

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 3. A college or university student, from 19 years of age
63 to 23 years of age, who obtains a vaccination from a Florida
64 college or university student health center, may refuse to be
65 included in the immunization registry by signing a form obtained
66 from the department, or from a Florida college or university
67 student health care facility, which indicates that the student
68 does not wish to be included in the immunization registry. The
69 decision to not participate in the immunization registry must be
70 noted in the registry.

71 4.3. The immunization registry shall allow for
72 immunization records to be electronically available to
73 ~~transferred to~~ entities that are required by law to have such
74 records, including, but not limited to, schools and~~7~~ licensed

75 | child care facilities, ~~and any other entity that is required by~~
76 | ~~law to obtain proof of a child's immunizations.~~

77 | 5.4. A Any health care practitioner licensed under chapter
78 | 458, chapter 459, or chapter 464 in this state who administers
79 | vaccinations or causes vaccinations to be administered to
80 | children from birth to 18 years of age is required to report
81 | vaccination data to the immunization registry, unless a parent
82 | or guardian of a child has refused to have the child included in
83 | the immunization registry by meeting the requirements of
84 | subparagraph 2. A health care practitioner licensed under
85 | chapter 458, chapter 459, or chapter 464 in this state who
86 | administers vaccinations or causes vaccinations to be
87 | administered to college or university students from 19 years of
88 | age to 23 years of age at a Florida college or university
89 | student health care facility is required to report vaccination
90 | data to the immunization registry, unless the student has
91 | refused to be included in the immunization registry by meeting
92 | the requirements of subparagraph 3. Vaccination data for other
93 | age ranges may be submitted to the immunization registry on a
94 | voluntary basis. Automated data upload from existing automated
95 | systems is an acceptable method for updating immunization
96 | information in the immunization registry. ~~complies with rules~~
97 | ~~adopted by the department to access the immunization registry~~
98 | ~~may, through the immunization registry, directly access~~
99 | ~~immunization records and update a child's immunization history~~

100 ~~or exchange immunization information with another authorized~~
101 ~~practitioner, entity, or agency involved in a child's care. The~~
102 information ~~included~~ in the immunization registry must include
103 the child's name, date of birth, address, and any other unique
104 identifier necessary to correctly identify the child; the
105 immunization record, including the date, type of administered
106 vaccine, and vaccine lot number; and the presence or absence of
107 any adverse reaction or contraindication related to the
108 immunization. Information received by the department for the
109 immunization registry retains its status as confidential medical
110 information and the department must maintain the confidentiality
111 of that information as otherwise required by law. A health care
112 practitioner or other agency that obtains information from the
113 immunization registry must maintain the confidentiality of any
114 medical records in accordance with s. 456.057 or as otherwise
115 required by law.

116 (2) The department may adopt rules pursuant to ss.
117 120.536(1) and 120.54 to implement this section., ~~repeal,~~ and
118 ~~amend rules related to the prevention and control of~~
119 ~~communicable diseases and the administration of the immunization~~
120 ~~registry. Such rules may include procedures for investigating~~
121 ~~disease, timeframes for reporting disease, definitions,~~
122 ~~procedures for managing specific diseases, requirements for~~
123 ~~followup reports of known or suspected exposure to disease, and~~
124 ~~procedures for providing access to confidential information~~

125 ~~necessary for disease investigations. For purposes of the~~
 126 ~~immunization registry, the rules may include procedures for a~~
 127 ~~health care practitioner to obtain authorization to use the~~
 128 ~~immunization registry, methods for a parent or guardian to elect~~
 129 ~~not to participate in the immunization registry, and procedures~~
 130 ~~for a health care practitioner licensed under chapter 458,~~
 131 ~~chapter 459, or chapter 464 to access and share electronic~~
 132 ~~immunization records with other entities allowed by law to have~~
 133 ~~access to the records.~~

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

136 1003.22 School-entry health examinations; immunization
 137 against communicable diseases; exemptions; duties of Department
 138 of Health.—

139 (4) Each district school board and the governing authority
 140 of each private school shall establish and enforce a ~~as~~ policy
 141 that:
 142

143 (a) Prior to admittance to or attendance in a public or
 144 private school, grades kindergarten through 12, or any other
 145 initial entrance into a Florida public or private school, each
 146 child ~~present or~~ have on file with the state registry of
 147 immunizations ~~school~~ a certification of immunization for the
 148 prevention of those communicable diseases for which immunization
 149 is required by the Department of Health. Any child who is
excluded from participation in the state registry of

150 immunizations pursuant to s. 381.003(1)(e)2., must present or
151 have on file with the school such certification of immunization
152 ~~and further shall provide for appropriate screening of its~~
153 ~~students for scoliosis at the proper age. Such Certification of~~ of
154 immunization shall be made on forms approved and provided by the
155 Department of Health or be on file with the state registry of
156 immunizations and shall become a part of each student's
157 permanent record, to be transferred when the student transfers,
158 is promoted, or changes schools. The transfer of such
159 immunization certification by Florida public schools shall be
160 accomplished using the Florida Automated System for Transferring
161 Education Records and shall be deemed to meet the requirements
162 of this section.

163 (b) Provides for appropriate screening of its students for
164 scoliosis at the proper age.

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