

Delaware

Vaccination Surveillance System

State	Statute/ Rule	Language Specific to Surveillance System	Exemption	Data Sharing	Consent Required?	Dissent Allowed?
DE	NO STATUTE FOUND RULE: D.A.C. 4202, 7.1.14	7.0 Control of Specific Contagious Diseases. 7.1 Vaccine Preventable Disease. 7.1.14 The Division Director may maintain a registry of the immunization status of persons vaccinated against any vaccine preventable diseases (hereafter called an "immunization registry."	“The Division of Public Health’s (DPH) Communicable Disease Regulations mandate that all immunizations must be reported to the DPH Immunization Registry.” – <i>Delaware Dept. of Health, http://dhss.delaware.gov/dhss/dph/dpc/immunize-providers.html</i>	7.1.14.2 The Division Director or designee may disclose information from the immunization registry without a patient's, parent's, or guardian's written release authorizing such disclosure to the following: 7.1.14.2.1 The person immunized, or a parent or legal guardian of the person immunized, or persons delegated in writing by same. 7.1.14.2.2 Employees of public agencies or research institutions, however only when it can be shown that the intended use of the information is consistent with the purposes of this section. 7.1.14.2.3 Health records staff of school districts and child care facilities.	NO	NO

*CCHF REPORT 2013: Patient Privacy and Public Trust:
How Health Surveillance Systems Are Undermining Both*

		<p>7.1.14.1. Physicians and other health care providers who give immunizations shall report information about the immunization and the person to whom it was given for addition to the immunization registry in a manner prescribed by the Division Director or designee... (9 DE Reg. 1188 (2/1/06))</p>		<p>7.1.14.2.4 Persons who are other than public employees who are entrusted with the regular care of those under the care and custody of a state agency including but not limited to operators of day care facilities, group, residential care facilities and adoptive or foster parents.</p> <p>7.1.14.2.5 Health insurers, however only when the person immunized is a client of the health insurer.</p> <p>7.1.14.2.6 Health care professionals or their authorized employees who have been given responsibility for the care of the person immunized.</p> <p>7.1.14.3 If any person authorized in subsection 6.1.14.2 discloses information from the immunization registry for any other purpose, it is an unauthorized release and such person may be subject to civil and criminal penalty.</p>		
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