## Louisiana Vaccination Surveillance System

<table>
<thead>
<tr>
<th>State</th>
<th>Statute/Rule</th>
<th>Language Specific to Surveillance System</th>
<th>Exemption</th>
<th>Data Sharing</th>
<th>Consent Required?</th>
<th>Dissent Allowed?</th>
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<tbody>
<tr>
<td>LA</td>
<td>STATUTE: RS 40: §31.13</td>
<td>§31.13. Development of immunization registry and tracking and recall system; standards</td>
<td>Q. Do I have to get consent from the parent to share the record with LINKS? A. No. The state law authorizing the development of LINKS does not require you to obtain consent. The LINKS staff prepared posters and brochures to inform parents of the registry and why information is submitted to the registry. These are available from the LINKS website address <a href="https://linksweb.oph.dhh.louisiana.gov">https://linksweb.oph.dhh.louisiana.gov</a> or contact (504) 838-5300. State law requires you to use these signs or brochures to help inform parents.</td>
<td>§31.14. Authorization of release of immunization records A. Notwithstanding any provision of law to the contrary, immunization records for use in an immunization registry shall not be considered privileged communications between a health care provider and patient when such records are used in accordance with the provisions of this</td>
<td>NO</td>
<td>NO</td>
</tr>
</tbody>
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Updated August 2012. All state statutes and department rules originally accessed online July/Aug 2008.
Statute/Rule data not inclusive. For comprehensive or updated language, access complete statute and rules online, at local library or through the state legislature. www.cchfreedom.org
| shall consult providers in developing the system to provide for a simple and efficient system of transferring information. The registry and associated tracking system shall include but not be limited to the following: | their child’s information be shared with other providers, however. If the parent decides not to let their child’s information be shared, you can still report that information and you and the local health unit will still be able to view that information. |

- (9) Methods assuring that information contained in the immunization registry only be used to track and document immunization status, for other immunization program-related activities, and for associated public health Part. The Department of Health and Hospitals, public health units and their agents, providers, parents or guardians, schools, and day care centers may obtain information from, or provide information to, the immunization record of a client of any immunization registry without the written consent of a client who has not attained eighteen years of age or of the parent or legal guardian of such a client. Upon a client's attainment of eighteen years of age, information in the registry shall be made available only with the consent of the client unless the

Taken from https://linksweb.oph.dhh.louisiana.gov/linksweb/LINKS_DCNTR.html

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

A. (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 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,
<table>
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<th>CONSENT WAS UNDONE IN 2002:</th>
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**Links Update**

“LINKS continues to be a success!!! The Senate recently approved HB 91 which clears the language of the registry law, ends its confusing interpretation and strikes down the specific consent requirement. This is great news for populating LINKS!” - *Shots for Tots Coalition Newsletter, Vol*

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**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 requestor shows a public health need for the information.

B. A provider, a public health unit, the Department of Health and Hospitals, or the agents of any of them, schools, and day care centers shall not be subject to an action or be liable for sharing information from the immunization record or using information from the immunization tracking and recall record for purposes of tracking immunizations of clients and for outreach to clients who have missed immunizations.

C. Information in an immunization
1, Issue 2, 2002.

immunizations performed in response to such declaration.

B. The immunization record of a child shall be purged from the registry at any time that the child's custodial parent or legal guardian requests, in writing, that the immunization record be purged from the registry.

C. Nothing in this Part shall be construed to mitigate the responsibility of a parent or guardian to have a child of that parent or guardian properly immunized.

D. Nothing in this Part shall be construed to require immunization or tracking of any child otherwise exempt from immunization requirements for medical or religious reasons.

§31.14 (C) … Upon a client's attainment of twenty-one years of age, the client's immunization record and tracking and recall record shall be purged from the registry, except that non-identifying data may be retained for statistical analysis.

registry or in the immunization tracking and recall record or derived therefrom is confidential and shall not be disclosed to any person who is not specifically authorized to receive information under this Part.
§31.15. Rulemaking

The Department of Health and Hospitals, office of public health, shall promulgate rules and regulations pertaining to the development and implementation of the immunization registries and their associated tracking and recall systems in accordance with the Administrative Procedure Act. The rules shall include a process by which a custodial parent or guardian can control the transfer of information from the immunization record or the immunization tracking and recall record when such control is necessary to protect the health or safety of the family.