

OREGON ADMINISTRATIVE RULES
OREGON HEALTH AUTHORITY, PUBLIC HEALTH DIVISION
CHAPTER 333

DIVISION 49

IMMUNIZATION REGISTRY

333-049-0010

Definitions

- (1) All definitions of ORS 433.090 and 433.235 apply to these rules.
- (2) In addition to the definitions of ORS 433.090 and 433.235, the following definitions apply:
 - (a) "Authorized user" has the meaning as defined in ORS 433.090(1).
 - (b) "Client" has the meaning as defined in ORS 433.090(3).
 - (c) "Exempt" means the special status of information on certain clients that will limit its disclosure.
 - (d) "Manager" means the manager of the statewide immunization registry or his/her designee.
 - (e) "Oregon Immunization Program" means the Oregon Health Authority, Public Health Division, Immunization Program.
 - (f) "Public Health Division" means the Oregon Health Authority, Public Health Division.
 - (g) "State Public Health Division Timelines" means the schedule of reporting timelines shown in the Vaccine User Accountability Reporting Table (OAR 333-047-0050), detailing data elements required and when each element must be included for submission.
 - (h) "State supplied vaccine" means vaccine provided by the federal government or the Oregon Immunization Program.

Stat. Auth.: ORS 433.100

Stats. Implemented: ORS 433.100

333-049-0040

Collection and Release of Information

- (1) The manager may collect information for a client's immunization record from any authorized user. Such information to be collected shall be determined by the manager and provided to the registry on forms or in a format provided by the manager.
- (2) The manager may collect information for a client's tracking and recall record from any authorized user. Information to be collected includes such information necessary to send reminder cards to, place telephone calls to, or personally contact the client or the parent or the guardian of a client. Such information shall be determined by the manager and provided to the tracking and recall system on forms or in a format provided by the manager.
- (3) The manager may receive information from other registries and may share information with other such registries, provided that the manager makes a determination that other registries have confidentiality protection at least equivalent to those under ORS 433.090 through 433.102 and these rules. The manager shall prescribe the information that may be shared and the forms for sharing information to and from other registries.
- (4) The manager may request information to determine the name of any person and information on contacting the person or such person's parent or guardian in order to notify them about the existence of the registry. The manager may seek information on persons in the state who have

not enrolled in the registry through contacting other state agencies, and other appropriate organizations that have access to such information.

(5) The manager may release and publish information in the registry in an aggregate form that does not identify a client.

Stat. Auth.: ORS 433.096, 433.094 & 432.119

Stats. Implemented: ORS 433.096 & 433.094

333-049-0050

Reporting to the Immunization Registry

(1) Any provider who participates in the registry and who administers immunizations identified by the manager shall report such immunization to the registry within 14 calendar days of such immunization.

(2) Any pharmacist who immunizes must report all immunizations administered to the registry.

(3) Reports shall be submitted to the registry in a manner and on such forms as required by the manager. Such forms shall be provided by the manager.

(4) Any authorized user may report immunizations, and other such information, permitted under ORS 433.090(3) and (5), as prescribed by the manager, to the registry without the consent of the client or the parent or guardian of the client. Reporting this information without the consent mentioned above shall not subject a person to liability or civil action.

(5) Any authorized user who administers state-supplied vaccine must report in a manner prescribed by the Authority the following data elements for all administered doses to the Statewide Immunization Registry in accordance with Public Health Division timelines in the Vaccine User Accountability Reporting Table (OAR 333-047-0050):

(a) The name, address, phone number, gender, and date of birth of a client;

(b) The date of administration of the vaccine;

(c) The CPT, CVX, or NDC code of the vaccine administered;

(d) The dose-level vaccine eligibility code;

(e) The organizational identifier of the administering or reporting clinic or site;

(f) The lot number of the vaccine;

(g) The dose amount and manufacturer of the vaccine, when available; and

(h) Other data elements as specified by the Public Health Division.

(6) Any authorized user who administers state-supplied vaccine shall utilize, in accordance with OAR 333-047-0050:

(a) The ordering module for ordering state-supplied vaccines; and

(b) The inventory module for tracking public or public and private vaccine supply.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 433.096, ORS 689.645, HB 2371 (Oregon Laws 2011, chapter 362)

Stats. Implemented: ORS 433.096, ORS 689.645, HB 2371 (Oregon Laws 2011, chapter 362)

333-049-0065

Fees

For the purpose of implementing ORS 433.090 through 433.104 fees may be charged in accordance with this rule:

(1) Fees may be charged to authorized users including, but not limited to, the following: health plans, health provider associations, private or non-profit institutions, other state registries, federal health agencies or their contractors.

- (2) Fees shall not be charged to the following users: individual health care providers and clinics, Oregon schools, Oregon children's facilities, Oregon hospitals or the Oregon Health Authority, Division of Medical Assistance Programs.
- (3) Fees may be waived at the discretion of the ALERT Manager or the Oregon Health Authority Immunization Program Manager in accordance with Immunization Policy.
- (4) Unless waived, or exempt under subsection (2) of this rule, a fee of \$10 per client shall be charged to each authorized user for each client specific immunization data request.
- (5) A request for client specific data shall be responded to only when made by an authorized user for information about a client under its care or by a public health entity for clients within its jurisdiction. Requests from persons other than authorized users or from authorized users for data beyond that of a specific patient(s) under its care or within the public health entity's jurisdiction will be considered on a case by case basis in the interests of public health practice and may be responded to only with aggregate/de-identified data.
- Stat. Auth.: ORS 433.100
Stats. Implemented: ORS 433.100

333-049-0070

Limitations on Access to Information in the Immunization Registry and Tracking and Recall System

- (1) An authorized user may only access information in the Registry or Tracking and Recall System as follows:
- (a) An authorized user may access information on a client who is presently under that authorized user's care, or enrolled in the authorized user's children's facility, school, post-secondary educational institution, program or health plan, except as otherwise provided by law.
- (b) An authorized user that is a state or local public health authority may, in addition to accessing information described in subsection (1)(a) of this rule, access information on an individual within a public health entity's jurisdiction for:
- (A) Assessment, evaluation, surveillance and outreach related to immunization promotion and vaccine-preventable disease prevention; and
- (B) The Pregnancy Risk Assessment Monitoring System (PRAMS).
- (2) The manager may monitor and audit all access to a client's record contained in the registry.
- (3) The manager may require any person who has accessed a client's record to provide evidence that such client was under the care of the person or enrolled in the person's post-secondary educational institution, school, children's facility, program or health plan at the time the client's record was accessed.
- (4) The Public Health Division may report violations of these rules by any authorized user who has accessed a client's record to the appropriate licensing or regulatory authority.

Stat. Auth.: ORS 433.098

Stats. Implemented: ORS 433.098

333-049-0090

Notification of Needed Immunizations, Hearing Screening, or Lead Screening

- (1) The manager, authorized user, or public health entity may contact or provide notice to clients or parents and guardians of clients less than 18 years of age when the tracking and recall system indicates that a client has missed:
- (a) A scheduled immunization;

(b) Lead screening; or

(c) Hearing screening for clients zero through 12 years of age.

(2) The manager, authorized user, or public health entity may also notify the client's provider of last record of the client's needed immunizations, hearing screening, or lead screening.

Notification shall be in such form as prescribed by the manager.

Stat. Auth.: ORS 433.096

Stats. Implemented: ORS 433.096