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LEGISLATIVE ACTION

Senate	.	House
Comm: RE	.	
04/01/2009	.	
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The Committee on Health Regulation (Bennett) recommended the following:

**Senate Amendment to Amendment (637266) (with title amendment)**

Between lines 197 and 198  
insert:

Section 2. Paragraph (e) of subsection (1) of section 381.003, Florida Statutes, is amended to read:

381.003 Communicable disease and AIDS prevention and control.—

(1) The department shall conduct a communicable disease prevention and control program as part of fulfilling its public



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12 health mission. A communicable disease is any disease caused by  
13 transmission of a specific infectious agent, or its toxic  
14 products, from an infected person, an infected animal, or the  
15 environment to a susceptible host, either directly or  
16 indirectly. The communicable disease program must include, but  
17 need not be limited to:

18 (e) Programs for the prevention and control of vaccine-  
19 preventable diseases, including programs to immunize school  
20 children as required by s. 1003.22(3)-(12) ~~s. 1003.22(3)-(11)~~  
21 and the development of an automated, electronic, and centralized  
22 database or registry of immunizations. The department shall  
23 ensure that all children in this state are immunized against  
24 vaccine-preventable diseases. The immunization registry shall  
25 allow the department to enhance current immunization activities  
26 for the purpose of improving the immunization of all children in  
27 this state.

28 1. Except as provided in subparagraph 2., the department  
29 shall include all children born in this state in the  
30 immunization registry by using the birth records from the Office  
31 of Vital Statistics. The department shall add other children to  
32 the registry as immunization services are provided.

33 2. The parent or guardian of a child may refuse to have the  
34 child included in the immunization registry by signing a form  
35 obtained from the department, or from the health care  
36 practitioner or entity that provides the immunization, which  
37 indicates that the parent or guardian does not wish to have the  
38 child included in the immunization registry. The decision to not  
39 participate in the immunization registry must be noted in the  
40 registry.



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41           3. The immunization registry shall allow for immunization  
42 records to be electronically transferred to entities that are  
43 required by law to have such records, including schools,  
44 licensed child care facilities, and any other entity that is  
45 required by law to obtain proof of a child's immunizations.

46           4. Any health care practitioner licensed under chapter 458,  
47 chapter 459, or chapter 464 in this state who complies with  
48 rules adopted by the department to access the immunization  
49 registry may, through the immunization registry, directly access  
50 immunization records and update a child's immunization history  
51 or exchange immunization information with another authorized  
52 practitioner, entity, or agency involved in a child's care. The  
53 information included in the immunization registry must include  
54 the child's name, date of birth, address, and any other unique  
55 identifier necessary to correctly identify the child; the  
56 immunization record, including the date, type of administered  
57 vaccine, and vaccine lot number; and the presence or absence of  
58 any adverse reaction or contraindication related to the  
59 immunization. Information received by the department for the  
60 immunization registry retains its status as confidential medical  
61 information and the department must maintain the confidentiality  
62 of that information as otherwise required by law. A health care  
63 practitioner or other agency that obtains information from the  
64 immunization registry must maintain the confidentiality of any  
65 medical records in accordance with s. 456.057 or as otherwise  
66 required by law.

67           Section 3. Paragraph (b) of subsection (3) of section  
68 1002.20, Florida Statutes, is amended to read:

69           1002.20 K-12 student and parent rights.—Parents of public



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70 school students must receive accurate and timely information  
71 regarding their child's academic progress and must be informed  
72 of ways they can help their child to succeed in school. K-12  
73 students and their parents are afforded numerous statutory  
74 rights including, but not limited to, the following:

75 (3) HEALTH ISSUES.—

76 (b) *Immunizations.*—The parent of any child attending a  
77 public or private school shall be exempt from the school  
78 immunization requirements upon meeting any of the exemptions in  
79 accordance with the provisions of s. 1003.22(6) ~~s. 1003.22(5)~~.

80 Section 4. Paragraph (a) of subsection (6) of section  
81 1002.42, Florida Statutes, is amended to read:

82 1002.42 Private schools.—

83 (6) IMMUNIZATIONS.—The governing authority of each private  
84 school shall:

85 (a) Require students to present a certification of immunization  
86 in accordance with the provisions of s. 1003.22(3)-(12) ~~s.~~  
87 ~~1003.22(3)-(11)~~.

88  
89 ===== T I T L E A M E N D M E N T =====

90 And the title is amended as follows:

91 Delete line 215

92 and insert:

93 administration of multiple vaccines; amending ss.  
94 381.003, 1002.20, and 1002.42, F.S.; conforming cross-  
95 references; providing an effective