

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 effective
14 dates.

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

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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 or to students at a
72 Florida college or university student health care facility is
73 required to report vaccination data to the immunization
74 registry. Vaccination data for other age ranges may be submitted
75 to the immunization registry on an optional basis. Automated

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

98 | (2) The department may adopt rules pursuant to ss.
99 | 120.536(1) and 120.54 to implement this section. ~~, repeal, and~~
100 | ~~amend rules related to the prevention and control of~~

101 ~~communicable diseases and the administration of the immunization~~
102 ~~registry. Such rules may include procedures for investigating~~
103 ~~disease, timeframes for reporting disease, definitions,~~
104 ~~procedures for managing specific diseases, requirements for~~
105 ~~followup reports of known or suspected exposure to disease, and~~
106 ~~procedures for providing access to confidential information~~
107 ~~necessary for disease investigations. For purposes of the~~
108 ~~immunization registry, the rules may include procedures for a~~
109 ~~health care practitioner to obtain authorization to use the~~
110 ~~immunization registry, methods for a parent or guardian to elect~~
111 ~~not to participate in the immunization registry, and procedures~~
112 ~~for a health care practitioner licensed under chapter 458,~~
113 ~~chapter 459, or chapter 464 to access and share electronic~~
114 ~~immunization records with other entities allowed by law to have~~
115 ~~access to the records.~~

116 Section 2. Effective July 1, 2021, subsection (4) of
117 section 1003.22, Florida Statutes, is amended to read:

118 1003.22 School-entry health examinations; immunization
119 against communicable diseases; exemptions; duties of Department
120 of Health.—

121 (4) Each district school board and the governing authority
122 of each private school shall establish and enforce as policy
123 that, prior to admittance to or attendance in a public or
124 private school, grades kindergarten through 12, or any other
125 initial entrance into a Florida public or private school, each

126 | child ~~present or~~ have on file with the state registry of
127 | immunizations ~~school~~ a certification of immunization for the
128 | prevention of those communicable diseases for which immunization
129 | is required by the Department of Health and further shall
130 | provide for appropriate screening of its students for scoliosis
131 | at the proper age. Such certification shall ~~be made on forms~~
132 | ~~approved and provided by the Department of Health and shall~~
133 | become a part of each student's permanent record, to be
134 | transferred when the student transfers, is promoted, or changes
135 | schools. The transfer of such immunization certification by
136 | Florida public schools shall be accomplished using the Florida
137 | Automated System for Transferring Education Records and shall be
138 | deemed to meet the requirements of this section.

139 | Section 3. Except as otherwise expressly provided in this
140 | act, this act shall take effect July 1, 2018.