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# A BILL FOR AN ACT

RELATING TO THE HAWAII IMMUNIZATION REGISTRY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 325-121, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By adding two new definitions to be appropriately  
4 inserted and to read:

5 "Health organization" means a health insurance company,  
6 fraternal benefit society governed by article 2 of chapter 432,  
7 mutual benefit society governed by article 1 of chapter 432,  
8 health care service plan or health maintenance organization  
9 governed by chapter 432D, or any other entity delivering or  
10 issuing for delivery in the State accident and health or  
11 sickness insurance as defined in section 431:1-205.

12 "Immunization assessment report" means any registry-  
13 produced report designed to provide a detailed listing of the  
14 immunizations an individual has received as well as  
15 immunizations that are currently due or overdue. Immunization  
16 assessment reports may also include aggregate reports produced  
17 to monitor and improve the health of a specific population or  
18 public health in general."



1           2. By amending the definition of "health care provider" to  
2 read:

3            "Health care provider" means a program, agency, clinic,  
4 health care center, physician licensed under the provisions of  
5 chapter 453, advanced practice registered nurse recognized under  
6 the provisions of chapter 457, pharmacist licensed under the  
7 provisions of chapter 461, physician's assistant licensed under  
8 the provisions of chapter 453, [~~e~~] person authorized to  
9 practice medicine as a physician or physician's assistant, or  
10 nursing as an advanced practice registered nurse, in federal  
11 facilities located in the State, that administers immunizations  
12 in Hawaii[-], or any other person authorized to prescribe  
13 vaccinations in Hawaii."

14           SECTION 2. Section 325-123, Hawaii Revised Statutes, is  
15 amended by amending subsections (b) and (c) to read as follows:

16           (b) Registry information shall be limited to patient  
17 name, demographic information, and contact information;  
18 information specific to immunizations or medications received by  
19 the patient, including types, manufacturers, lot numbers,  
20 expiration dates, anatomical sites of administration, routes of  
21 administration, vaccine information statement publication dates,  
22 doses, dates administered, the patient's history of vaccine-



1 preventable diseases, and contraindications, precautions,  
2 adverse reactions to, or comments regarding immunizations or  
3 medications; and the name and contact information of the  
4 vaccination administrator or medication provider and the  
5 patient's health care provider.

6 (c) The department of health shall adopt administrative,  
7 physical, and technical measures to ensure the security of the  
8 registry [to]; protect the confidentiality, integrity, and  
9 availability of registry data; and prevent unauthorized access  
10 to registry information."

11 SECTION 3. Section 325-124, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "~~+~~§325-124~~+~~ **Purposes for access to registry**  
14 **information; access not a disclosure.** (a) Notwithstanding  
15 section 325-123, it shall not be a disclosure for the persons  
16 listed in subsections (b), (c), ~~and~~ (d), and (e) to have  
17 limited access to registry information for the purposes  
18 specified in each subsection.

19 (b) Registry information regarding specific individuals in  
20 the registry may be accessed by authorized health care providers  
21 who are treating, have treated, or have been assigned to treat  
22 those individuals; by authorized employees of these health care



1 providers; and by authorized department of health personnel  
2 assigned to monitor the immunization or health status of those  
3 individuals for the purposes of:

- 4 (1) Recording the administration of any vaccination,  
5 including pandemic influenza vaccine;
- 6 (2) Determining the immunization history of a patient to  
7 deliver health care treatment accordingly;
- 8 (3) Notifying individuals or parents or legal guardians of  
9 the need to schedule a visit for an immunization;
- 10 (4) Generating official immunization records;
- 11 (5) Ensuring compliance with mandatory immunization  
12 requirements; [øæ]
- 13 (6) Recording the distribution of prophylactic and  
14 treatment medications administered or dispensed in  
15 preparation for and in response to a potentially  
16 catastrophic disease threat[-]; or
- 17 (7) Complying with Hawaii vaccines for children and other  
18 state-provided vaccine programs' vaccine ordering and  
19 accountability policies and procedures.

20 (c) Registry information regarding specific individuals in  
21 the registry may be accessed by school and post-secondary school  
22 personnel authorized by the director of health, the



1 superintendent of education, or the administrator of a private  
2 or post-secondary school for the purpose of ensuring compliance  
3 with mandatory student immunization requirements.

4 (d) Registry information regarding specific individuals in  
5 the registry may be accessed by authorized health organizations  
6 that have been contracted to provide health insurance or health  
7 plan coverage for those individuals; provided that access is  
8 limited to only the enrollees, members, subscribers, and  
9 insureds of the authorized health organization, and for the  
10 purpose of producing immunization assessment reports by the  
11 authorized health organization.

12 [~~d~~] (e) Registry information regarding specific  
13 individuals in the registry may be accessed by the department of  
14 health or agents of the department of health for the purposes  
15 of:

- 16 (1) Ensuring compliance with mandatory immunization  
17 requirements;
- 18 (2) Performing immunization-related quality improvement or  
19 quality assessment activities;
- 20 (3) Complying with Hawaii vaccines for children [~~and teen~~  
21 ~~vax~~] and other state-provided vaccine programs'



- 1 vaccine ordering and accountability policies and  
2 procedures;
- 3 (4) Producing aggregate immunization assessment reports to  
4 monitor and improve public health;
- 5 (5) Supporting efforts to prevent and manage outbreaks of  
6 vaccine-preventable diseases, including pandemic  
7 influenza;
- 8 (6) Assisting the department of health in the event of a  
9 public health emergency; or
- 10 (7) Managing and maintaining the Hawaii immunization  
11 registry system.

12 [~~+~~] (f) The use of registry information accessed pursuant  
13 to this section shall be limited to the purposes for which  
14 access is granted."

15 SECTION 4. Section 325-125, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "[+]§325-125[+] **Registry record requirements; duration of**  
18 **retention.** (a) The establishment of an individual's record in  
19 the registry shall not require the prior consent of a patient or  
20 the consent of a patient's parent or legal guardian in the case  
21 of a minor or dependent.



1        (b) The department of health shall make available to the  
2 patient or the patient's parent or legal guardian in the case of  
3 a minor or dependent, via the patient's health care provider or  
4 birthing hospital, a written description of the purpose and  
5 benefits of the registry as well as the procedure for refusing  
6 inclusion in the registry. ~~[No registry information shall be  
7 established in the registry for any patient who in writing  
8 refuses, or, in the case of a minor or dependent, the patient's  
9 parent or legal guardian who in writing refuses to allow the  
10 information to be included in the registry.]~~

11        (c) A patient's, or in the case of a minor, the minor's  
12 parent's or legal guardian's, choice to refuse inclusion in the  
13 registry shall be documented in writing on a form or in a format  
14 approved by the department of health.

15        (d) Each health care provider or birthing hospital shall  
16 maintain the records of refusal of inclusion and shall report  
17 any refusal to the department of health in a manner specified by  
18 rule.

19        (e) When a patient, or in the case of a minor, the minor's  
20 parent or legal guardian, chooses to refuse inclusion in the  
21 registry, minimal demographic information, including the  
22 patient's name and date of birth, shall be maintained within the



1 registry system to identify the patient as having elected to  
2 refuse inclusion in the registry. If the patient has an  
3 existing record in the registry at the time that the refusal  
4 documentation is submitted, all other patient demographic and  
5 immunization information shall be removed from the registry.

6 (f) All registry authorized users shall make available for  
7 inspection by the department of health all medical records  
8 relating to patient demographic and immunization information  
9 recorded in the registry or documentation of the patient's, or  
10 in the case of a minor, the minor's parent's or legal guardian's  
11 refusal of inclusion in the registry for the purposes of  
12 performing registry-related quality improvement or quality  
13 assessment activities.

14 ~~(b)~~ (g) Registry information for any individual included  
15 within the registry shall be retained as a part of the registry  
16 for twenty-five years after the last entry, except in the case  
17 of minors, whose records shall be retained during the period of  
18 minority plus twenty-five years after the minor reaches the age  
19 of majority. At the conclusion of the retention period, the  
20 data stored in the registry for that individual shall be  
21 archived."





1 SECTION 5. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 6. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect on July 1, 2050.



**Report Title:**

Hawaii Immunization Registry

**Description:**

Allows limited health insurer access to the Hawaii immunization registry. Requires the Department of Health to store minimal demographic information in the registry on individuals who have elected to refuse inclusion in the registry. Effective July 1, 2050. (SB2825 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

