



663502

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/24/2018	.	
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The Committee on Health Policy (Montford) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

381.003 Communicable disease and AIDS prevention and  
control.—

(1) The department shall conduct a communicable disease  
prevention and control program as part of fulfilling its public



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11 health mission. A communicable disease is any disease caused by  
12 transmission of a specific infectious agent, or its toxic  
13 products, from an infected person, an infected animal, or the  
14 environment to a susceptible host, either directly or  
15 indirectly. The communicable disease program must include, but  
16 need not be limited to:

17 (a) Programs for the prevention and control of tuberculosis  
18 in accordance with chapter 392.

19 (b) Programs for the prevention and control of human  
20 immunodeficiency virus infection and acquired immune deficiency  
21 syndrome in accordance with chapter 384 and this chapter.

22 (c) Programs for the prevention and control of sexually  
23 transmissible diseases in accordance with chapter 384.

24 (d) Programs for the prevention, control, and reporting of  
25 communicable diseases of public health significance as provided  
26 for in this chapter.

27 (e) Programs for the prevention and control of vaccine-  
28 preventable diseases, including programs to immunize school  
29 children as required by s. 1003.22(3)-(11) and the development  
30 of an automated, electronic, and centralized database and ~~or~~  
31 registry of immunizations. The department shall ensure that all  
32 children in this state are immunized against vaccine-preventable  
33 diseases. The immunization registry shall allow the department  
34 to enhance current immunization activities for the purpose of  
35 improving the immunization of all children in this state.

36 1. ~~Except as provided in subparagraph 2.7,~~ The department  
37 shall include all children born in this state in the  
38 immunization registry by using the birth records from the Office  
39 of Vital Statistics. The department shall add other children to



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40 the registry as immunization services are provided.

41 ~~2. The parent or guardian of a child may refuse to have the~~  
42 ~~child included in the immunization registry by signing a form~~  
43 ~~obtained from the department, or from the health care~~  
44 ~~practitioner or entity that provides the immunization, which~~  
45 ~~indicates that the parent or guardian does not wish to have the~~  
46 ~~child included in the immunization registry. The decision to not~~  
47 ~~participate in the immunization registry must be noted in the~~  
48 ~~registry.~~

49 ~~2.3. The immunization registry must shall allow for~~  
50 ~~immunization records to be electronically available to~~  
51 ~~transferred to entities that are required by law to have such~~  
52 ~~records, including, but not limited to, schools and licensed~~  
53 ~~child care facilities, and any other entity that is required by~~  
54 ~~law to obtain proof of a child's immunizations.~~

55 ~~3.4. A Any health care practitioner licensed under chapter~~  
56 ~~458, chapter 459, or chapter 464 in this state who administers~~  
57 ~~vaccinations or causes vaccinations to be administered to~~  
58 ~~children at any time from their birth to 18 years of age is~~  
59 ~~required to report vaccination data to the immunization~~  
60 ~~registry. A health care practitioner licensed under chapter 458,~~  
61 ~~chapter 459, or chapter 464 who administers vaccinations or~~  
62 ~~causes vaccinations to be administered to college or university~~  
63 ~~students who are 18 years of age up to 23 years of age at a~~  
64 ~~college or university student health care facility in this state~~  
65 ~~is required to report vaccination data to the immunization~~  
66 ~~registry. Vaccination data for other age ranges may be submitted~~  
67 ~~to the immunization registry on an optional basis. Automated~~  
68 ~~data upload from existing automated systems is an acceptable~~



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69 method for updating immunization information in the immunization  
70 registry. ~~complies with rules adopted by the department to~~  
71 ~~access the immunization registry may, through the immunization~~  
72 ~~registry, directly access immunization records and update a~~  
73 ~~child's immunization history or exchange immunization~~  
74 ~~information with another authorized practitioner, entity, or~~  
75 ~~agency involved in a child's care.~~ The information included in  
76 the immunization registry must include the child's name, date of  
77 birth, address, and any other unique identifier necessary to  
78 correctly identify the child; the immunization record, including  
79 the date, type of administered vaccine, and vaccine lot number;  
80 and the presence or absence of any adverse reaction or  
81 contraindication related to the immunization. Information  
82 received by the department for the immunization registry retains  
83 its status as confidential medical information and the  
84 department must maintain the confidentiality of that information  
85 as otherwise required by law. A health care practitioner or  
86 other agency that obtains information from the immunization  
87 registry must maintain the confidentiality of any medical  
88 records in accordance with s. 456.057 or as otherwise required  
89 by law.

90 (2) The department may adopt rules pursuant to ss.  
91 120.536(1) and 120.54 to implement this section, ~~repeal, and~~  
92 ~~amend rules related to the prevention and control of~~  
93 ~~communicable diseases and the administration of the immunization~~  
94 ~~registry. Such rules may include procedures for investigating~~  
95 ~~disease, timeframes for reporting disease, definitions,~~  
96 ~~procedures for managing specific diseases, requirements for~~  
97 ~~followup reports of known or suspected exposure to disease, and~~



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98 ~~procedures for providing access to confidential information~~  
99 ~~necessary for disease investigations. For purposes of the~~  
100 ~~immunization registry, the rules may include procedures for a~~  
101 ~~health care practitioner to obtain authorization to use the~~  
102 ~~immunization registry, methods for a parent or guardian to elect~~  
103 ~~not to participate in the immunization registry, and procedures~~  
104 ~~for a health care practitioner licensed under chapter 458,~~  
105 ~~chapter 459, or chapter 464 to access and share electronic~~  
106 ~~immunization records with other entities allowed by law to have~~  
107 ~~access to the records.~~

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

110 1003.22 School-entry health examinations; immunization  
111 against communicable diseases; exemptions; duties of Department  
112 of Health.—

113 (4) Each district school board and the governing authority  
114 of each private school shall establish and enforce as policy  
115 that, prior to admittance to or attendance in a public or  
116 private school, grades kindergarten through 12, or any other  
117 initial entrance into a Florida public or private school, each  
118 child ~~present or~~ have on file with the state registry of  
119 immunizations ~~school~~ a certification of immunization for the  
120 prevention of those communicable diseases for which immunization  
121 is required by the Department of Health and further shall  
122 provide for appropriate screening of its students for scoliosis  
123 at the proper age. Such certification becomes ~~shall be made on~~  
124 ~~forms approved and provided by the Department of Health and~~  
125 ~~shall become~~ a part of each student's permanent record, to be  
126 transferred when the student transfers, is promoted, or changes



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127 schools. The transfer of such immunization certification by  
128 Florida public schools shall be accomplished using the Florida  
129 Automated System for Transferring Education Records and shall be  
130 deemed to meet the requirements of this section.

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

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133 ===== T I T L E A M E N D M E N T =====

134 And the title is amended as follows:

135 Delete everything before the enacting clause  
136 and insert:

137 A bill to be entitled  
138 An act relating to immunization registry; amending s.  
139 381.003, F.S.; revising provisions relating to the  
140 communicable disease prevention and control programs  
141 under the Department of Health; deleting a provision  
142 that allows the parent or guardian of a child to  
143 refuse to have the child included in the immunization  
144 registry; providing requirements for electronic  
145 availability of, rather than transfer of, immunization  
146 records; requiring certain health care practitioners  
147 to report vaccination data to the immunization  
148 registry; authorizing the department to adopt rules;  
149 amending s. 1003.22, F.S.; revising school-entry  
150 health requirements to require that students have a  
151 certificate of immunization on file with the  
152 department's immunization registry; providing an  
153 effective date.