

AN ACT concerning health.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 1. Short title. This Act may be cited as the Immunization Data Registry Act.

Section 5. Definition. For the purpose of this Act, "Department" means the Department of Public Health.

Section 10. Development of registry; purposes.

(a) The Department may develop and maintain an immunization data registry to collect, store, analyze, release, and report immunization data.

(b) Data in the immunization registry may be used only for the following purposes:

(1) To ensure that necessary immunizations are provided and over-immunization is avoided.

(2) To assess immunization coverage rates.

(3) To determine areas of under-immunization and other epidemiological research for disease control purposes.

(4) To document that required immunizations have been provided as required for school or child care admission.

(5) To determine coverage levels for various subpopulations (geographic, racial and ethnic, and age

groups) in this State.

(6) To accomplish other public health purposes as determined by the Department.

Section 15. Provision of immunization data to registry; exemption forms; written information on immunization registry.

(a) A health care provider, physician's designee, or pharmacist's designee may provide immunization data to be entered into the immunization data registry in a manner prescribed by the Department and for the purposes allowed under this Act unless the patient or the patient's parent or guardian, if the patient is less than 18 years of age, has completed and filed with the provider, physician's designee, or pharmacist's designee a written immunization data exemption form.

(b) The Department shall create and provide copies of immunization data exemption forms to health care providers who are authorized to administer immunizations and individuals who request the form. The forms shall also be accessible from the immunization data registry system itself.

(c) The Department shall distribute to health care providers, upon request, written information to be disseminated to patients that describes the immunization data registry. The written information and the immunization data exemption forms must include all of the following information:

(1) A description of the immunization data registry and

its purpose.

(2) That the health care provider may report immunization data to the Department to be entered into the immunization data registry.

(3) That the patient or the patient's parent or guardian, if the patient is less than 18 years of age, has a right to exempt disclosure of immunization data to the registry and may prevent disclosure by signing an immunization data exemption form.

(4) That the patient or the patient's parent or guardian, if the patient is less than 18 years of age, may have the individual's information removed from the immunization data registry.

(5) Instructions on how to have the information removed.

Section 17. Immunization data exemption form; immunization providers. Before entering immunization data into the immunization data registry, authorized immunization providers who provide immunization data into the immunization data registry shall provide the patient or the patient's parent or guardian, if the patient is less than 18 years of age, with a printed immunization data exemption form at least once. The printed immunization data exemption form may be distributed in conjunction with the Vaccine Information Statements that are required to be disseminated by the National Childhood Vaccine

Injury Act before giving any vaccine containing diphtheria, tetanus, pertussis, measles, mumps, rubella, polio, hepatitis A, hepatitis B, Haemophilus influenzae type b (Hib), influenza, pneumococcal conjugate, meningococcal, rotavirus, human papillomavirus (HPV), or varicella (chickenpox) vaccine.

Section 20. Confidentiality of information; release of information; statistics; panel on expanding access.

(a) Records maintained as part of the immunization data registry are confidential.

(b) The Department may release an individual's confidential information to the individual or to the individual's parent or guardian if the individual is less than 18 years of age.

(c) Subject to subsection (d) of this Section, the Department may release information in the immunization data registry concerning an individual to the following entities:

(1) The immunization data registry of another state.

(2) A health care provider or a health care provider's designee.

(3) A local health department.

(4) An elementary or secondary school that is attended by the individual.

(5) A licensed child care center in which the individual is enrolled.

(6) A licensed child-placing agency.

(7) A college or university that is attended by the individual.

(d) Before immunization data may be released to an entity, the entity must enter into an agreement with the Department that provides that information that identifies a patient will not be released to any other person without the written consent of the patient.

(e) The Department may release summary statistics regarding information in the immunization data registry if the summary statistics do not reveal the identity of an individual.

Section 25. Immunity for providing data; penalty.

(a) An entity described in subsection (c) of Section 20 of this Act, the Department, or an agent of the Department who in good faith provides or receives immunization information is immune from civil and criminal liability for the following actions:

(1) Providing information to the immunization data registry.

(2) Using the immunization data registry information to verify that a patient or child has received proper immunizations.

(3) Using the immunization data registry information to inform a patient or the child's parent or guardian of the patient's or child's immunization status or that an immunization is due according to recommended immunization

schedules.

(b) A person who knowingly, intentionally, or recklessly discloses confidential information contained in the immunization data registry in violation of this Act commits a Class A misdemeanor.

Section 99. Effective date. This Act takes effect July 1, 2011.