

House Bill 1526 (AS PASSED HOUSE AND SENATE)

By: Representatives Harbin of the 80th, Buckner of the 109th, Smith of the 110th, Walker of the 71st, Post 1, and Randall of the 107th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, so as to expand the childhood vaccination registry to include vaccination on all persons from birth through death; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, is amended by striking Code Section 31-12-3.1, relating to childhood vaccination registry, reporting requirements, maintenance, and use, and inserting in lieu thereof the following:

"31-12-3.1.

(a) The department, for purposes of establishing and maintaining a single repository of accurate, complete, and current vaccination records to be used in aiding, coordinating, and promoting effective and cost-efficient ~~childhood~~ disease prevention and control efforts, shall establish and maintain a ~~childhood~~ vaccination registry.

(b) Any person who administers a vaccine or vaccines licensed for use ~~in children~~ by the United States Food and Drug Administration to a ~~child under the age of 18~~ person shall for each such vaccination provide to the department such data as are deemed by the department to be necessary and appropriate for purposes of the vaccination registry established pursuant to subsection (a) of this Code section, including, without limitation:

(1) The name of the ~~child~~ person;

(2) The ~~child's~~ person's date and place of birth, including the name of the hospital where delivered, if applicable;

(3) The names and addresses of the ~~child's~~ person's parents or guardians if the person is 18 years of age or younger;

(4) The date of the vaccination and the specific type or types of vaccine or vaccines administered to the ~~child~~ person on that date; and

(5) Complications or side effects resulting from a vaccination, if any.

Vaccination data reporting requirements, including without limitation the types of data required to be reported and the time and manner of reporting such data, shall begin after the registry has established linkages to vaccine providers and shall be established by the department in consultation with the United States Centers for Disease Control and Prevention, the Georgia chapter of the American Academy of Pediatrics, and the Georgia Academy of Family Physicians.

(c) The department shall utilize the registry to provide notices, whether by mail, telephone, personal contact, or other means, to persons and to parents or guardians regarding their children or wards who are due or overdue for a particular type of vaccination according to recommended vaccination schedules. The department shall consult with medical services providers to determine the most effective and efficient manner of using the registry to provide such notices.

(d) Vaccination records for any ~~child~~ person included within the vaccination registry shall be maintained as part of the registry until the ~~child reaches the age of 18~~ person's death.

(e) Individually identifiable vaccination information regarding a ~~child~~ person may be provided to the department by, or released by the department to, a local health department, hospital, physician, or other provider of medical services to the ~~child~~ person or to a school or child care facility in which the ~~child~~ person is enrolled if the person is 18 years of age or younger without the consent of the ~~child's~~ person or the person's parents or guardians.

All ~~children~~ persons shall be enrolled unless a specific exemption is requested by the ~~child's~~ person or the person's parent or guardian if the person is 18 years of age or younger. A parent or guardian may obtain and upon request to the department shall be provided with all individually identifiable vaccination registry information regarding his or her child or ward. Except as provided otherwise by this Code section, individually identifiable vaccination registry information shall be treated as confidential and shall not be released to a third party without consent of ~~a child's~~ the person or the person's parent or guardian if the person is 18 years of age or younger.

(f) Nothing in this Code section shall:

(1) Prohibit the department from providing or publishing registry information in aggregate form for scientific, educational, or public health purposes, provided that such information is published without releasing or identifying individual names contained in the registry;

(2) Prohibit the department or any medical services provider from notifying a person or the person's parent; or guardian if the person is 18 years of age or younger , ~~or child of~~

1 the ~~child's~~ person's vaccination status or of a vaccination that is due or overdue according
2 to recommended vaccination schedules; or

3 (3) Diminish a parent's or guardian's responsibility for having a child vaccinated
4 properly.

5 (g) Any person, including but not limited to practitioners of the healing arts, submitting
6 or obtaining in good faith vaccination reports or data to or from the department in
7 compliance with the provisions of this Code section and any rules or regulations
8 promulgated pursuant to this Code section shall not be liable for any civil damages
9 therefor.

10 (h) The department is authorized to accept any grants, gifts, awards, and funds from
11 government, public, and private sources to supplement any appropriation made for the
12 purpose of funding the provisions of this Code section.

13 (i) The department is authorized and directed to promulgate such rules and regulations as
14 are necessary and appropriate to implement the provisions of this Code section."

15 SECTION 2.

16 This Act shall become effective on July 1, 2004.

17 SECTION 3.

18 All laws and parts of laws in conflict with this Act are repealed.