

COMMITTEE ON HEALTHCARE AND MEDICAL LIABILITY REFORM

SENATE AMENDMENTS TO H.B. 2164

(Reference to House engrossed bill)

1 Page 1, line 37, strike "THE" insert "NOTHING IN THIS SECTION CREATES A CAUSE OF
2 ACTION AGAINST A"; strike "IS IMMUNE FROM CIVIL LIABILITY"

3 Page 2, between lines 33 and 34, insert:

4 "Sec. 2. Section 36-135, Arizona Revised Statutes, is amended to read:

5 36-135. Child immunization reporting system; requirements;
6 access; confidentiality; immunity; violation;
7 classification

8 A. The child immunization reporting system is established in the
9 department to collect, store, analyze, release and report immunization data.

10 B. Beginning on January 1, 1998, a health care professional who is
11 licensed under title 32 to provide immunizations ~~shall~~, except as provided in
12 subsection I, SHALL report the following information:

13 1. The health care professional's name, business address and business
14 telephone number.

15 2. The child's name, address, ~~the child's~~ social security number if
16 known and not confidential, gender, date of birth and mother's maiden name.

17 3. The type of vaccine administered and the date it is administered.

18 C. The health care professional may submit this information to the
19 department on a weekly or monthly basis by telephone, facsimile, mail,
20 computer or any other method prescribed by the department.

21 D. Except as provided in subsection I, the department shall release
22 identifying information only to the ~~child's~~ PERSON'S health care
23 professional, parent, ~~OR~~ OR guardian, health care ~~service~~ SERVICES
24 organization, the Arizona health care cost containment system and its
25 providers as defined in ~~title 36,~~ chapter 29 OF THIS TITLE, or a school

1 official who is authorized by law to receive and record immunization
2 records. The department ~~may~~, by rule, MAY release immunization information
3 to persons for a specified purpose. The department may release
4 nonidentifying summary statistics.

5 E. Identifying information in the system is confidential. A person
6 who is authorized to receive confidential information under subsection D
7 shall not disclose this information to any other person.

8 F. A health care professional who provides information in good faith
9 pursuant to this section is not subject to civil or criminal liability.

10 G. A health care professional who does not comply with the
11 requirements of this section violates a law ~~or task~~ applicable to the
12 practice of medicine and COMMITS an act of unprofessional conduct.

13 H. Any agency or person receiving confidential information from the
14 system who subsequently discloses that information to any other person is
15 guilty of a class 3 misdemeanor.

16 I. At the request of the PERSON, OR IF THE PERSON IS A CHILD THE
17 child's parent or guardian, the department of health services shall provide a
18 form to be signed that allows confidential immunization information to be
19 withheld from all persons including persons authorized to receive
20 confidential information pursuant to subsection D. If the request is
21 delivered to the health care professional prior to the immunization, the
22 health care professional shall not forward the information required under
23 subsection B to the department."

24 Renumber to conform

25 Page 3, line 16, strike "2" insert "3"

26 Amend title to conform

6/17/09
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rbc