

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

*Your Committee on Public Health, to which was referred Senate Bill 415, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, between lines 37 and 38, begin a new paragraph and insert:
- 2 "SECTION 4. IC 16-19-3-30 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2013]: **Sec. 30. (a) The state department may establish a**
- 5 **nonprofit subsidiary corporation that is exempt from federal**
- 6 **income taxation under Section 501(c)(3) of the Internal Revenue**
- 7 **Code, to solicit and accept private funding, gifts, donations,**
- 8 **bequests, devises, and contributions.**
- 9 **(b) A subsidiary corporation established under this section:**
- 10 **(1) shall use money received under subsection (a) to carry out**
- 11 **in any manner the purposes and programs of the state**
- 12 **department, which may include programs intended to reduce**
- 13 **infant mortality, increase childhood immunizations, reduce**
- 14 **obesity, and reduce smoking rates;**
- 15 **(2) shall report to the budget committee each year**

- 1 **concerning:**
- 2 **(A) the use of money received under subsection (a); and**
- 3 **(B) the balances in any accounts or funds established by**
- 4 **the subsidiary corporation; and**
- 5 **(3) may deposit money received under subsection (a) in an**
- 6 **account or fund that is:**
- 7 **(A) administered by the subsidiary corporation; and**
- 8 **(B) not part of the state treasury.**
- 9 **(c) A subsidiary corporation established under this section is**
- 10 **governed by a board of directors comprised of members appointed**
- 11 **by the governor. Employees of the state department may serve on**
- 12 **the board of directors.**
- 13 **(d) Employees of the state department shall provide**
- 14 **administrative support for a subsidiary corporation established**
- 15 **under this section. Employees of the state department directly**
- 16 **involved in the subsidiary corporation established under this**
- 17 **section may engage in fundraising activities on behalf of the**
- 18 **subsidiary corporation.**
- 19 **(e) The state board of accounts shall annually audit a subsidiary**
- 20 **corporation established under this section.**
- 21 SECTION 5. IC 16-38-5-1, AS AMENDED BY P.L.122-2012,
- 22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2013]: Sec. 1. (a) The state department ~~may develop~~ **and shall**
- 24 maintain an immunization data registry to collect, store, analyze,
- 25 release, and report immunization data.
- 26 (b) Data in the immunization data registry may be used only for the
- 27 following purposes:
- 28 (1) To assure that necessary immunizations are provided and
- 29 overimmunization is avoided.
- 30 (2) To assess immunization coverage rates.
- 31 (3) To determine areas of underimmunization and other
- 32 epidemiological research for disease control purposes.
- 33 (4) To document that required immunizations have been provided
- 34 as required for school or child care admission.
- 35 (5) To accomplish other public health purposes as determined by
- 36 the state department.
- 37 (c) The state department may adopt rules under IC 4-22-2
- 38 concerning who may input and retrieve information from the

1 immunization data registry.

2 SECTION 6. IC 16-38-5-2, AS AMENDED BY P.L.122-2012,
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2013]: Sec. 2. (a) **Except as provided in subsection (c)**, a
5 provider, a physician's designee, a pharmacist's designee, or a person
6 approved by the state department may provide immunization data to the
7 immunization data registry in a manner prescribed by the state
8 department and for the purposes allowed under this chapter.

9 **(b) This subsection takes effect July 1, 2015. Except as provided**
10 **in subsections (c) and (e), a provider who is licensed under IC 25**
11 **and who is authorized within the provider's scope of practice to**
12 **administer immunizations or the provider's designee shall**
13 **electronically provide immunization data to the immunization data**
14 **registry for all immunizations administered to individuals who are**
15 **less than nineteen (19) years of age:**

- 16 (1) **not later than seven (7) business days after providing the**
- 17 **immunization;**
- 18 (2) **in a manner prescribed by the state department, after**
- 19 **reasonable notice; and**
- 20 (3) **for the purposes allowed under this chapter.**

21 ~~(b) (c) An exemption~~ **(c) A person is exempt from providing**
22 **immunization data to the immunization data registry shall be granted**
23 **if:**

- 24 (1) **the patient or ~~(2)~~ the patient's parent or guardian, if the patient**
- 25 **is less than eighteen (18) years of age, has completed and filed a**
- 26 **written immunization data exemption form with either the person**
- 27 **who provides the immunization or the state department; or**
- 28 **(2) the patient is a resident of or is receiving services from a**
- 29 **facility licensed under IC 16-28.**

30 **(d) The minimum immunization data that must be provided**
31 **under subsection (b) is:**

- 32 (1) **Patient identification number.**
- 33 (2) **Patient first and last name.**
- 34 (3) **Patient date of birth.**
- 35 (4) **Patient address.**
- 36 (5) **Patient race.**
- 37 (6) **Patient gender.**
- 38 (7) **Vaccine for Children program eligibility, if the patient is**

- 1 eligible for the Vaccine for Children program.
 2 **(8) Dose at the administration level under the Vaccine for**
 3 **Children program, if the patient is eligible for the Vaccine for**
 4 **Children program.**
 5 **(9) Vaccination presentation or vaccination code using**
 6 **approved Immunization Information System (IIS) code type.**
 7 **(10) Vaccination date administered.**
 8 **(11) Lot number of the administered vaccine.**

9 **The state department may expand or modify the list of minimum**
 10 **immunization data that must be provided under this section based**
 11 **on Centers for Disease Control Immunization Information System**
 12 **(IIS) minimum field requirements.**

13 **(e) A provider who is unable to electronically provide**
 14 **immunization data to the immunization registry by July 1, 2015,**
 15 **shall submit a detailed plan for compliance with the requirements**
 16 **of subsection (b) to the state department no later than March 31,**
 17 **2015. The state department will assist the provider so the provider**
 18 **is able to electronically provide immunization data in a reasonable**
 19 **amount of time.**

20 ~~(e)~~ **(f)** The state department shall create and provide copies of
 21 immunization data exemption forms to:

- 22 (1) providers who are:
 23 (A) licensed under IC 25; and
 24 (B) authorized within the provider's scope of practice to
 25 administer immunizations; and
 26 (2) individuals;
 27 who request the form.

28 ~~(d)~~ **(g)** The state department shall distribute, upon request, written
 29 information to be disseminated to patients that describes the
 30 immunization data registry. The written information must include the
 31 following:

- 32 (1) That, **beginning July 1, 2015**, the provider **may is required**
 33 **to report immunization data to the immunization data registry.**
 34 (2) That the patient or the patient's parent or guardian, if the
 35 patient is less than eighteen (18) years of age, has a right to
 36 exempt disclosure of immunization data to the registry and may
 37 prevent disclosure by signing an immunization data exemption
 38 form.

1 (3) That the patient or the patient's parent or guardian, if the
2 patient is less than eighteen (18) years of age, may have the
3 individual's information removed from the immunization data
4 registry.

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

6 SECTION 7. [EFFECTIVE JULY 1, 2013] **(a) The health finance**
7 **commission (IC 2-5-23) shall study the appropriateness of the**
8 **implementation time line for the required reporting of**
9 **immunization data as described in IC 16-38-5-2, as amended by**
10 **this act, considering:**

11 (1) necessary improvements to the immunization registry
12 system for providers who manually enter immunization data
13 into the immunization registry portal, and ways to identify
14 and reduce errors and inaccuracies between the immunization
15 registry system and interfaced electronic medical record
16 systems; and

17 (2) the progress in improving the interoperability of the
18 immunization registry system and electronic medical record
19 systems.

20 (b) The commission shall submit a report to the legislative
21 council in a format required under IC 2-5-23-14 that includes the
22 commission's findings and recommendations of topics studied
23 under subsection (a).

24 (c) This SECTION expires January 1, 2015."

25 Renumber all SECTIONS consecutively.

(Reference is to SB 415 as printed February 1, 2013.)

and when so amended that said bill do pass.

Representative Clere