

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 program  
 5           under the Department of Health; providing that certain  
 6           students who obtain vaccinations from a college or  
 7           university student health center or clinic in the  
 8           state may refuse to be included in the immunization  
 9           registry; providing requirements for electronic  
 10          availability of, rather than transfer of, immunization  
 11          records; requiring certain health care practitioners  
 12          to report data to the immunization registry;  
 13          authorizing the department to adopt rules; amending s.  
 14          1003.22, F.S.; revising school-entry health  
 15          requirements to require students to have a certificate  
 16          of immunization on file with the department's  
 17          immunization registry; requiring each district school  
 18          board and the governing authority of each private  
 19          school to establish and enforce a policy requiring the  
 20          age-appropriate screening of students for scoliosis;  
 21          providing an effective date.

22  
 23   Be It Enacted by the Legislature of the State of Florida:  
 24

25           Section 1.   Section 381.003, Florida Statutes, is amended

26 | to read:

27 |       381.003 Communicable disease and AIDS prevention and  
28 | control.—

29 |       (1) The department shall conduct a communicable disease  
30 | prevention and control program as part of fulfilling its public  
31 | health mission. A communicable disease is any disease caused by  
32 | transmission of a specific infectious agent, or its toxic  
33 | products, from an infected person, an infected animal, or the  
34 | environment to a susceptible host, either directly or  
35 | indirectly. The communicable disease program must include, but  
36 | need not be limited to:

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

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

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

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

47 |       (e) Programs for the prevention and control of vaccine-  
48 | preventable diseases, including programs to immunize school  
49 | children as required by s. 1003.22(3)-(11) and the development  
50 | of an automated, electronic, and centralized database and ~~or~~

51 registry of immunizations. The department shall ensure that all  
52 children in this state are immunized against vaccine-preventable  
53 diseases. The immunization registry must ~~shall~~ allow the  
54 department to enhance current immunization activities for the  
55 purpose of improving the immunization of all children in this  
56 state.

57 1. Except as provided in subparagraph 2., the department  
58 shall include all children born in this state in the  
59 immunization registry by using the birth records from the Office  
60 of Vital Statistics. The department shall add other children to  
61 the registry as immunization services are provided.

62 2. The parent or guardian of a child may refuse to have  
63 the child included in the immunization registry by signing a  
64 form obtained from the department, or from the health care  
65 practitioner or entity that provides the immunization, which  
66 indicates that the parent or guardian does not wish to have the  
67 child included in the immunization registry. The decision not to  
68 ~~not~~ participate in the immunization registry must be noted in  
69 the registry.

70 3. A college or university student, from 19 years of age  
71 to 23 years of age, who obtains a vaccination from a college or  
72 university student health center or clinic in the state may  
73 refuse to be included in the immunization registry by signing a  
74 form obtained from the department, or from the health center or  
75 clinic, which indicates that the student does not wish to be

76 included in the immunization registry. The student's decision  
77 not to participate in the immunization registry must be noted in  
78 the registry.

79 ~~4.3.~~ The immunization registry shall allow for  
80 immunization records to be electronically available ~~transferred~~  
81 to entities that are required by law to have such records,  
82 including, but not limited to, schools and, licensed child care  
83 ~~facilities, and any other entity that is required by law to~~  
84 ~~obtain proof of a child's immunizations.~~

85 ~~5.4.~~ A Any health care practitioner licensed under chapter  
86 458, chapter 459, or chapter 464 in this state who administers  
87 vaccinations or causes vaccinations to be administered to  
88 children from birth to 18 years of age is required to report  
89 vaccination data to the immunization registry, unless a parent  
90 or guardian of a child has refused to have the child included in  
91 the immunization registry by meeting the requirements of  
92 subparagraph 2. A health care practitioner licensed under  
93 chapter 458, chapter 459, or chapter 464 in this state who  
94 administers vaccinations or causes vaccinations to be  
95 administered to college or university students from 19 years of  
96 age to 23 years of age at a college or university student health  
97 center or clinic is required to report vaccination data to the  
98 immunization registry, unless the student has refused to be  
99 included in the immunization registry by meeting the  
100 requirements of subparagraph 3. Vaccination data for students in

101 other age ranges may be submitted to the immunization registry  
102 only if the student consents to inclusion in the immunization  
103 registry. The upload of data from existing automated systems is  
104 an acceptable method for updating immunization information in  
105 the immunization registry. ~~complies with rules adopted by the~~  
106 ~~department to access the immunization registry may, through the~~  
107 ~~immunization registry, directly access immunization records and~~  
108 ~~update a child's immunization history or exchange immunization~~  
109 ~~information with another authorized practitioner, entity, or~~  
110 ~~agency involved in a child's care.~~ The information included in  
111 the immunization registry must include the child's name, date of  
112 birth, address, and any other unique identifier necessary to  
113 correctly identify the child; the immunization record, including  
114 the date, type of administered vaccine, and vaccine lot number;  
115 and the presence or absence of any adverse reaction or  
116 contraindication related to the immunization. Information  
117 received by the department for the immunization registry retains  
118 its status as confidential medical information and the  
119 department must maintain the confidentiality of that information  
120 as otherwise required by law. A health care practitioner or  
121 other agency that obtains information from the immunization  
122 registry must maintain the confidentiality of any medical  
123 records in accordance with s. 456.057 or as otherwise required  
124 by law.

125 (2) The department may adopt rules pursuant to ss.

126 | ~~120.536(1) and 120.54 to implement this section, repeal, and~~  
127 | ~~amend rules related to the prevention and control of~~  
128 | ~~communicable diseases and the administration of the immunization~~  
129 | ~~registry. Such rules may include procedures for investigating~~  
130 | ~~disease, timeframes for reporting disease, definitions,~~  
131 | ~~procedures for managing specific diseases, requirements for~~  
132 | ~~followup reports of known or suspected exposure to disease, and~~  
133 | ~~procedures for providing access to confidential information~~  
134 | ~~necessary for disease investigations. For purposes of the~~  
135 | ~~immunization registry, the rules may include procedures for a~~  
136 | ~~health care practitioner to obtain authorization to use the~~  
137 | ~~immunization registry, methods for a parent or guardian to elect~~  
138 | ~~not to participate in the immunization registry, and procedures~~  
139 | ~~for a health care practitioner licensed under chapter 458,~~  
140 | ~~chapter 459, or chapter 464 to access and share electronic~~  
141 | ~~immunization records with other entities allowed by law to have~~  
142 | ~~access to the records.~~

143 |       Section 2. Subsection (4) of section 1003.22, Florida  
144 | Statutes, is amended to read:

145 |       1003.22 School-entry health examinations; immunization  
146 | against communicable diseases; exemptions; duties of Department  
147 | of Health.—

148 |       (4) Each district school board and the governing authority  
149 | of each private school shall establish and enforce policies as  
150 | policy that:7

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151        (a) Prior to admittance to or attendance in a public or  
152 private school, grades kindergarten through 12, or any other  
153 initial entrance into a Florida public or private school,  
154 require each child to ~~present or~~ have on file with the  
155 immunization registry ~~school~~ a certification of immunization for  
156 the prevention of those communicable diseases for which  
157 immunization is required by the Department of Health. Any child  
158 who is excluded from participation in the immunization registry  
159 pursuant to s. 381.003(1)(e)2. must present or have on file with  
160 the school such certification of immunization ~~and further shall~~  
161 ~~provide for appropriate screening of its students for scoliosis~~  
162 ~~at the proper age. Such Certification of immunization~~ shall be  
163 made on forms approved and provided by the Department of Health  
164 or be on file with the immunization registry and shall become a  
165 part of each student's permanent record, to be transferred when  
166 the student transfers, is promoted, or changes schools. The  
167 transfer of such immunization certification by Florida public  
168 schools shall be accomplished using the Florida Automated System  
169 for Transferring Education Records and shall be deemed to meet  
170 the requirements of this section.

171        (b) Require the screening of students for scoliosis at the  
172 appropriate age.

173        Section 3. This act shall take effect January 1, 2021.