

SECOND REGULAR SESSION

HOUSE BILL NO. 1445

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GATSCHENBERGER.

4254L.011

D. ADAM CRUMBLISS, Chief Clerk

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.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

23 **4. The department shall establish by rule the requirements and manner for**
24 **submission of vaccination records by immunization providers, including but not limited**
25 **to the ability of such providers to update and amend such vaccination records.**
26 **Immunization providers shall be the only registry users authorized to submit, update, and**
27 **amend vaccination records in the registry. All other authorized registry users shall have**
28 **read-only access to the vaccination records in the registry.**

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

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

35 **(2) Elimination of duplication in administration of immunizations;**

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

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

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

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

47 **6. Any immunization provider who is unable to electronically provide**
48 **immunization data to the immunization registry by January 1, 2015, shall submit a detailed**
49 **plan for compliance with the requirements to the department no later than March 31, 2015.**
50 **The department shall assist such provider so the provider is able to electronically provide**
51 **immunization data in a reasonable amount of time.**

52 **7. Any immunization provider or other licensed or certified authorized user shall**
53 **be subject to sanction of his or her license or certificate for any violation of this section.**
54 **Any person who violates this section shall be subject to any applicable civil actions or**
55 **penalties for damages resulting from such violation.**

56 **8. The department shall promulgate rules to implement the provisions of this**
57 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
58 **created under the authority delegated in this section shall become effective only if it**
59 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
60 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
61 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
62 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
63 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2014,**
64 **shall be invalid and void.**

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