) and j) of article 18 of this law.

Art. 21.- Any person who promptly attends a health unit, belonging to any subsector of the health system, for the application of the vaccines of the National Vaccination Calendar or those indicated in special situations, and was not vaccinated for reasons unrelated to of their will, must be provided with a certificate stating the reason for non-vaccination and the instructions to follow.

Art. 22.- Vaccines can only be applied in establishments authorized by the competent authority and in extramural activities included within the framework of complementary actions that are implemented in coordination with the jurisdictions.

Art. 23.- In the case of complementary actions in coordination with the jurisdictions, to be carried out in school establishments, the vaccination must be reliably notified to the people who are in charge of children and adolescents in their capacity as parents, tutors, curators, guardians and legal representatives or managers. It will be understood that there is tacit authorization on their part, unless there is an express and justified statement of refusal for the student to be vaccinated in the school establishment without prejudice to compliance with paragraph b) of article 2 and article 7.

Art. 24.- Establish the allocation of free advertising spaces in the media that make up the Federal System of Media and Public Content, in the quantity and

proportion determined by regulation. The messages that may be broadcast in these spaces must be intended for the dissemination of information related to primary prevention strategies through vaccines, provided by the application authority.

Art. 25.- The National Immunization Commission -CONAIN- is created within the scope of the application authority as a technical advisory body for the purposes of providing recommendations on strategies for the control, elimination and eradication of vaccine-preventable diseases and whose members will act ad honorem. The application authority must dictate its organization and operating regulations.

Art. 26.- The National Vaccine Safety Commission – Conaseva – is created within the scope of the enforcement authority as a technical advisory body for the purposes of strengthening a safety surveillance system for the immunobiologicals used and whose members will act ad honorem. The application authority must dictate its organization and operating regulations.

Art. 27.- Adhere to the Vaccination Week of the Americas (VAW), an initiative that the countries and territories of the Americas have celebrated since 2002 with the aim of promoting equity and access to vaccination; strengthen national immunization programs to reach populations with limited access to regular health services, such as those living in urban peripheries, rural and border areas, and in indigenous communities; provide a platform to raise awareness among the population about the importance of vaccination, and keep the issue of vaccines on the political and public agenda.

Art. 28.- August 26 of each year is established as National Vaccinator Day, in recognition of their fundamental work in the implementation of these public health actions. During this day, the enforcement authority must develop various public dissemination, information and awareness activities in the terms of section f) of article 18. Art.

29.- Failure to comply with the provisions of articles 15, 20 and 22 of the This law will make violators liable to the following sanctions:

a) Warning;

b) Fine adjustable between ten (10) and one hundred (100) minimum, vital and mobile salaries;

c) Suspension for up to one (1) year.

These sanctions must be regulated gradually taking into account the circumstances of the case, the nature and severity of the infraction, the offender's background and the damage caused, without prejudice to other civil and criminal responsibilities that may apply. The proceeds of the fines must be used for vaccination actions, dissemination, information and awareness campaigns, as agreed with the jurisdiction that intervened.

Art. 30.- The authority applying this law must establish the administrative procedure to be applied in coordination with the jurisdictions for the investigation of alleged infractions, ensuring the right of defense of the alleged offender and other constitutional guarantees. The function established in this article must be coordinated with the national public organizations involved in the scope of their areas covered by this law and with the jurisdictions. Likewise, it can delegate to the jurisdictions the substantiation of the procedures to which the foreseen infractions give rise and grant them its representation in the processing of the judicial appeals that are filed, against the sanctions that apply. Once the administrative route has been exhausted, the appeal will proceed in court directly before the Federal Court of Appeals with jurisdiction in contentious-administrative matters with jurisdiction in the place of the event. The appeals filed against the application of the planned sanctions will have a refunding effect. For well-founded reasons, aimed at avoiding an irreparable burden on the interested party or to protect third parties, the appeal may be granted with suspensive effect.

Art. 31.- Acquisitions made by the enforcement authority in compliance with this law must be evaluated annually for their incorporation into the list of merchandise referred to in articles 1 and 5 of law 25,590 or the standard that replace it.

Art. 32.- Within the framework of compliance with this law, the enforcement authority may receive donations of financial and material resources made by national and international non-governmental organizations, international or cooperation organizations and organizations or entities with or without the purposes of profit with activities in our country.

Art. 33.- This law is of public order and applies throughout the national territory.

Art. 34.- The Executive Branch must regulate this law within one hundred and twenty (120) days of promulgation.

Art. 35.- Law 22,909 is repealed.

Art. 36.- Communicate to the national Executive Branch.

GIVEN IN THE SESSION ROOM OF THE ARGENTINE CONGRESS, IN BUENOS AIRES, ON THE TWELVE DAY OF THE MONTH OF DECEMBER OF THE YEAR TWO THOUSAND AND EIGHTEEN.

REGISTERED UNDER N° 27491

MARTA G. MICHETTI - EMILIO MONZO - Eugenio Inchausti - Juan P. Tunessi