A bill to be entitled
An act relating to immunization registry; amending s. 381.003, F.S.; revising provisions relating to the communicable disease prevention and control programs under the Department of Health; establishing that a certain student who obtains a vaccination from a Florida college or university student health center may refuse to be included in the immunization registry; requiring a specified consent to treatment form to contain a certain notice; providing requirements for electronic availability of, rather than transfer of, immunization records; requiring certain health care practitioners to report data to the immunization registry; authorizing the department to adopt rules; amending s. 1003.22, F.S.; revising school-entry health requirements to require students to have a certificate of immunization on file with the department’s immunization registry; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. 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 health mission. A communicable disease is any disease caused by
transmission of a specific infectious agent, or its toxic products, from an infected person, an infected animal, or the environment to a susceptible host, either directly or indirectly. The communicable disease program must include, but need not be limited to:

(a) Programs for the prevention and control of tuberculosis in accordance with chapter 392.

(b) Programs for the prevention and control of human immunodeficiency virus infection and acquired immune deficiency syndrome in accordance with chapter 384 and this chapter.

(c) Programs for the prevention and control of sexually transmissible diseases in accordance with chapter 384.

(d) Programs for the prevention, control, and reporting of communicable diseases of public health significance as provided for in this chapter.

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

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

2. The parent or guardian of a child may refuse to have the child included in the immunization registry by signing an opt-out form obtained from the department, or from the health care practitioner or entity that provides the immunization, which indicates that the parent or guardian does not wish to have the child included in the immunization registry. Each consent to treatment form provided by a health care practitioner or by an entity that administers vaccinations or causes vaccinations to be administered to children from birth through 17 years of age must contain a notice stating that the parent or guardian of a child may refuse to have his or her child included in the immunization registry. The opt-out form must be provided to the department and to the health care practitioner upon the administration of the vaccination. If the parent or guardian of a child has refused to include the child in the registry, all records regarding the child must be removed from the registry and any reference to the child may not be included in the decision to not participate in the immunization registry must be noted in the registry.

3. A college or university student, from 19 years of age to 23 years of age, who obtains a vaccination from a Florida college or university student health center may refuse to be included in the immunization registry by signing an opt-out form obtained from the department or from a Florida college or university student health center which indicates that the student does not wish to be included in the immunization registry. The opt-out form must be provided to the department and to the health care practitioner upon the administration of
the vaccination. If the college or university student has
refused to be included in the registry, all records regarding
the student must be removed from the registry and any reference
to the student may not be included in the registry.

4.3 The immunization registry shall allow for immunization
records to be electronically available transferred to entities
that are required by law to have such records, including, but
not limited to, schools and licensed child care facilities, and
any other entity that is required by law to obtain proof of a
child’s immunizations.

5.4 A health care practitioner licensed under chapter
458, chapter 459, or chapter 464 in this state who administers
vaccinations or causes vaccinations to be administered to
children from birth to 18 years of age is required to report
vaccination data to the immunization registry, unless a parent
or guardian of a child has refused to have the child included in
the immunization registry by meeting the requirements of
subparagraph 2. A health care practitioner licensed under
chapter 458, chapter 459, or chapter 464 in this state who
administers vaccinations or causes vaccinations to be
administered to college or university students from 19 years of
age to 23 years of age at a Florida college or university
student health center is required to report vaccination data to
the immunization registry, unless the student has refused to be
included in the immunization registry by meeting the
requirements of subparagraph 3. Vaccination data for other age
ranges may be submitted to the immunization registry on a
voluntary basis. The upload of data from existing automated
systems is an acceptable method for updating immunization
information in the immunization registry. complies with rules
adopted by the department to access the immunization registry
may, through the immunization registry, directly access
immunization records and update a child’s immunization history
or exchange immunization information with another authorized
practitioner, entity, or agency involved in a child’s care. The
information included in the immunization registry must include
the child’s name, date of birth, address, and any other unique
identifier necessary to correctly identify the child; the
immunization record, including the date, type of administered
vaccine, and vaccine lot number; and the presence or absence of
any adverse reaction or contraindication related to the
immunization. Information received by the department for the
immunization registry retains its status as confidential medical
information and the department must maintain the confidentiality
of that information as otherwise required by law. A health care
practitioner or other agency that obtains information from the
immunization registry must maintain the confidentiality of any
medical records in accordance with s. 456.057 or as otherwise
required by law.

(2) The department may adopt rules pursuant to ss.
120.536(1) and 120.54 to implement this section, repeal, and
amend rules related to the prevention and control of
communicable diseases and the administration of the immunization
registry. Such rules may include procedures for investigating
disease, timeframes for reporting disease, definitions,
procedures for managing specific diseases, requirements for
followup reports of known or suspected exposure to disease, and
procedures for providing access to confidential information

CODING: Words stricken are deletions; words underlined are additions.
necessary for disease investigations. For purposes of the
immunization registry, the rules may include procedures for a
health care practitioner to obtain authorization to use the
immunization registry, methods for a parent or guardian to elect
not to participate in the immunization registry, and procedures
for a health care practitioner licensed under chapter 458,
chapter 459, or chapter 464 to access and share electronic
immunization records with other entities allowed by law to have
access to the records.

Section 2. Subsection (4) of section 1003.22, Florida
Statutes, is amended to read:

1003.22 School-entry health examinations; immunization
against communicable diseases; exemptions; duties of Department
of Health.—

(4) Each district school board and the governing authority
of each private school shall establish and enforce a policy
that:

(a) Prior to admittance to or attendance in a public or
private school, grades kindergarten through 12, or any other
initial entrance into a Florida public or private school, each
child present or have on file with the immunization registry
school a certification of immunization for the prevention of
those communicable diseases for which immunization is required
by the Department of Health. Any child who is excluded from
participation in the immunization registry pursuant to s.
381.003(1)(e)2. must present or have on file with the school
such certification of immunization and further shall provide for
appropriate screening of its students for scoliosis at the
proper age. Such Certification of immunization shall be made on
forms approved and provided by the Department of Health or be on file with the immunization registry and shall become a part of each student’s permanent record, to be transferred when the student transfers, is promoted, or changes schools. The transfer of such immunization certification by Florida public schools shall be accomplished using the Florida Automated System for Transferring Education Records and shall be deemed to meet the requirements of this section.

(b) Provides for appropriate screening of its students for scoliosis at the proper age.

Section 3. This act shall take effect January 1, 2021.