# WYOMING

## Birth Defects Surveillance System

<table>
<thead>
<tr>
<th>State</th>
<th>Statute/Rule</th>
<th>Language Specific to Surveillance System</th>
<th>Data Sharing</th>
<th>Research Authority</th>
<th>Consent Required?</th>
<th>Dissent Allowed?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>QUESTION: “Does your MCH program have the ability to obtain data for program planning or policy purposes in a timely manner?”</td>
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<td>ANSWER FOR Annual birth defects surveillance system: “<em>No, the MCH agency does not have this ability.</em>”</td>
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<td>QUESTION: Does your MCH program have Direct access to the electronic database for analysis?</td>
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<td>ANSWER FOR Annual birth defects surveillance system: “<em>No</em>”</td>
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<td><em>From “EHDI State and Territorial Profiles,” Updated: February 2008</em></td>
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<td>QUESTION ON STANDARDIZED CDC FORM: “EHDI [early hearing detection and intervention program] system linked to or integrated with any of the following: - Blood spot card, EBC [electronic birth certificate], Audiology, Early Intervention, Immunizations, other”:</td>
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<td>ANSWER: “Integrated EHDI data system (i.e. the EHDI program has a separate data system from other state programs, but contains all screening, diagnostic, service data in one system. The EHDI data system may obtain uploads from other systems). The EHDI program has been in discussion with vital records to be able to link EBC data with both hearing and metabolic results. WY is expecting a software developer working with Part C/Part B will develop a system for matching vision screening results with hearing screening results. An immunization registry is currently being implemented through Vital Statistics. Currently there is no birth defects registry but does have a lead screening tracking system.”</td>
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## Cancer Surveillance System

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<tr>
<td>WY</td>
<td>STATUTE: Wyoming Statutes Annotated (W.S.A.) Title 35, Chapter 1, Article 2, Section 35-1-240(b) Public Law 102-515 RULE: Code of Wyoming Rules for Tumor Registry, Chapters 1-4</td>
<td>35-1-240. Powers and duties. (a) The department of health, through the state health officer, or under his direction and supervision, through the other employees of the department, shall have and exercise the following powers and duties: …(ii) To investigate and control the causes of epidemic, endemic, communicable, occupational and other diseases and afflictions, and physical disabilities resulting therefrom, affecting the public health;… (vii) To collect, compile, and tabulate reports of marriages, divorces and annulments, births, deaths and morbidity, and to require any person having information with regard to the same to make such reports; (b) In carrying out duties prescribed under paragraphs (a)(ii) and (vii) of this section, the department shall: (i) Develop and require the uniform registration and reporting of medical information by hospitals, physicians and other health care providers as necessary to establish the Wyoming central tumor registry in accordance with the American college of surgeons guidelines; … Section 1. Authority. The statutory authority for these rules is W.S. § 35-1-240(b) and P.L. 102-515.</td>
<td>Chapter 1, Section 4. Immunity from Civil Action. (a) Any person who complies with W.S. §35-1-240(b) is immune from any civil action with respect to a cancer case report provided to the State Agency or with respect to access to cancer case information provided to the registry. Section 5. Standards. The State Agency has adopted the latest version of “Standards for Cancer Registries” published by the North American Association of Central Cancer Registries (NAACCR.) (a) Data Completeness: 95% of unduplicated, expected malignant cases of reportable cancer occurring in Wyoming residents in a diagnosis year shall be reported to the state cancer registry. (b) Data Timeliness: Cancer cases shall be reported to the state cancer registry within six (6) months of diagnosis date. (c) Data Quality: Comply with standards for data quality including standardized data format as promulgated by the NAACCR. Chapter 2. Section 5. Physicians. (a) Physicians shall report to the State Agency all cancer patients who meet case eligibility criteria who are diagnosed and/or treated in a private office and who are not admitted to a Wyoming hospital. (b) Physicians shall supply all available information requested the State Agency concerning cancer patients who meet case eligibility criteria. (c) Physicians shall supply all available information requested by their Hospital Cancer Registrar, concerning cancer patients who meet case eligibility criteria.</td>
<td>Chapter 1, Section 3. Applicability. …(b) Chapters 1 and 4 of these regulations shall apply to any person employed by the State Agency, Epidemiologist, researcher and any other persons or organizations utilizing statewide cancer registry data. Chapter 4, Section 1. Disclosure of Data. (a) Confidential Case Data. The protection and release of confidential statistical records shall be in accordance with W.S. § 16-4-201, et seq., the Wyoming Public Records Act, and the Wyoming Department of Health Information Practices Rules.</td>
<td>NO</td>
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</table>
## Newborn Genetic Testing & Surveillance System

<table>
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<tr>
<th>State</th>
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<tr>
<td>WY</td>
<td>W.S.A. Title 35, Chapter 1, Article 1</td>
<td>35–4–801. Screening required for detection of metabolic diseases and hearing defects in newborn children; conduct of screening; exceptions; fees.</td>
<td>35–4–801. …(e) Informed consent of parents shall be obtained and if any parent or guardian of a child objects to a mandatory examination the child is exempt from subsection (a) of this section… [emphasis added]</td>
<td>NO LAW FOUND</td>
<td>YES, but NO: WY law uses the word “consent” but also uses “objects to” which is “dissent.” Current DOH practice appears to be opt-out (dissent), not opt-in (consent).</td>
<td>YES</td>
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**WYOMING**

From “News from the Wyoming Department of Health” press release, June 30, 2006:

“Under Wyoming law, newborns are initially screened between 24-48 hours after birth unless parents sign a waiver opting out of the program.” [emphasis added]
## Vaccination Surveillance System

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<tr>
<td>WY</td>
<td>RULES</td>
<td>“Although there currently is no state statute requiring the use of the Wyoming Immunization Registry (WyIR), all providers that administer immunizations within the State of Wyoming are strongly encouraged to use the system...” – Wyoming immunization Registry (WyIR), WyIR User Manual, Wyoming Immunization Program, January 2008</td>
<td>1-1 Chapter 1 .... Section 9. Consent. (a) Any individual who receives vaccines from a Wyoming health care provider shall be provided notice that her immunization information may be entered into the WyIR. This notice shall be written in plain language and contain uses and disclosures, individual rights, and an assurance to maintain the privacy of protected health information. (b) Exclusion of immunization information from the WyIR may be obtained by submitting written notification to the Department in a format prescribed by the Department or substantially similar and mailed to the Immunization Section. The Department may not retain individually identifiable information about any person for whom exclusion has been requested. (c) Any inactivated immunization information shall be maintained in aggregate format.</td>
<td>“This system enables providers to easily report their immunization data via web-based software called the IWeb Application. The IWeb Application gives providers a powerful tool to manage their immunization service delivery. While the law does not require reporting immunizations, WyIR recommends doing so...Data entered into the IWeb Application is immediately stored in a secure IT environment at the Wyoming Department of Health. Using the IWeb Application is 100% compliant with all HIPAA standards and requirements.” – Wyoming immunization Registry (WyIR), WyIR User Manual, Wyoming Immunization Program, January 2008</td>
<td>NO</td>
<td>YES</td>
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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
...(xi) To purchase and to distribute to licensed physicians, with or without charge, as the department may determine, or to administer such vaccines, serums, toxoids and other approved biological or therapeutic products as may be necessary for the protection of the public health;

...(xvii) To disseminate public health information;

(xviii) To exercise all the rights and powers and perform all the duties vested in or imposed by law upon the state department of health, its officers and employees, as constituted before this act, becomes effective; to hold hearings, administer oaths, subpoena witnesses and take testimony in all matters relating to the exercise and performances of the powers and duties vested in or imposed upon the department;

(xix) To advise the director of the department about public health issues, programs and policies for the state; …

1-1
CHAPTER 1

Rules and Regulations for the Wyoming Immunization Registry

General Provisions

Section 1. Authority. The Wyoming Department of Health (Department) is promulgating rules and regulations for the management and control of communicable diseases to comply with Wyoming Statute (W.S.) §§ 35-4-101, 35-1-240, and 35-4-139.

Section 2. Purpose. This Chapter authorizes the Department to implement, maintain, or otherwise supervise the Wyoming Immunization Registry (WyIR), establish accessibility of immunization data recorded and stored in the WyIR, define reporting guidelines for the WyIR, and outline consent, confidentiality, and guidelines for the WyIR.
Section 3. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules. Where the context in which words are use in these rules indicates that such is the intent, words in the singular number shall include the plural and vice-versa. Throughout these rules gender pronouns are used interchangeably except where the context dictates otherwise. The drafters have attempted to utilize each gender pronoun in equal numbers in random distribution. Words in each gender shall include individuals of the other gender.

(a) “Authorized User” means any individual who is permitted to access immunization records of individuals falling within his administrative or clinical responsibilities. An Authorized User may designate the ability to access the system to others as appropriate.

(b) “Designee” means an individual, acting under the authority of a health care provider or another category of Authorized User, who has been specifically delegated responsibility to access the WyIR, an Immunization Information System (IIS), and perform the functions permitted the primary Authorized User.

(c) “Electronic Health Record” (EHR) means a longitudinal electronic record of patient health information generated by one or more encounters in any care delivery setting.

(d) “Health Information Exchange” (HIE) means the electronic movement of health-related data and information among organizations according to agreed standards, protocols, and other criteria.

(e) “Health Care Provider” means a person who is licensed, certified, or otherwise authorized by the law of this state to provide health care in the ordinary course of business or practice of a profession, but does not include a person who provides health care solely through the sale or dispensing of drugs or medical devices.

(f) “Immunized or immunization” means initial immunization and any boosters or reimmunizations required to maintain immunization pursuant to the vaccination standards and recommendations issued by the State Health Officer.

(g) “Immunization Information System” means a confidential, computerized information system that attempts to collect vaccination or immunization data about individuals.
(h) “Immunization Section” means the program housed within the Wyoming Department of Health that orders and distributes publicly-provided vaccines. The Immunization Section is also responsible for the maintenance and coordination of the WyIR and related activities.

(i) “Wyoming Immunization Registry” (WyIR) means the secure, confidential, Internet-based, full-lifespan immunization database maintained within or otherwise supervised by the Immunization Section.

Section 4. Applicability. This rule shall apply to the WyIR.

Section 5. General Provisions.

(a) The WyIR shall establish a system to coordinate immunizations. That system shall:

(i) Create an electronic immunization record;
(ii) Provide electronic access to immunization records;
(iii) Track an individual’s immunization status;
(iv) Allow health care providers to identify and send reminders to individuals about immunizations that are necessary for vaccine series completion;
(v) Allow health care providers to identify and contact individuals about vaccine recall issues;
(vi) Provide evidence-based guidelines related to immunizations for health care providers;
(vii) Reduce the likelihood of unnecessary immunizations;
(viii) Provide official copies of an individual’s immunization record;
(ix) Generate reports to determine compliance with immunization mandates and/or program evaluation; and
(x) Generate reports required for participation in the state’s vaccine distribution program.

(b) In addition to immunization data, the WyIR may also record results of Tuberculosis skin tests (PPD) and immunization exemption status.

Section 6. Authorized Users.

(a) Individuals requesting access to the WyIR shall be screened and approved by the Immunization Section in accordance with WyIR policy developed by the Department. Authorizer Users shall understand and agree to adhere to the confidentiality policies developed by the Department.
(b) Authorized Users shall access the WyIR only to assure adequate immunization, to confirm compliance with mandatory immunization requirements, to control disease outbreaks, and for treatment and program oversight.

Section 7. Access Levels.

(a) WyIR access shall be role based. Authorized Users shall be assigned an appropriate Access Level by the Immunization Section. Role-based access shall include:

(i) Administrator Access: The Administrator Access Level or her designee shall have the ability to activate new accounts for Authorized Users based on their roles in an organization as defined by the organizational representative, to inactivate Authorized Users who should no longer have access to the WyIR, and to inactivate immunization records from the WyIR. Individuals who have Administrator Access shall be limited to employees of the Wyoming Department of Health who are responsible for supporting and maintaining the WyIR or authorized individuals who work for an organization that has a Business Associate Agreement on file with the Immunization Section.

(ii) View or Read-Only Access: Read-only access allows Authorized Users to view records of those individuals under their administrative responsibility and to compile reports based on data aggregated on those records.

(iii) Client or Read/Write Access: Only health care providers who order and/or administer immunizations or his designee and designated local and state Wyoming Department of Health personnel may generate reports and enter immunization information.

(iv) Additional access may be granted if determined necessary to comply with Section 6(b) of this Chapter.

(b) Individuals participating in a statewide Health Information Exchange supported by the Wyoming Department of Health shall be provided appropriate access in accordance with WyIR policy.
### Section 8. Reporting Guidelines.

(a) Health care providers who administer vaccines or their designee(s) may record doses administered into the WyIR contingent upon receiving access approval from the Immunization Section. Immunization data entered by an Authorized User shall include demographic and vaccination information in accordance with WyIR policy.

(b) In the event that the State Health Officer, in response to a public health emergency, orders vaccines such as smallpox, anthrax, or pandemic influenza vaccines, any health care providers who receive or administer such vaccines shall enter doses administered data into WyIR within a timeframe designated by the State Health Officer.

(c) Health care providers or their designee(s) who have access to the WyIR shall record doses administered into the WyIR through one of the following methods:

(i) Direct online entry of immunization information into the WyIR;
(ii) Secure transmission of electronic files extracted from clinical management information systems, such as Electronic Health Records (EHR); or
(iii) Information uploaded from other electronic media.

### Section 9. Consent.

(a) Any individual who receives vaccines from a Wyoming health care provider shall be provided notice that her immunization information may be entered into the WyIR. This notice shall be written in plain language and contain uses and disclosures, individual rights, and an assurance to maintain the privacy of protected health information.

(b) Exclusion of immunization information from the WyIR may be obtained by submitting written notification to the Department in a format prescribed by the Department or substantially similar and mailed to the Immunization Section. The Department may not retain individually identifiable information about any person for whom exclusion has been requested.

(c) Any inactivated immunization information shall be maintained in aggregate format.
<table>
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<tr>
<th>Section 10. Confidentiality. Immunization information recorded in the WyIR shall be protected in accordance with federal and state confidentiality laws and policies and shall not be disclosed except to protect the health of the individual and the health of others.</th>
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<tr>
<td>Section 11. Security. Upon receipt of any information contained in the WyIR, Authorized Users shall be responsible for securing all such information at least to the minimum standards required by applicable law. Any violation of WyIR security policies by Authorized Users shall result in a suspension or termination of access to the WyIR.</td>
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<tr>
<td>Section 12. Hearing. If access to the WyIR has been suspended or terminated, an Authorized User may request a hearing pursuant to the Department’s Procedures for the Conduct of Contested Case Hearings.</td>
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