

1 **VACCINE REPORTING REQUIREMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Raymond P. Ward**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill implements reporting requirements for vaccine information.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ requires a vaccine provider to register with the Utah Statewide Immunization
- 14 Information System (USIIS) and report vaccine information;
- 15 ▶ allows a school to provide an immunization record to USIIS; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **26-1-17.5**, as last amended by Laws of Utah 2018, Chapter 415

24 ENACTS:

25 **26-3-2.6**, Utah Code Annotated 1953

27 *Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section **26-1-17.5** is amended to read:

29 **26-1-17.5. Confidential records.**

30 (1) As used in this section, "immunization record" means the same as that term is
31 defined in Section 53G-9-301.

32 ~~[(+)]~~ (2) A record classified as confidential under this title shall remain confidential,
33 and be released according to the provisions of this title, notwithstanding Section 63G-2-310.

34 ~~[(2)]~~ (3) In addition to those persons granted access to a private record described in
35 Subsection 63G-2-302(1)(b), schools, school districts, and local and state health departments
36 and the state Department of Human Services may share an immunization record as defined in
37 Section 53G-9-301 or any other record relating to a vaccination or immunization as necessary:

38 (a) to ensure compliance with Title 53G, Chapter 8, Part 3, Physical Restraint of
39 Students[;]; and

40 (b) to prevent, investigate, and control the causes of epidemic, infectious,
41 communicable, and other diseases affecting the public health.

42 (4) Subject to Title 53E, Chapter 9, Student Privacy and Data Protection, and the
43 Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g, a school may register with
44 the Utah Statewide Immunization Information System and provide a student's immunization
45 record.

46 Section 2. Section **26-3-2.6** is enacted to read:

47 **26-3-2.6. Vaccine reporting requirement.**

48 (1) As used in this section:

49 (a) "Utah Statewide Immunization Information System" or "USIIS" means the vaccine
50 database operated by the department.

51 (b) "Vaccine information" means the relevant information, as determined by the
52 department by rule under Subsection (5), that a vaccine provider is required to report to USIIS.

53 (c) "Vaccine provider" means any of the following that provide vaccinations:

54 (i) a medical facility, as defined in Section 26-21-25;

55 (ii) a pharmacy, as defined in Section 58-17b-102;

56 (iii) a local health department, as defined in Section 26A-1-102;

57 (iv) a school, as defined in Section 26-6-2;

58 (v) a physician's office; or

59 (vi) a dental office.

60 (2) A vaccine provider shall register with USIIS.

61 (3) (a) Except as described in subsection (3)(b), a vaccine provider shall regularly
62 provide vaccine information to USIIS.

63 (b) Before providing a student's vaccine information to USIIS, a school that is a
64 vaccine provider shall comply with Title 53E, Chapter 9, Student Privacy and Data Protection,
65 and the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.

66 (4) If a vaccine provider fails to report vaccine information under Subsection (3)(a) or
67 fails to provide adequate vaccine information, the department shall:

68 (a) inform the vaccine provider; and

69 (b) consult with the vaccine provider to assist the vaccine provider in becoming
70 compliant with this section.

71 (5) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
72 Administrative Rulemaking Act, for determining:

73 (a) the relevant vaccine information a vaccine provider is required to report to USIIS;

74 (b) based on the amount of vaccines a vaccine provider delivers, how often a vaccine
75 provider shall report to USIIS; and

76 (c) the methods a vaccine provider may use to transmit the information.