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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair  
2021 - 2022 Regular Session

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### AB 1797 (Akilah Weber) - Immunization registry

**Version:** May 2, 2022

**Urgency:** No

**Hearing Date:** August 1, 2022

**Policy Vote:** HEALTH 8 - 1, ED. 5 - 2

**Mandate:** Yes

**Consultant:** Agnes Lee

**Bill Summary:** AB 1797 would require, rather than permit, health care providers and specified agencies that have access to immunization information to disclose certain information from a patient medical record or a client record to the California Department of Public Health (CDPH) and local health departments (LHDs). The bill would authorize additional use of the information for certain agencies, as specified.

#### **Fiscal Impact:**

- CDPH estimates state staffing costs of approximately \$950,170 over the first two years and \$303,216 ongoing thereafter (General Fund).
- Unknown costs to local school districts, health departments and other entities to disclose immunization information to LHDs and CDPH. Costs to local agencies and school districts may be reimbursable by the state, subject to a determination by the Commission on State Mandates.

**Background:** Existing law permits health care providers and specified agencies (such as schools, childcare facilities, and human services agencies), unless a refusal to permit record sharing is made, to disclose specified immunization information from the patient's medical record, or the client's record, to LHDs and CDPH. LHDs and CDPH may disclose this information to each other and, upon a request for information pertaining to a specific person, to health care providers taking care of the patient, the Medical Board of California, and the Osteopathic Medical Board of California. LHDs and CDPH may disclose this information to schools, childcare facilities, county human services agencies, family childcare homes, foster care agencies, California Special Supplemental Food Program for Women, Infants, and Children (WIC) service providers, and health plans, as specified.

Current law requires schools, childcare facilities, family childcare homes, WIC service providers, foster care agencies, county human services agencies, and health care plans to maintain the confidentiality of this information in the same manner as other client, patient, and pupil information that they possess. State law specifies the allowable uses of the information by these institutions and providers. Schools, childcare facilities, family childcare homes, and county human services agencies may only use the information for the purpose of carrying out their responsibilities regarding required immunization for attendance or participation benefits, or both.

**Proposed Law:** Specific provisions of the bill would:

- Require, rather than permit, health care providers and specified agencies that have access to immunization information to disclose certain information from a patient medical record or a client record to LHDs and CDPH.
- Add “patient’s or client’s race or ethnicity” to the list of information collected for purposes of local/regional immunization information.
- Until January 1, 2026, additionally authorize schools, childcare facilities, family childcare homes, and county human services agencies to use the specified immunization information, for the COVID-19 public health emergency, to perform immunization status assessments of pupils, adults, and clients to ensure health and safety. The bill would specify that in the case of schools, this only applies if the school’s governing board/body has adopted a policy mandating COVID-19 immunization for school attendance and the school limits the use of the data to verifying immunization status for this purpose.

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