

REFERENCE TITLE: adult immunization reporting system

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1290

Introduced by
Senators McCune Davis, Allen, Burton Cahill, O'Halleran: Representatives
Lopez, Stump

AN ACT

AMENDING TITLE 36, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING
SECTION 36-135.01; RELATING TO THE DEPARTMENT OF HEALTH SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 1, article 2, Arizona Revised Statutes,
3 is amended by adding section 36-135.01, to read:

4 36-135.01. Adult immunization reporting system:
5 confidentiality; immunity; unprofessional conduct;
6 violation; classification

7 A. THE ADULT IMMUNIZATION REPORTING SYSTEM IS ESTABLISHED IN THE
8 DEPARTMENT TO COLLECT, STORE, ANALYZE, RELEASE AND REPORT IMMUNIZATION DATA
9 RELATING TO ADULTS AND TO COLLECT, STORE AND RELEASE TITERS AND OTHER
10 MEASURES OF PROTECTION AGAINST VACCINE-PREVENTABLE DISEASES.

11 B. EXCEPT AS PROVIDED IN SUBSECTION I, A HEALTH CARE PROFESSIONAL WHO
12 IS LICENSED UNDER TITLE 32 TO PROVIDE IMMUNIZATIONS MAY REPORT THE FOLLOWING
13 INFORMATION TO THE DEPARTMENT:

14 1. THE HEALTH CARE PROFESSIONAL'S NAME, BUSINESS ADDRESS AND BUSINESS
15 TELEPHONE NUMBER.

16 2. THE PATIENT'S FIRST NAME, MIDDLE INITIAL AND LAST NAME.

17 3. THE PATIENT'S DATE OF BIRTH, ADDRESS, SEX AND SOCIAL SECURITY
18 NUMBER IF KNOWN AND NOT CONFIDENTIAL.

19 4. THE TYPE OF VACCINE ADMINISTERED AND THE DATE IT IS ADMINISTERED.

20 5. THE TYPE OF VACCINE-PREVENTABLE TITER OR MEASURE COLLECTED, THE
21 DATE IT WAS COLLECTED AND THE RESULTS.

22 C. THE HEALTH CARE PROFESSIONAL MAY SUBMIT THIS INFORMATION TO THE
23 DEPARTMENT ON A WEEKLY OR MONTHLY BASIS BY COMPUTER OR BY ANY OTHER METHOD
24 PRESCRIBED BY THE DEPARTMENT.

25 D. EXCEPT AS PROVIDED IN SUBSECTION J, THE DEPARTMENT SHALL RELEASE
26 IDENTIFYING INFORMATION ONLY TO THE FOLLOWING:

27 1. THE PATIENT'S HEALTH CARE PROFESSIONAL, GUARDIAN OR HEALTH CARE
28 SERVICE ORGANIZATION.

29 2. THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION AND
30 ITS PROVIDERS AS PRESCRIBED IN CHAPTER 29 OF THIS TITLE.

31 3. AN OFFICIAL OF AN EDUCATIONAL OR SERVICE PROGRAM WHO NEEDS
32 IMMUNIZATION INFORMATION FOR A SPECIFIED PURPOSE.

33 4. ANY OTHER PERSON FOR A SPECIFIED PURPOSE AND AS PRESCRIBED BY THE
34 DEPARTMENT BY RULE.

35 E. THE DEPARTMENT MAY RELEASE NONIDENTIFYING INFORMATION FOR SUMMARY
36 STATISTICS.

37 F. IDENTIFYING INFORMATION IN THE SYSTEM IS CONFIDENTIAL. A PERSON
38 WHO IS AUTHORIZED TO RECEIVE CONFIDENTIAL INFORMATION UNDER SUBSECTION D
39 SHALL NOT DISCLOSE THIS INFORMATION TO ANY OTHER PERSON.

40 G. A HEALTH CARE PROFESSIONAL WHO PROVIDES INFORMATION IN GOOD FAITH
41 PURSUANT TO THIS SECTION IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY.

42 H. A HEALTH CARE PROFESSIONAL WHO DOES NOT COMPLY WITH THE
43 REQUIREMENTS OF THIS SECTION COMMITS AN ACT OF UNPROFESSIONAL CONDUCT.

1 I. A PERSON OR AGENCY THAT RECEIVES CONFIDENTIAL INFORMATION PURSUANT
2 TO THIS SECTION AND THAT SUBSEQUENTLY DISCLOSES THAT INFORMATION TO ANY OTHER
3 PERSON IS GUILTY OF A CLASS 3 MISDEMEANOR.
4 J. AT THE REQUEST OF THE PATIENT OR THE PATIENT'S GUARDIAN, THE
5 DEPARTMENT SHALL PROVIDE A FORM TO BE SIGNED BY THE PATIENT THAT ALLOWS
6 CONFIDENTIAL IMMUNIZATION INFORMATION TO BE WITHHELD FROM ALL PERSONS,
7 INCLUDING PERSONS AUTHORIZED TO RECEIVE CONFIDENTIAL INFORMATION PURSUANT TO
8 SUBSECTION D. NOTWITHSTANDING SUBSECTION B, IF THE REQUEST IS DELIVERED TO
9 THE HEALTH CARE PROFESSIONAL BEFORE THE IMMUNIZATION, THE HEALTH CARE
10 PROFESSIONAL SHALL NOT FORWARD THE INFORMATION TO THE DEPARTMENT.