**Legal Title**
Immunization Adverse Reaction Fund

**Legal Citation/Authority**
Chapter 415, Statutes of 1995, Section 7
Health and Safety Code section 120450

**Purpose**
The fund was created to provide for reimbursement of medical expenses incurred for a child under the age of 18 as a result of a severe adverse reaction to a state required immunization. A severe adverse reaction, for the purposes of this act, is a reaction that manifests itself not more than 30 days after the immunization and requires extensive medical care, as defined by the department.

The amount paid for reimbursement may not exceed $25,000 per minor and is made without regard to the ability of the claimant to pay.

This chapter also provided a specific exemption from liability to persons who caused any injury in the administration of a vaccine or other immunizing agent to a minor, if such immunization is required by state law, unless willful misconduct or gross negligence is involved.

An amount of $50,000 was appropriated from the General Fund to this fund to be used for reimbursement of such medical expenses.

**Administering Agency/Organization Code**
Department of Health Services/Org 4260

**Major Revenue Source**
General Fund appropriations.

**Disposition of Fund (upon abolishment)**
Reimbursement of costs incurred for treatment of adverse reactions which resulted from state required immunizations.

**Appropriation Authority**
Section 429.35 of the Health and Safety Code provides that the fund, is appropriated without regard to fiscal years.

**State Appropriations Limit**
Always Excluded – The major revenue source is transferred from another fund which has already counted in an included fund, the General Fund (0001), and should not be double counted; as well as, this
Fund is derived from a Trust and Agency Fund (Non-Federal).

**Comments/Historical Information**

Chapter 1097, Statutes of 1997 originally created this fund in Health & Safety Code section 429.35.

Chapter 415, Statutes of 1995, Section 71 repealed this fund.
