



Rod R. Blagojevich, Governor
Eric E. Whitaker, M.D., M.P.H., Director

525-535 West Jefferson Street • Springfield, Illinois 62761-0001 • www.idph.state.il.us

August 23, 2006

Dear Colleague:

As you are aware, Public Act 94-0614, Mercury-Free Vaccine Act, became effective January 1, 2006. This Act requires vaccines to be mercury-free except for trace amounts, but provides in the statute a means for the Department to evaluate and assess the needs of Illinois citizens to have access to vaccines. The Illinois Department of Public Health has filed a statewide Declaration of Exemption on behalf of public and private health care providers for the following vaccines affected by the Act: Influenza 2006/2007 Multi-dose Formula.

In evaluating the basis for the Exemption for Influenza 2006/2007 Multi-dose Formula, the Department established that the influenza vaccine for the Vaccines for Children (VFC) program was procured from the Centers for Disease Control (CDC) through a federal contract directly from the manufacturer, or via a distributor/reseller. Current manufacturing processes limit the total amount of preservative-free product that is currently available to private and public sector providers. For VFC Program needs, the Department submitted an order for 100% preservative-free product. On April 12, 2006, the Department was notified by the CDC that Illinois' allocation of influenza vaccine would not reflect Illinois' request for 100% preservative-free product. The CDC informed the Department that because the amount of preservative-free vaccine requested by federal grantees exceeded the amount of thimerosal preservative-free vaccine available under the federal contract, the CDC instituted an allocation formula to ensure equitable distribution to all grantees. According to the current allocation, the Illinois VFC program expects that approximately 75% of the influenza vaccine received will be preservative free. It is unknown what the final percentage will be until the manufacturing process and total yield is completed. CDC has informed the Department that no additional preservative-free doses are available for purchase through the federal vaccine contract. As a result of the reduced allocation, neither Illinois nor Chicago will have sufficient vaccine supply available to serve those at highest risk of diseases and complications without the use of thimerosal containing formulations.

The manufacturer does not reserve preservative-free influenza vaccine doses for any state, and it can not target the vaccine for any one state. Therefore, the


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Illinois Department of Public Health has determined that insufficient amounts of preservative-free Influenza 2006/2007 Multi-dose Formula vaccine are available to protect the health of Illinois residents, and has issued an exemption for the influenza vaccine.

The Illinois Department of Public Health supports efforts to ensure vaccine safety. It has been committed to using preservative-free vaccines for its Vaccines for Children programs, beginning in 1999. However, for the reasons cited in the attached exemption, it is imperative that the people of Illinois continue to have access to life-saving vaccines when necessary, without potential compromise to health and safety.

If you have any questions about this Declaration of Exemption, please contact Marilyn Thomas, Chief Counsel, 217-782-2043 or TTY (for hearing impaired use only) 800-547-0466. For questions about Illinois immunization requirements, please contact Karen McMahan, Immunization Program Administrator, 217-785-1455.

Sincerely,



Eric E. Whitaker, M.D., M.P.H.
Director

cc: Marilyn Thomas, IDPH Legal Services
Tom Hughes, IDPH Office of Health Protection
Karen McMahan, IDPH Immunization Services