

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Immunization Data Registry Act.

6 Section 5. Definition. For the purpose of this Act,
7 "Department" means the Department of Public Health.

8 Section 10. Development of registry; purposes.

9 (a) The Department may develop and maintain an immunization
10 data registry to collect, store, analyze, release, and report
11 immunization data.

12 (b) Data in the immunization registry may be used only for
13 the following purposes:

14 (1) To ensure that necessary immunizations are
15 provided and over-immunization is avoided.

16 (2) To assess immunization coverage rates.

17 (3) To determine areas of under-immunization and other
18 epidemiological research for disease control purposes.

19 (4) To document that required immunizations have been
20 provided as required for school or child care admission.

21 (5) To determine coverage levels for various
22 subpopulations (geographic, racial and ethnic, and age

1 groups) in this State.

2 (6) To accomplish other public health purposes as
3 determined by the Department.

4 Section 15. Provision of immunization data to registry;
5 exemption forms; written information on immunization registry.

6 (a) A health care provider, physician's designee, or
7 pharmacist's designee may provide immunization data to be
8 entered into the immunization data registry in a manner
9 prescribed by the Department and for the purposes allowed under
10 this Act unless the patient or the patient's parent or
11 guardian, if the patient is less than 18 years of age, has
12 completed and filed with the provider, physician's designee, or
13 pharmacist's designee a written immunization data exemption
14 form.

15 (b) The Department shall create and provide copies of
16 immunization data exemption forms to health care providers who
17 are authorized to administer immunizations and individuals who
18 request the form. The forms shall also be accessible from the
19 immunization data registry system itself.

20 (c) The Department shall distribute to health care
21 providers, upon request, written information to be
22 disseminated to patients that describes the immunization data
23 registry. The written information and the immunization data
24 exemption forms must include all of the following information:

25 (1) A description of the immunization data registry and

1 its purpose.

2 (2) That the health care provider may report
3 immunization data to the Department to be entered into the
4 immunization data registry.

5 (3) That the patient or the patient's parent or
6 guardian, if the patient is less than 18 years of age, has
7 a right to exempt disclosure of immunization data to the
8 registry and may prevent disclosure by signing an
9 immunization data exemption form.

10 (4) That the patient or the patient's parent or
11 guardian, if the patient is less than 18 years of age, may
12 have the individual's information removed from the
13 immunization data registry.

14 (5) Instructions on how to have the information
15 removed.

16 Section 17. Immunization data exemption form; immunization
17 providers. Before entering immunization data into the
18 immunization data registry, authorized immunization providers
19 who provide immunization data into the immunization data
20 registry shall provide the patient or the patient's parent or
21 guardian, if the patient is less than 18 years of age, with a
22 printed immunization data exemption form at least once. The
23 printed immunization data exemption form may be distributed in
24 conjunction with the Vaccine Information Statements that are
25 required to be disseminated by the National Childhood Vaccine

1 Injury Act before giving any vaccine containing diphtheria,
2 tetanus, pertussis, measles, mumps, rubella, polio, hepatitis
3 A, hepatitis B, Haemophilus influenzae type b (Hib), influenza,
4 pneumococcal conjugate, meningococcal, rotavirus, human
5 papillomavirus (HPV), or varicella (chickenpox) vaccine.

6 Section 20. Confidentiality of information; release of
7 information; statistics; panel on expanding access.

8 (a) Records maintained as part of the immunization data
9 registry are confidential.

10 (b) The Department may release an individual's
11 confidential information to the individual or to the
12 individual's parent or guardian if the individual is less than
13 18 years of age.

14 (c) Subject to subsection (d) of this Section, the
15 Department may release information in the immunization data
16 registry concerning an individual to the following entities:

17 (1) The immunization data registry of another state.

18 (2) A health care provider or a health care provider's
19 designee.

20 (3) A local health department.

21 (4) An elementary or secondary school that is attended
22 by the individual.

23 (5) A licensed child care center in which the
24 individual is enrolled.

25 (6) A licensed child-placing agency.

1 (7) A college or university that is attended by the
2 individual.

3 (d) Before immunization data may be released to an entity,
4 the entity must enter into an agreement with the Department
5 that provides that information that identifies a patient will
6 not be released to any other person without the written consent
7 of the patient.

8 (e) The Department may release summary statistics
9 regarding information in the immunization data registry if the
10 summary statistics do not reveal the identity of an individual.

11 Section 25. Immunity for providing data; penalty.

12 (a) An entity described in subsection (c) of Section 20 of
13 this Act, the Department, or an agent of the Department who in
14 good faith provides or receives immunization information is
15 immune from civil and criminal liability for the following
16 actions:

17 (1) Providing information to the immunization data
18 registry.

19 (2) Using the immunization data registry information
20 to verify that a patient or child has received proper
21 immunizations.

22 (3) Using the immunization data registry information
23 to inform a patient or the child's parent or guardian of
24 the patient's or child's immunization status or that an
25 immunization is due according to recommended immunization

1 schedules.

2 (b) A person who knowingly, intentionally, or recklessly
3 discloses confidential information contained in the
4 immunization data registry in violation of this Act commits a
5 Class A misdemeanor.

6 Section 99. Effective date. This Act takes effect July 1,
7 2011.