

**ASSEMBLY BILL**

**No. 254**

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**Introduced by Assembly Member Alpert**

February 6, 1995

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An act to add Article 3 (commencing with Section 3396) to Chapter 7 of Division 4 of the Health and Safety Code, relating to immunization.

LEGISLATIVE COUNSEL'S DIGEST

AB 254, as introduced, Alpert. Immunization: disclosure of information.

Existing law, governing communicable disease prevention and immunization, requires the county health officer of each county to organize and maintain a program to make immunizations available to all persons required to be immunized.

This bill would authorize local health officers to operate immunization registry systems, and would provide that certain health care providers and immunization registries may disclose or share immunization-related information maintained by these systems concerning individual patients, without the patient's consent.

The bill would also authorize the local health department that is operating the immunization registry system to provide information to school officials and licensed child care providers for the purpose of determining the immunization status of their students. It would provide that the portion of the birth certificate containing the mother's address may be made available to the local health department for entry into

the immunization registry for certain purposes. The bill would state that the purpose of authorizing the disclosure of information regarding a patient’s immunization status is to use the immunization registry systems to increase the rate of immunization compliance and reduce the incidence of vaccine preventable disease.

Existing law requires the state department, in consultation with the Department of Education, to adopt and enforce all rules and regulations necessary to carry out the provisions of law regarding immunization.

This bill would provide that this requirement does not apply to its provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 3 (commencing with Section  
2 3396) is added to Chapter 7 of Division 4 of the Health and  
3 Safety Code, to read:

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5 Article 3. Disclosure of Immunization Status

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7 3396. (a) For the purposes of this article, “health care  
8 provider” means any person licensed pursuant to  
9 Division 2 (commencing with Section 500) of the  
10 Business and Professions Code.

11 (b) Local health officers may operate immunization  
12 registry systems pursuant to their authority under Section  
13 3110, in conjunction with the Immunization Branch of the  
14 State Department of Health Services.

15 (c) Notwithstanding any other provision of law, health  
16 care providers may, without the consent of the patient,  
17 disclose or share immunization-related information from  
18 the patient’s medical record to or with state, county, or  
19 city health departments operating comprehensive  
20 immunization registry systems. This data may be  
21 exchanged between or among the immunization  
22 registries, or directly between providers. All of the  
23 following information shall be subject to this subdivision:



- 1 (1) The name of the patient's parent or guardian.
- 2 (2) Date of birth of the patient.
- 3 (3) Type and date of vaccination received by the  
4 patient.
- 5 (4) Manufacturer and lot number for each  
6 vaccination.
- 7 (5) Adverse reaction to immunizations.
- 8 (6) Unique identifier.
- 9 (7) Address and telephone number of the patient and  
10 the patient's parents or guardians.
- 11 (d) The local health department that is operating the  
12 immunization registry system may provide information  
13 specified in subdivision (c) to school officials for the  
14 purpose of determining the immunization status of their  
15 students.
- 16 (e) The local health department operating the  
17 immunization registry may provide the information  
18 specified in subdivision (c) to licensed child care  
19 providers for the purpose of determining the  
20 immunization status of the children enrolled, or  
21 requesting enrollment, in the child day care facilities.
- 22 (f) That portion of the birth certificate of a child  
23 containing the mother's address may be made available  
24 to the local health department for entry into the  
25 immunization registry in order to establish a data base of  
26 children to be monitored for immunization status, to  
27 generate immunization reminder notices, and to match  
28 immunization patients with the previous births within  
29 the county. Upon request of the parent or guardian, a  
30 child shall not be included in registry followup.
- 31 (g) The disclosure of information pertaining to a  
32 patient's immunization status pursuant to this section is  
33 authorized for the purpose of permitting the local health  
34 department, in conjunction with other licensed health  
35 care providers and schools, to utilize immunization  
36 registry systems in order to increase the rate of  
37 immunization compliance, thereby reducing the  
38 incidence of vaccine preventable disease within their  
39 community.



1 (h) Section 3390 shall not apply to this section.

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