

By the Committee on Health Policy; and Senator Montford

588-02382-18

20181680c1

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; deleting a provision
6 that allows the parent or guardian of a child to
7 refuse to have the child included in the immunization
8 registry; providing requirements for electronic
9 availability of, rather than transfer of, immunization
10 records; requiring certain health care practitioners
11 to report vaccination data to the immunization
12 registry; authorizing the department to adopt rules;
13 amending s. 1003.22, F.S.; revising school-entry
14 health requirements to require that students have a
15 certificate of immunization on file with the
16 department's immunization registry; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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

23 381.003 Communicable disease and AIDS prevention and
24 control.—

25 (1) The department shall conduct a communicable disease
26 prevention and control program as part of fulfilling its public
27 health mission. A communicable disease is any disease caused by
28 transmission of a specific infectious agent, or its toxic
29 products, from an infected person, an infected animal, or the

588-02382-18

20181680c1

30 environment to a susceptible host, either directly or
31 indirectly. The communicable disease program must include, but
32 need not be limited to:

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

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

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

40 (d) Programs for the prevention, control, and reporting of
41 communicable diseases of public health significance as provided
42 for in this chapter.

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

52 1. ~~Except as provided in subparagraph 2.,~~ The department
53 shall include all children born in this state in the
54 immunization registry by using the birth records from the Office
55 of Vital Statistics. The department shall add other children to
56 the registry as immunization services are provided.

57 2. ~~The parent or guardian of a child may refuse to have the~~
58 ~~child included in the immunization registry by signing a form~~

588-02382-18

20181680c1

59 ~~obtained from the department, or from the health care~~
60 ~~practitioner or entity that provides the immunization, which~~
61 ~~indicates that the parent or guardian does not wish to have the~~
62 ~~child included in the immunization registry. The decision to not~~
63 ~~participate in the immunization registry must be noted in the~~
64 ~~registry.~~

65 ~~2.3.~~ The immunization registry ~~must~~ shall allow for
66 immunization records to be electronically available to
67 ~~transferred to~~ entities that are required by law to have such
68 records, including, but not limited to, schools and ~~7~~ licensed
69 child care facilities, ~~and any other entity that is required by~~
70 ~~law to obtain proof of a child's immunizations.~~

71 ~~3.4.~~ A Any health care practitioner licensed under chapter
72 458, chapter 459, or chapter 464 in this state who administers
73 vaccinations or causes vaccinations to be administered to
74 children at any time from their birth to 18 years of age is
75 required to report vaccination data to the immunization
76 registry. A health care practitioner licensed under chapter 458,
77 chapter 459, or chapter 464 who administers vaccinations or
78 causes vaccinations to be administered to college or university
79 students who are 18 years of age up to 23 years of age at a
80 college or university student health care facility in this state
81 is required to report vaccination data to the immunization
82 registry. Vaccination data for other age ranges may be submitted
83 to the immunization registry on an optional basis. Automated
84 data upload from existing automated systems is an acceptable
85 method for updating immunization information in the immunization
86 registry. ~~complies with rules adopted by the department to~~
87 ~~access the immunization registry may, through the immunization~~

588-02382-18

20181680c1

88 ~~registry, directly access immunization records and update a~~
89 ~~child's immunization history or exchange immunization~~
90 ~~information with another authorized practitioner, entity, or~~
91 ~~agency involved in a child's care.~~ The information included in
92 the immunization registry must include the child's name, date of
93 birth, address, and any other unique identifier necessary to
94 correctly identify the child; the immunization record, including
95 the date, type of administered vaccine, and vaccine lot number;
96 and the presence or absence of any adverse reaction or
97 contraindication related to the immunization. Information
98 received by the department for the immunization registry retains
99 its status as confidential medical information and the
100 department must maintain the confidentiality of that information
101 as otherwise required by law. A health care practitioner or
102 other agency that obtains information from the immunization
103 registry must maintain the confidentiality of any medical
104 records in accordance with s. 456.057 or as otherwise required
105 by law.

106 (2) The department may adopt rules pursuant to ss.
107 120.536(1) and 120.54 to implement this section, ~~repeal,~~ and
108 ~~amend rules related to the prevention and control of~~
109 ~~communicable diseases and the administration of the immunization~~
110 ~~registry. Such rules may include procedures for investigating~~
111 ~~disease, timeframes for reporting disease, definitions,~~
112 ~~procedures for managing specific diseases, requirements for~~
113 ~~followup reports of known or suspected exposure to disease, and~~
114 ~~procedures for providing access to confidential information~~
115 ~~necessary for disease investigations. For purposes of the~~
116 ~~immunization registry, the rules may include procedures for a~~

588-02382-18

20181680c1

117 ~~health care practitioner to obtain authorization to use the~~
118 ~~immunization registry, methods for a parent or guardian to elect~~
119 ~~not to participate in the immunization registry, and procedures~~
120 ~~for a health care practitioner licensed under chapter 458,~~
121 ~~chapter 459, or chapter 464 to access and share electronic~~
122 ~~immunization records with other entities allowed by law to have~~
123 ~~access to the records.~~

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

126 1003.22 School-entry health examinations; immunization
127 against communicable diseases; exemptions; duties of Department
128 of Health.—

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

588-02382-18

20181680c1

146 deemed to meet the requirements of this section.

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