

1 A bill to be entitled

2 An act relating to immunization registry; amending s.  
3 381.003, F.S.; revising provisions relating to the  
4 communicable disease prevention and control programs  
5 under the Department of Health; providing requirements  
6 for electronic availability of immunization records;  
7 requiring certain health care practitioners to submit  
8 and update data in the immunization registry;  
9 requiring the department to adopt rules; amending s.  
10 1003.22, F.S.; revising school-entry health  
11 requirements to require students to have a certificate  
12 of immunization on file with the Department of  
13 Health's immunization registry; providing an effective  
14 date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Section 381.003, Florida Statutes, is amended  
19 to read:

20 381.003 Communicable disease and AIDS prevention and  
21 control.—

22 (1) The department shall conduct a communicable disease  
23 prevention and control program as part of fulfilling its public  
24 health mission. A communicable disease is any disease caused by  
25 transmission of a specific infectious agent, or its toxic

26 | products, from an infected person, an infected animal, or the  
 27 | environment to a susceptible host, either directly or  
 28 | indirectly. The communicable disease program must include, but  
 29 | need not be limited to:

30 |       (a) Programs for the prevention and control of  
 31 | tuberculosis in accordance with chapter 392.

32 |       (b) Programs for the prevention and control of human  
 33 | immunodeficiency virus infection and acquired immune deficiency  
 34 | syndrome in accordance with chapter 384 and this chapter.

35 |       (c) Programs for the prevention and control of sexually  
 36 | transmissible diseases in accordance with chapter 384.

37 |       (d) Programs for the prevention, control, and reporting of  
 38 | communicable diseases of public health significance as provided  
 39 | for in this chapter.

40 |       (e) Programs for the prevention and control of vaccine-  
 41 | preventable diseases, including programs to immunize school  
 42 | children as required by s. 1003.22(3)-(11) and the development  
 43 | of an automated, electronic, and centralized database and ~~or~~  
 44 | registry of immunizations. The department shall ensure that all  
 45 | children in this state are immunized against vaccine-preventable  
 46 | diseases. The immunization registry shall allow the department  
 47 | to enhance current immunization activities for the purpose of  
 48 | improving the immunization of all children in this state.

49 |       1. ~~Except as provided in subparagraph 2.,~~ The department  
 50 | shall include all children born in this state in the

51 immunization registry by using the birth records from the Office  
52 of Vital Statistics. The department shall add other children to  
53 the registry as immunization services are provided.

54 ~~2. The parent or guardian of a child may refuse to have~~  
55 ~~the child included in the immunization registry by signing a~~  
56 ~~form obtained from the department, or from the health care~~  
57 ~~practitioner or entity that provides the immunization, which~~  
58 ~~indicates that the parent or guardian does not wish to have the~~  
59 ~~child included in the immunization registry. The decision to not~~  
60 ~~participate in the immunization registry must be noted in the~~  
61 ~~registry.~~

62 ~~2.3.~~ The immunization registry shall allow for  
63 immunization records to be electronically available to  
64 ~~transferred to~~ entities that are required by law to have such  
65 records, including, but not limited to, schools and, licensed  
66 child care facilities, ~~and any other entity that is required by~~  
67 ~~law to obtain proof of a child's immunizations.~~

68 3.4. A Any health care practitioner licensed under chapter  
69 458, chapter 459, or chapter 464 in this state who administers  
70 vaccinations or causes vaccinations to be administered to  
71 children from birth to 18 years of age is required to report  
72 vaccination data to the immunization registry. A health care  
73 practitioner licensed under chapter 458, chapter 459, or chapter  
74 464 in this state who administers vaccinations or causes  
75 vaccinations to be administered to college or university

76 | students from 19 years of age to 23 years of age at a Florida  
77 | college or university student health care facility is required  
78 | to report vaccination data to the immunization registry.  
79 | Vaccination data for other age ranges may be submitted to the  
80 | immunization registry on an optional basis. Automated data  
81 | upload from existing automated systems is an acceptable method  
82 | for updating immunization information in the immunization  
83 | registry. ~~complies with rules adopted by the department to~~  
84 | ~~access the immunization registry may, through the immunization~~  
85 | ~~registry, directly access immunization records and update a~~  
86 | ~~child's immunization history or exchange immunization~~  
87 | ~~information with another authorized practitioner, entity, or~~  
88 | ~~agency involved in a child's care.~~ The information included in  
89 | the immunization registry must include the child's name, date of  
90 | birth, address, and any other unique identifier necessary to  
91 | correctly identify the child; the immunization record, including  
92 | the date, type of administered vaccine, and vaccine lot number;  
93 | and the presence or absence of any adverse reaction or  
94 | contraindication related to the immunization. Information  
95 | received by the department for the immunization registry retains  
96 | its status as confidential medical information and the  
97 | department must maintain the confidentiality of that information  
98 | as otherwise required by law. A health care practitioner or  
99 | other agency that obtains information from the immunization  
100 | registry must maintain the confidentiality of any medical

101 records in accordance with s. 456.057 or as otherwise required  
 102 by law.

103 (2) The department may adopt rules pursuant to ss.  
 104 120.536(1) and 120.54 to implement this section., ~~repeal, and~~  
 105 ~~amend rules related to the prevention and control of~~  
 106 ~~communicable diseases and the administration of the immunization~~  
 107 ~~registry. Such rules may include procedures for investigating~~  
 108 ~~disease, timeframes for reporting disease, definitions,~~  
 109 ~~procedures for managing specific diseases, requirements for~~  
 110 ~~followup reports of known or suspected exposure to disease, and~~  
 111 ~~procedures for providing access to confidential information~~  
 112 ~~necessary for disease investigations. For purposes of the~~  
 113 ~~immunization registry, the rules may include procedures for a~~  
 114 ~~health care practitioner to obtain authorization to use the~~  
 115 ~~immunization registry, methods for a parent or guardian to elect~~  
 116 ~~not to participate in the immunization registry, and procedures~~  
 117 ~~for a health care practitioner licensed under chapter 458,~~  
 118 ~~chapter 459, or chapter 464 to access and share electronic~~  
 119 ~~immunization records with other entities allowed by law to have~~  
 120 ~~access to the records.~~

121 Section 2. Subsection (4) of section 1003.22, Florida  
 122 Statutes, is amended to read:

123 1003.22 School-entry health examinations; immunization  
 124 against communicable diseases; exemptions; duties of Department  
 125 of Health.—

126 (4) Each district school board and the governing authority  
127 of each private school shall establish and enforce as policy  
128 that, prior to admittance to or attendance in a public or  
129 private school, grades kindergarten through 12, or any other  
130 initial entrance into a Florida public or private school, each  
131 child ~~present or~~ have on file with the state registry of  
132 immunizations ~~school~~ a certification of immunization for the  
133 prevention of those communicable diseases for which immunization  
134 is required by the Department of Health and further shall  
135 provide for appropriate screening of its students for scoliosis  
136 at the proper age. Such certification shall ~~be made on forms~~  
137 ~~approved and provided by the Department of Health and shall~~  
138 become a part of each student's permanent record, to be  
139 transferred when the student transfers, is promoted, or changes  
140 schools. The transfer of such immunization certification by  
141 Florida public schools shall be accomplished using the Florida  
142 Automated System for Transferring Education Records and shall be  
143 deemed to meet the requirements of this section.

144 Section 3. This act shall take effect January 1, 2020.