

**Senator Michael S. Kennedy** proposes the following substitute bill:

**VACCINE REPORTING REQUIREMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

Senate Sponsor: Michael K. McKell

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**LONG TITLE**

**General Description:**

This bill implements reporting requirements for vaccine information.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires a vaccine provider to report vaccine information;
- ▶ allows an individual to opt out of having vaccine information shared with the Utah

Statewide Immunization Information System (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:**

ENACTS:

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

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

27 Section 1. Section **26-3-2.6** is enacted to read:

28 **26-3-2.6. Vaccine reporting requirement.**

29 (1) As used in this section:

30 (a) "USIIS" means the Utah Statewide Immunization Information System operated by  
31 the department.

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

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

35 (i) a medical facility, as defined in Section [26-21-25](#);

36 (ii) a pharmacy, as defined in Section [58-17b-102](#);

37 (iii) a local health department, as defined in Section [26A-1-102](#);

38 (iv) a school, as defined in Section [26-6-2](#); or

39 (v) a health professional office, as defined in Section [26-21-25](#).

40 (2) A vaccine provider shall:

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

42 (b) provide information regarding the department's online opt out form described in  
43 Subsection (3)(a) to an individual or the individual's parent or guardian.

44 (3) The department:

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

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

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

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

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

56 (a) inform the vaccine provider; and

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

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

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

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

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