



General Assembly

February Session, 2022

Raised Bill No. 457

LCO No. 3443



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

***AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S
RECOMMENDATIONS REGARDING CONNECTICUT'S IMMUNIZATION
INFORMATION SYSTEM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-7h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) As used in this section, "health care provider" means a person who
4 has direct or supervisory responsibility for the administration of a
5 vaccine or assessment of immunization status, including a physician or
6 physician assistant licensed pursuant to chapter 370, an advanced
7 practice registered nurse, nurse midwife or registered nurse licensed
8 pursuant to chapter 378, a pharmacist licensed pursuant to chapter 400j,
9 or an individual authorized under the general statutes or federal law to
10 administer a vaccine.

11 ~~[(a)]~~ (b) The Commissioner of Public Health or [his] the
12 commissioner's designee [may, within the limitations of available
13 resources,] shall establish and maintain an immunization information
14 system for the purpose of assuring [timely childhood] vaccine

15 recipient's access to their immunization [an ongoing registry of all
16 children who have not begun the first grade of school including all
17 newborns] records. The [registry] immunization information system
18 shall include such information as is necessary to accurately identify a
19 [child] vaccine recipient and to assess such recipient's current
20 immunization status.

21 [(b) For purposes of this section, "health care provider" means a
22 person who has direct or supervisory responsibility for the delivery of
23 immunization including licensed physicians, nurse practitioners, nurse
24 midwives, physician assistants and nurses.] (c) Each health care
25 provider who has [provided health care] administered a vaccine to a
26 [child listed in the registry] person in the state shall report, [to] in a form
27 and manner prescribed by the commissioner, or the commissioner's
28 designee, [sufficient information to identify the child and] information,
29 which shall include, but need not be limited to, (1) the name and date of
30 birth of the vaccine recipient, (2) the name and date of each vaccine dose
31 given to that [child or] vaccine recipient, (3) any other information
32 deemed necessary by the commissioner, and (4) when appropriate,
33 contraindications or exemptions to administration of each vaccine dose.
34 [Reports shall be made by such means determined by the commissioner
35 to result in timely reporting.] Each health care provider shall provide to
36 a vaccine recipient, a vaccine recipient's court-appointed guardian or
37 conservator, if applicable, or, in the case of a child who received a
38 vaccine, such child's parent or guardian information regarding how
39 such vaccine recipient or such child may decline enrollment in the
40 immunization information system.

41 (d) Each health care provider intending to administer vaccines to any
42 [child listed on the registry and each parent or guardian of such child
43 shall be provided] person may use the immunization information
44 system to determine current information [as contained in the registry]
45 on the immunization status of [the child] such person for the purposes
46 of determining whether [additional doses of recommended routine
47 childhood immunizations are needed] such person requires
48 immunizations, or to officially document immunization status to meet

49 state [day] child care, [or] school or higher education immunization
50 entry requirements pursuant to sections 10-204a, 10a-155, 19a-79 and
51 19a-87b and regulations adopted thereunder.

52 (e) Each [director of health of any town, city or health district and
53 each] school nurse who is required to verify the immunization status for
54 children enrolled in prekindergarten to grade twelve, inclusive, at a
55 public or private school in any town, city or school district pursuant to
56 section 10-204a shall be provided with sufficient information on the
57 children who live in his or her jurisdiction and who are listed on the
58 [registry] immunization information system to enable determination of
59 which children are overdue for scheduled immunizations and to enable
60 provision of outreach to assist in getting each such child vaccinated.

61 (f) The commissioner, or the commissioner's designee, shall provide
62 the director of health of any municipality or health district with
63 sufficient information on the persons who live in such director's
64 jurisdiction and who are listed on the immunization information system
65 in order to address undervaccinated communities and improve health
66 equity.

67 (g) The commissioner may use the information in the immunization
68 information system for the purposes set forth in sections 19a-25 and 19a-
69 215 and the regulations promulgated pursuant to said sections. The
70 commissioner, or the commissioner's designee, may exchange
71 immunization information system information with federal agencies
72 providing health care services and other states' immunization
73 information systems for the purposes described in this section.

74 (h) The commissioner shall provide to a vaccine recipient, a vaccine
75 recipient's court-appointed guardian or conservator, if applicable, or, in
76 the case of a child who received a vaccine, such child's parent or
77 guardian access to any information that was provided by a health care
78 provider to the Department of Public Health through the immunization
79 information system regarding such person's vaccination status upon
80 request by such recipient, guardian, conservator, parent or guardian.

81 [(c)] (i) Except as specified in subsections [(a) and] (b) to (h), inclusive,
82 of this section, all personal information including vaccination status and
83 dates of vaccination of [individuals] persons shall be confidential
84 pursuant to section 19a-25 and shall not be further disclosed without the
85 authorization of the [child or the child's legal guardian] vaccine
86 recipient, the vaccine recipient's court-appointed guardian or
87 conservator, if applicable, or, in the case of a child who received a
88 vaccine, such child's parent or guardian.

89 (j) The commissioner shall adopt regulations, [pursuant to] in
90 accordance with the provisions of chapter 54, [to specify] to implement
91 the provisions of this section, including, but not limited to, regulations
92 specifying (1) how information on vaccinations [or exemptions from
93 vaccination] and, when appropriate, contraindications or exemptions to
94 administration of each vaccine dose, is reported in a timely manner to
95 the [registry,] immunization information system, (2) how information
96 on the [registry] immunization information system is made available to
97 [health care providers, parents or guardians, directors of health and
98 school nurses,] persons authorized to receive such information pursuant
99 to subsections (b) to (h), inclusive, of this section, and (3) how [parents
100 or guardians] a vaccine recipient, a vaccine recipient's court-appointed
101 guardian or conservator, if applicable, or, in the case of a child who
102 received a vaccine, such child's parent or guardian may decline [their
103 child's] enrollment in the [registry, and to otherwise implement the
104 provisions of this section] immunization information system.

105 (k) The commissioner shall, in consultation with the Office of Health
106 Strategy, adopt regulations, in accordance with the provisions of
107 chapter 54, to facilitate interoperability between the immunization
108 information system and the State-wide Health Information Exchange
109 established pursuant to section 17b-59d. The commissioner may
110 implement policies and procedures necessary to administer the
111 provisions of this section while in the process of adopting such policies
112 and procedures as regulations, provided the department posts such
113 policies and procedures on the eRegulations System prior to adopting
114 them. Policies and procedures implemented pursuant to this section

115 shall be valid until regulations are adopted in accordance with the
116 provisions of chapter 54.

117 Sec. 2. Subsection (b) of section 19a-7f of the general statutes is
118 repealed and the following is substituted in lieu thereof (*Effective October*
119 *1, 2022*):

120 (b) (1) Commencing October 1, 2011, one group health care provider
121 located in Bridgeport and one group health care provider located in
122 New Haven, as identified by the Commissioner of Public Health, and
123 any health care provider located in Hartford who administers vaccines
124 to children under the federal Vaccines For Children immunization
125 program that is operated by the Department of Public Health under
126 authority of 42 USC 1396s may select under said federal program, and
127 the department shall provide, any vaccine licensed by the federal Food
128 and Drug Administration, including any combination vaccine and
129 dosage form, that is (A) recommended by the National Centers for
130 Disease Control and Prevention Advisory Committee on Immunization
131 Practices, and (B) made available to the department by the National
132 Centers for Disease Control and Prevention.

133 (2) Not later than June 1, 2012, the Commissioner of Public Health
134 shall provide an evaluation of the vaccine program established in
135 subdivision (1) of this subsection to the joint standing committee of the
136 General Assembly having cognizance of matters relating to public
137 health. Such evaluation shall include, but not be limited to, an
138 assessment of the program's impact on child immunization rates, an
139 assessment of any health or safety risks posed by the program, and
140 recommendations regarding future expansion of the program.

141 (3) (A) Provided the evaluation submitted pursuant to subdivision (2)
142 of this subsection does not indicate a significant reduction in child
143 immunization rates or an increased risk to the health and safety of
144 children, commencing October 1, 2012, (i) any health care provider who
145 administers vaccines to children under the federal Vaccines For
146 Children immunization program that is operated by the Department of

147 Public Health under authority of 42 USC 1396s may select, and the
148 department shall provide, any vaccine licensed by the federal Food and
149 Drug Administration, including any combination vaccine and dosage
150 form, that is (I) recommended by the National Centers for Disease
151 Control and Prevention Advisory Committee on Immunization
152 Practices, and (II) made available to the department by the National
153 Centers for Disease Control and Prevention, and (ii) any health care
154 provider who administers vaccines to children may select, and the
155 department shall provide, subject to inclusion in such program due to
156 available appropriations, any vaccine licensed by the federal Food and
157 Drug Administration, including any combination vaccine and dosage
158 form, that is (I) recommended by the National Centers for Disease
159 Control and Prevention Advisory Committee on Immunization
160 Practices, (II) made available to the department by the National Centers
161 for Disease Control and Prevention, and (III) equivalent, as determined
162 by the commissioner, to the cost for vaccine series completion of
163 comparable available licensed vaccines.

164 (B) Commencing January 1, 2013, (i) any health care provider who
165 administers vaccines to children under the federal Vaccines For
166 Children immunization program that is operated by the Department of
167 Public Health under authority of 42 USC 1396s shall utilize, and the
168 department shall provide, any vaccine licensed by the federal Food and
169 Drug Administration, including any combination vaccine and dosage
170 form, that is (I) recommended by the National Centers for Disease
171 Control and Prevention Advisory Committee on Immunization
172 Practices, and (II) made available to the department by the National
173 Centers for Disease Control and Prevention, and (ii) any health care
174 provider who administers vaccines to children shall utilize, and the
175 department shall provide, subject to inclusion in such program due to
176 available appropriations, any vaccine licensed by the federal Food and
177 Drug Administration, including any combination vaccine and dosage
178 form, that is (I) recommended by the National Centers for Disease
179 Control and Prevention Advisory Committee on Immunization
180 Practices, (II) made available to the department by the National Centers

181 for Disease Control and Prevention, and (III) equivalent, as determined
182 by the commissioner, to the cost for vaccine series completion of
183 comparable available licensed vaccines.

184 (C) For purposes of subparagraphs (A)(ii) and (B)(ii) of this
185 subdivision, "comparable" means a vaccine (i) protects a recipient
186 against the same infection or infections, (ii) has similar safety and
187 efficacy profiles, (iii) requires the same number of doses, and (iv) is
188 recommended for similar populations by the National Centers for
189 Disease Control and Prevention.

190 (D) On and after October 1, 2022, any health care provider that
191 administers vaccines to children under the immunization program
192 described in subparagraph (B) of this subdivision shall order such
193 vaccines using the immunization information system in a form and
194 manner prescribed by the Commissioner of Public Health.

195 (4) (A) The provisions of this subsection shall not apply in the event
196 of a public health emergency, as defined in section 19a-131, or an attack,
197 major disaster, emergency or disaster emergency, as those terms are
198 defined in section 28-1.

199 (B) Nothing in this subsection shall require a health care provider to
200 procure a vaccine from the Department of Public Health when such
201 provider is directed by said department to procure such vaccine from
202 another source, including, but not limited to, during a declared national
203 or state vaccine shortage.

204 (C) Nothing in this subsection shall require a health care provider to
205 utilize or administer a vaccine provided by said department if, based
206 upon such provider's medical judgment, (i) administration of such
207 vaccine is not medically appropriate, or (ii) the administration of
208 another vaccine that said department is not authorized to supply under
209 subdivision (3) of this subsection is more medically appropriate.

210 (5) No health care provider shall seek or receive remuneration for or
211 sell any vaccine serum provided by said department under this section.

212 Nothing in this section shall prohibit a health care provider from
213 charging or billing for administering a vaccine.

214 (6) Not later than January 1, 2014, said department shall submit a
215 report to the General Assembly, in accordance with section 11-4a,
216 evaluating the effectiveness of implementing expanded vaccine choice
217 and universal health care provider participation.

218 Sec. 3. Section 19a-7t of the 2022 supplement to the general statutes is
219 repealed. (*Effective October 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	19a-7h
Sec. 2	<i>October 1, 2022</i>	19a-7f(b)
Sec. 3	<i>October 1, 2022</i>	Repealer section

Statement of Purpose:

To (1) require that all vaccinations administered in the state are reported to the immunization information system, (2) broaden access to the immunization information system for patients, certain health care providers and local health directors, and (3) require health care providers participating in the federal Vaccines For Children immunization program to order vaccines using the immunization information system.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]