

1 **UTAH STATEWIDE IMMUNIZATION INFORMATION**

2 **SYSTEM PROGRAM**

3 2017 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Norman K Thurston**

6 Senate Sponsor: Margaret Dayton

7

LONG TITLE

8 **General Description:**

9 This bill creates the Utah Statewide Immunization Information System program and
10 requires health care providers to exchange information using the program's system.
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12 **Highlighted Provisions:**

13 This bill:
14 ▶ creates the Utah Statewide Immunization Information System program;
15 ▶ requires the department to make rules regarding the program; and
16 ▶ requires health care providers to exchange immunization information using the
17 program's system.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **26-6-6.5**, Utah Code Annotated 1953

25

Be it enacted by the Legislature of the state of Utah:
26

27 Section 1. Section **26-6-6.5** is enacted to read:



28 **26-6-6.5. Utah Statewide Immunization Information System program -- Creation**
29 **-- Required reporting for health care providers.**

30 (1) As used in this section:

31 (a) "Health care provider" means an individual who is licensed under Title 58,
32 Occupations and Professions, whose scope of practice includes administering a vaccination to a
33 patient.

34 (b) "Immunization" or "immunize" means a process through which an individual
35 develops an immunity to a disease, through vaccination or natural exposure to the disease.

36 (c) "Program" means the Utah Statewide Immunization Information System program
37 created in Subsection (2).

38 (d) "System" means the Utah Statewide Immunization Information System database
39 used for storing and exchanging information regarding immunizations in Utah.

40 (e) "Vaccinating" or "vaccination" means the administration of a vaccine.

41 (f) "Vaccine" means the substance licensed for use by the United States Food and Drug
42 Administration that is injected into or otherwise administered to an individual to immunize the
43 individual against a communicable disease.

44 (2) There is created a program within the department known as the Utah Statewide
45 Immunization Information System program.

46 (3) The department shall make rules regarding the program, in accordance with Title
47 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

48 (a) establish a statewide system to record an immunization given to an individual in
49 order to ensure adequate immunization and to avoid unnecessary immunizations;

50 (b) provide for the sharing of immunization records among authorized persons;

51 (c) allow an individual to withdraw from the system upon request; and

52 (d) establish confidentiality requirements.

53 (4) An individual who violates confidentiality requirements established under
54 Subsection (3)(d) is subject to criminal and civil penalties and liability, in accordance with
55 Section [26-23-6](#).

56 (5) A health care provider who administers, or causes to be administered, a vaccine to
57 an individual within the state shall:

58 (a) report to the system within 30 days after the day on which the vaccine is

59 administered:
60 (i) demographic information regarding the individual to whom the vaccine is
61 administered;
62 (ii) details regarding the administration of the vaccine;
63 (iii) any available vaccination history in the direct possession of the health care
64 provider for the individual that has not been recorded in the system, including a vaccination
65 given by another health care provider or an individual similarly licensed in another state; and
66 (iv) any other information required by the department through administrative rule made
67 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
68 (b) provide information to the individual, or the individual's parent or guardian,
69 regarding the right to withdraw from the system; and
70 (c) access identifiable patient information in the system only as allowed by the
71 department through administrative rule made in accordance with Title 63G, Chapter 3, Utah
72 Administrative Rulemaking Act.

Legislative Review Note
Office of Legislative Research and General Counsel