

California

**Vaccination Surveillance System**

State	Statute/ Rule	Language Specific to Surveillance System	Exemption	Data Sharing	Consent Required?	Dissent Allowed?
CA	STATUTE: Health & Safety Code Division 105, Part 2, Chapter 2.5  NO RULE FOUND	<b>DISCLOSURE OF IMMUNIZATION STATUS.</b> <b>Section 120440. ... (c)</b> ... unless a refusal to permit record sharing is made pursuant to subdivision (e), health care providers, and other agencies, including, but not limited to, schools, child care facilities, service providers for the California Special Supplemental Food Program for Women, Infants, and Children (WIC), health care plans, foster care agencies, and county welfare departments, <i>may disclose the information set forth in paragraphs (1) to (9),</i> inclusive, from the patient's medical record, or the client's record, to local health departments operating countywide or regional	<b>Section 120440. ... (e)</b> A patient or a patient's parent or guardian may refuse to permit record sharing. The health care provider administering immunization and any other agency possessing any patient or client information listed in subdivision (c), if planning to provide patient or client information to an immunization system, as described in subdivision (b), shall inform the patient or client, or the parent or guardian of the patient or client, of the following:...	<b>Section 120440.</b> ... <b>(I)</b> Subject to any other provisions of state and federal law or regulation that limit the disclosure of health information and protect the privacy and confidentiality of personal information, local health departments and the State Department of Health Services may share the information listed in subdivision (c) with a state, local health departments, health care providers, immunization information systems,	NO	YES – but state health dept. will continue to have access. (Sec. 120440 (e)(4)

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		<p>immunization information and reminder systems and the State Department of Health Services. <i>[emphasis added]</i></p> <p>The following information shall be subject to this subdivision:</p> <p>(1) The name of the patient or client and names of the parents or guardians of the patient or client.</p> <p>(2) Date of birth of the patient or client.</p> <p>(3) Types and dates of immunizations received by the patient or client.</p> <p>(4) Manufacturer and lot number for each immunization received.</p> <p>(5) Adverse reaction to immunizations received.</p> <p>(6) Other nonmedical information necessary to establish the patient's or client's unique identity and record.</p>	<p>... (4) The patient or client, or the parent or guardian of the patient or client, may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both. After refusal, the patient's or client's physician <b>may maintain access</b> to this information for the purposes of patient care or protecting the public health. After refusal, the local health department and the State Department of Health Services <b>may maintain access</b> to this information for the purpose of protecting the public health pursuant to Sections 100325, 120140, and 120175, as well as Sections 2500 to</p>	<p>or any representative of an entity designated by federal or state law or regulation to receive this information. The State Department of Health Services may enter into written agreements to exchange confidential immunization information with other states for the purposes of patient care, protecting the public health, entrance into school, child care and other institutions requiring immunization prior to entry, and the other purposes described in subdivision (d). The written agreement shall provide that the state that receives</p>		
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		<p>(7) Current address and telephone number of the patient or client and the parents or guardians of the patient or client.</p> <p>(8) Patient's or client's gender.</p> <p>(9) Patient's or client's place of birth.</p>	<p>2643.20, inclusive, of Title 17 of the California Code of Regulations.</p>	<p>confidential immunization information must maintain its confidentiality and may only use it for purposes of patient care, protecting the public health, entrance into school, child care and other institutions requiring immunization prior to entry, and the other purposes described in subdivision (d). Information may not be shared pursuant to this subdivision if a patient or client, or parent or guardian of a patient or client, refuses to allow the sharing of immunization information pursuant to subdivision (e).</p>		
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