

**R386. Health and Human Services, Population Health, Environmental Epidemiology.**

**R386-800. Immunization Coordination.**

**R386-800-1. Authority and Purpose.**

- (1) This rule is authorized by Sections 26B-1-202 and 26B-8-404.
- (2) It establishes a system to collect, coordinate and share immunization information among:
  - (a) health care providers;
  - (b) health insurers;
  - (c) schools;
  - (d) child care programs;
  - (e) personal health record systems; and
  - (f) publicly funded programs.
- (3) It establishes a requirement to allow individuals to withdraw from the system.
- (4) It establishes confidentiality requirements and lists penalties for violations.

**R386-800-2. Definitions.**

As used in this rule:

- (1) "Health care provider" means the same as defined in Section 78B-3-403.
- (2) "Guardian" means the same as described in Section 75-5-201.
- (3) "Child care" means the same programs as defined in Section 26B-2-401.
- (4) "School" means the same as defined in Section 26B-7-201.
- (5) "Personal Health Record" means an electronic application through which an individual or guardian can access, maintain and manage their health information.
- (6) "Health insurer" means an insurer offering a health benefit plan, as defined by Section 31A-1-301.
- (7) "System" means the Utah Statewide Immunization Information System.

**R386-800-3. Participation by Individuals.**

- (1) Individual participation in the immunization coordination system is voluntary.
- (2) Immunization records may be included in the system unless the individual or guardian withdraws from the system.
- (3) An individual or guardian may withdraw from the system at any time.

**R386-800-4. Participation by Organizations.**

- (1) The following organizations may apply to participate in the system:
  - (a) health care providers;
  - (c) health insurers;
  - (d) schools;
  - (e) child care programs;
  - (f) personal health record systems; or
  - (g) publicly funded programs.
- (2) An authorized organizational participant must sign a participation agreement and abide by its requirements. Participation agreements are available at <https://immunize.utah.gov/usiis/>.
- (3) No person or individual is required to access the system to coordinate immunizations.

**R386-800-5. Notification.**

- (1) Organizations that participate in the program shall inform individuals or guardians about the system and provide information about the right to withdraw from the system.
- (2) When birth certificates are issued this notice shall be provided directly to parents or guardians.

**R386-800-6. Withdrawal.**

- (1) The Department of Health and Human Services shall provide withdrawal forms and contact information to participants. Withdrawal forms are available at <https://immunize.utah.gov/usiis/>.
- (2) Organizational participants shall make the forms and contact information available to individuals or guardians as required by the participation agreement, but are not responsible to assure that the individual is withdrawn from the system.

**R386-800-7. Access and Confidentiality.**

- (1) Organizational participants may access identifiable patient information in the system only as required:
  - (a) to assure adequate immunization of a patient;
  - (b) to avoid unnecessary immunizations;
  - (c) to confirm compliance with mandatory immunization requirements; or
  - (d) to control disease outbreaks.
- (2) Other access is restricted by Section 26B-8-406.

**R386-800-8. Liability.**

- (1) Organizational participants report immunization records to the system under the authority of Section 26B-1-202.
- (2) An organizational participant who reports information in good faith pursuant to this rule is in conformance with applicable confidentiality provisions and would not be liable for improper reporting of the immunization information to the Department of Health and Human Services for use in the system.

**R386-800-9. Penalties for Violation.**

Any person who violates any provision of this rule may be assessed a civil money penalty as provided in Section 26B-1-224.

**KEY: immunization data reporting, consent**

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**Authorizing, and Implemented or Interpreted Law: 26B-1; 26B-8**