

First Extraordinary Session, 2002

ACT No. 90

HOUSE BILL NO. 91

BY REPRESENTATIVES R. ALEXANDER, DURAND, ILES, KATZ,
SCHWEGMANN, AND BRUCE AND SENATOR HINES

AN ACT

To amend and reenact R.S. 40:31.16(A), relative to an immunization tracking registry; to delete the requirement that a child's parent or guardian provide written consent for a child's information to be entered into an immunization registry; to provide that general consent for treatment and information sharing shall be considered parental consent for sharing historical, current, and future information; to require immunization providers to provide certain information to parents; to waive consent for mass immunizations in declared public health emergencies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:31.16(A) is hereby amended and reenacted to read as follows:

§31.16. Parental consent; parental responsibility for immunization; exemptions

A. ~~No child shall be entered into an immunization registry without the written consent of the child's parent or guardian.~~ (1)

Nothing in this Part shall be construed to restrict the registry from providing tracking and recall information to the parent or guardian that provides the ~~written~~ consent for the child to be entered into an immunization registry.

(2) General consent for treatment and release of information to other providers or to the office of public health shall be considered parental consent for sharing historical, current, and future immunization information. In addition, each immunization provider shall comply with at least one of the following requirements:

(a) Place a poster in the patient registration area notifying parents that the site is participating in the state immunization registry and that childhood data is being shared with the registry.

(b) Provide each parent a brochure supplied by the office of public health describing the purposes of the registry and notifying parents that they can prohibit data sharing by notifying the health care provider not to submit their child's immunization information.

(3) In the event of a public health emergency as declared by the state health officer, including a natural disaster, bioterrorist attack, epidemic, or other event affecting the public health, the requirement to obtain consent for placement on a registry shall be waived for mass immunizations performed in response to such declaration.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____