

Representative Jordan D. Teuscher proposes the following substitute bill:

VACCINE REPORTING REQUIREMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill implements reporting requirements for vaccine information.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ prohibits a business from requiring a vaccination verification from the Utah Statewide Immunization Information System (USIIS) before providing services;
- ▶ requires a vaccine provider to report vaccine information;
- ▶ allows an individual to opt out of having vaccine information shared with the USIIS; and
- ▶ requires the Department of Health to assist a vaccine provider with providing vaccine information to USIIS.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 [13-7a-101](#), as enacted by Laws of Utah 2018, Chapter 130

27 [13-7a-102](#), as enacted by Laws of Utah 2018, Chapter 130

28 ENACTS:

29 [13-7a-104](#), Utah Code Annotated 1953

30 [26-3-2.6](#), Utah Code Annotated 1953

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

33 Section 1. Section [13-7a-101](#) is amended to read:

34 **CHAPTER 7a. BODILY HEALTH PROTECTION ACT**

35 **[13-7a-101](#). Title.**

36 This chapter is known as [~~"Breastfeeding Protection Act."~~] "Bodily Health Protection
37 Act."

38 Section 2. Section [13-7a-102](#) is amended to read:

39 **[13-7a-102](#). Definitions.**

40 As used in this chapter:

41 (1) (a) "Breastfeeding" means the act of a woman breastfeeding a child.

42 [~~(2)~~] (b) "Breastfeeding" includes lactation.

43 (2) "Place of public accommodation" means the same as that term is defined in Section
44 [13-7-2](#).

45 Section 3. Section [13-7a-104](#) is enacted to read:

46 **[13-7a-104](#). Vaccine information protection.**

47 (1) As a condition for receiving services or employment, an entity regulated by the
48 state or a place of public accommodation, including an airline, may not require a patron or an
49 employee to provide a vaccination verification from USIIS as defined in Section [26-3-2.6](#).

50 (2) Nothing in this section prevents an entity described in Subsection (1) from
51 requiring a patron or an employee from providing vaccination verification by other means.

52 Section 4. Section [26-3-2.6](#) is enacted to read:

53 **[26-3-2.6](#). Vaccine reporting requirement.**

54 (1) As used in this section:

55 (a) "USIIS" means the vaccine database operated by the department.

56 (b) "Vaccine information" means the relevant information, as determined by the

57 department by rule under Subsection (5), that a vaccine provider is required to report to USIIS.

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

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

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

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

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

63 (v) a health professional office, as defined in Section 26-21-25.

64 (2) A vaccine provider shall:

65 (a) regularly provide vaccine information to USIIS; and

66 (b) provide information regarding the department's online opt out form described in

67 Subsection (3)(a) to an individual or the individual's parent or guardian.

68 (3) The department:

69 (a) shall maintain a link to an online opt out form on the homepage of USIIS's website
70 that can be submitted electronically;

71 (b) may not require notarization for an individual to complete the online opt out form;

72 (c) within 30 days after the day on which the department receives an opt out form, shall
73 delete all vaccine information regarding the individual who submitted the form; and

74 (d) after receiving an opt out form, may not maintain or share any future vaccine
75 information regarding the individual who submitted the opt out form without first obtaining the
76 individual's written consent.

77 (4) If a vaccine provider fails to provide adequate vaccine information or the
78 department determines that an error occurred when the vaccine provider reported vaccine
79 information, the department shall:

80 (a) inform the vaccine provider; and

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

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

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

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

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