

SECOND REGULAR SESSION

SENATE BILL NO. 817

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIFTON.

Read 1st time February 3, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5622S.01I

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to the Missouri immunization registry.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.073, to read as follows:

192.073. 1. As used in this section, the following terms shall mean:

(1) "Department", the department of health and senior services;

(2) "Immunization provider", any health care provider or other person or entity authorized to immunize adults or children in this state;

(3) "Missouri immunization registry", the immunization registry established by the department of health and senior services in accordance with the Centers for Disease Control's National Immunization Program (NIP) guidelines to provide uniform immunization data and access to immunization providers, schools, child care facilities, adult day care facilities, health departments, private health care providers, hospitals, other states, and any other persons and entities as authorized by department rule.

2. Beginning January 1, 2015, every immunization provider shall submit all vaccination records of adults and children in this state to the Missouri immunization registry established and maintained by the department of health and senior services as part of the Missouri immunization program. The registry shall provide protected access to all immunization providers and other authorized persons or entities seeking vaccination records from the registry.

21 **3. The vaccination records of any adult or child shall not be**
22 **included in the Missouri immunization registry if such adult, parent of**
23 **a minor child, or legal guardian of such child or adult completes an**
24 **immunization registry opt-out form in accordance with rules of the**
25 **department. No immunization provider shall submit to the registry the**
26 **vaccination records of any adult or child for whom an immunization**
27 **registry opt-out form has been completed.**

28 **4. The department shall establish by rule the requirements and**
29 **manner for submission of vaccination records by immunization**
30 **providers, including but not limited to the ability of such providers to**
31 **update and amend such vaccination records. Immunization providers**
32 **shall be the only registry users authorized to submit, update, and**
33 **amend vaccination records in the registry. All other authorized**
34 **registry users shall have read-only access to the vaccination records in**
35 **the registry.**

36 **5. The registry shall be maintained to ensure access to**
37 **immunization providers, other states, and other authorized users for**
38 **the following purposes, including but not limited to:**

39 **(1) Improving immunization rates for adults and children to**
40 **prevent vaccine-preventable diseases in this state by providing**
41 **immunization providers and authorized users with access to all**
42 **vaccination records in one centralized registry;**

43 **(2) Elimination of duplication in administration of**
44 **immunizations;**

45 **(3) Prompting immunization providers to follow the Advisory**
46 **Committee on Immunization Practices (ACIP) recommendations**
47 **regarding the timing of immunizations for all age groups and reducing**
48 **immunization provider errors in the timing of vaccinations;**

49 **(4) Reducing costs associated with over-vaccination by providing**
50 **immunization providers and authorized users with access to**
51 **comprehensive vaccination records;**

52 **(5) Assessing compliance with immunization requirements for**
53 **school-age children; and**

54 **(6) Providing immediate access to vaccination records in the**
55 **event of an outbreak or epidemic and assisting disaster response**
56 **systems in effectively and efficiently utilizing resources in such event.**

57 **6. Any immunization provider who is unable to electronically**

58 provide immunization data to the immunization registry by January 1,
59 2015, shall submit a detailed plan for compliance with the requirements
60 to the department no later than March 31, 2015. The department shall
61 assist such provider so the provider is able to electronically provide
62 immunization data in a reasonable amount of time.

63 7. Any immunization provider or other licensed or certified
64 authorized user shall be subject to sanction of his or her license or
65 certificate for any violation of this section. Any person who violates
66 this section shall be subject to any applicable civil actions or penalties
67 for damages resulting from such violation.

68 8. The department shall promulgate rules to implement the
69 provisions of this section. Any rule or portion of a rule, as that term is
70 defined in section 536.010, that is created under the authority delegated
71 in this section shall become effective only if it complies with and is
72 subject to all of the provisions of chapter 536 and, if applicable, section
73 536.028. This section and chapter 536 are nonseverable and if any of
74 the powers vested with the general assembly pursuant to chapter 536
75 to review, to delay the effective date, or to disapprove and annul a rule
76 are subsequently held unconstitutional, then the grant of rulemaking
77 authority and any rule proposed or adopted after August 28, 2014, shall
78 be invalid and void.

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