

LEGISLATIVE COMMITTEE MINUTES

SB130

Bill as
Introduced

SB 130 - AS INTRODUCED

2015 SESSION

15-0946
01/09

SENATE BILL **130**

AN ACT relative to participation in the immunization registry.

SPONSORS: Sen. Kelly, Dist 10

COMMITTEE: Health and Human Services

ANALYSIS

This bill establishes an opt out option for participation in the immunization registry.

This bill is a request of the department of health and human services.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to participation in the immunization registry.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Communicable Disease; Immunization Registry. Amend RSA 141-C:20-f, III to read as
2 follows:

3 III. Physicians, nurses, and other health care providers may report an immunization to the
4 immunization registry [~~unless the patient, or the patient's parent or guardian if the patient is a~~
5 ~~minor, refuses to allow reporting of this information~~]. ***A patient, or the patient's parent or***
6 ***guardian if the patient is a minor shall be provided an opportunity to opt out of the***
7 ***registry by the health care provider. Such an opportunity shall be provided in writing in a***
8 ***clear and conspicuous manner, including , but not limited to, simple opt out language in a***
9 ***font and size easily readable by the average adult reader so that the individual may make***
10 ***his or her decision known. Physicians, nurses, and other health care providers shall***
11 ***submit a form provided by the commissioner to the department executed by the patient, or***
12 ***the patient's parent or guardian if the patient is a minor, of his or her decision to opt out of***
13 ***the registry.***

14 2 Communicable Disease; Immunization Registry. Amend RSA 141-C:20-f, VI to read as follows:

15 VI. The commissioner shall adopt rules under RSA 541-A concerning the following:

16 (a) The establishment and maintenance of the immunization registry.

17 (b) The methods for submitting and content of reports of immunizations.

18 (c) Procedures for the patient, or the patient's parent or guardian if the patient is a
19 minor, to [~~decline to participate~~] ***opt out of participation*** in the registry.

20 (d) ***Procedures for the registrant, or the registrant's parent or guardian if the***
21 ***registrant is a minor, to remove his or her information from the registry.***

22 (e) Procedures for the registrant, or the registrant's parent or guardian if the registrant
23 is a minor, to review and correct information contained in the registry.

24 [(e)] (f) Procedures for the registrant, or the registrant's parent or guardian if the
25 registrant is a minor, to withdraw [~~consent for participation at any time and to remove information~~
26 ~~from~~] ***his or her participation at anytime from*** the registry.

27 [(f)] (g) Limits on and methods of access to the registry by those authorized to gain access
28 under paragraph IV of this section.

29 [(g)] (h) Procedures for managed care organizations to obtain summary statistics of
30 immunization information on managed care organization members from the immunization registry.

31 3 Effective Date. This act shall take effect July 1, 2015.

Committee Minutes

**SENATE CALENDAR NOTICE
HEALTH AND HUMAN SERVICES**

Senator Andy Sanborn Chairman
 Senator Molly Kelly V Chairman
 Senator Kevin Avard
 Senator Sharon Carson
 Senator Martha Fuller Clark

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: January 28, 2015

HEARINGS

Tuesday

2/3/2015

HEALTH AND HUMAN SERVICES

LOB 101

1:00 PM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

1:00 PM	SB133-FN	relative to certain health care data.
1:30 PM	SB108-FN	relative to health care associated infections.
2:00 PM	SB130	relative to participation in the immunization registry.
2:30 PM	SB22	relative to certain changes in the law governing the therapeutic use of cannabis.

Sponsors:

SB133-FN

Sen. Jeb Bradley

Rep. Stephen Schmidt

Rep. Charles McMahon

SB108-FN

Sen. Nancy Stiles

Rep. Charles McMahon

Rep. David Hess

Rep. Cindy Rosenwald

Rep. Thomas Sherman

Sen. Sharon Carson

Sen. Martha Fuller Clark

SB130

Sen. Molly Kelly

SB22

Sen. John Reagan

Rep. Laura Jones

Rep. Cynthia Chase

SENATE Health and Human Services COMMITTEE

Chris Cote, Legislative Aide

SB 130, AN ACT relative to participation in the immunization registry.

Hearing Date: February 3, 2015

Time Opened: 2:15PM

Time Closed: 2:45PM

Members of the Committee Present:

Senator Fuller Clark, Senator Kelly, Senator Sanborn, Senator Carson, Senator Avard

Members of the Committee Absent: none

Bill Analysis: This bill establishes an opt out option for participation in the immunization registry.

This bill is a request of the department of health and human services.

Sponsors: Sen. Kelly, Dist 10

Who supports the bill: John Williams DHHS, Kathy Bizarro-Thunberg NH Hospital Association, Everett Laman MD NH Medical Society,

Who opposes the bill: Rep. Linda Gould, Susan Peterson, Laura Condon, Karen Testerman,

Neutral:

Summary of testimony presented in support:

- Sen. Kelly testified that her bill establishes an opt out provision from the immunization registry, clarifies the department rule making authority and stated there is another bill in the House that deals with this issue, Q: Sen Sanborn, what is the problem we are trying to solve, what is not working now? A: John Williams can answer that question better but always a question of clarification,
- John Williams testified to explain the bill, he is from DHHS, one of the reasons we requested a recess in order to address the House committee and return, but it is clear we need to balance privacy and health of community, it should be very clear that if someone opts out then they will not be put into the registry, Q: Sen. Sanborn, this is a program designed to handled at provider level and the NH registry will not collect information if a parent opts out, why change? A: the system is not as clear as it could be and we want to honor concerns raised about this opt out procedure, Elizabeth Mainard, attorney from DHHS to work in place of Kate Frye,

Summary of testimony presented in opposition:

- Laura Condon, opposed, her concern is that this vaccine registry is not done correctly, she worked with Rep. Kirk to create something that every party could agree upon, this bill does not require participation in the registry, this does create a duplicate list, Q: Sen Sanborn, is this related to that \$500,000 from last year to create a registry? A: yes and I opposed it then, it was represented that more funding would come from the Federal government but registry is not active because of contradictory rules,

Neutral testimony: None

Fiscal Note:
None

Future Action: Pending

Speakers .

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: 3.11.15

THE COMMITTEE ON Health and Human Services
to which was referred Senate Bill 130

AN ACT relative to participation in the immunization registry.

Having considered the same, the committee recommends that the Bill:

BE RE-REFERRED TO COMMITTEE

BY A VOTE OF: 5-0

Senator Molly Kelly
For the Committee

Chris Cote 271-3091

New Hampshire General Court - Bill Status System

Docket of SB130

Docket Abbreviations

Bill Title: relative to participation in the immunization registry.*Official Docket of SB130:*

Date	Body	Description
1/8/2015	S	Introduced and Referred to Health and Human Services; SJ 4
1/28/2015	S	Hearing: 2/3/15, Room 101, LOB, 2:00 p.m.; SC8
3/11/2015	S	Committee Report: Rereferred to Committee, 3/19/15; SC13
3/19/2015	S	Rereferred to Committee Not Voted On; SJ 9
3/19/2015	S	Sen. Kelly Moved Laid on Table, MA, VV; SJ 9

NH House

NH Senate

Other Referrals

5B 0130

COMMITTEE REPORT FILE INVENTORY

ORIGINAL REFERRAL RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE

HEARING REPORT

N/A HANDOUTS FROM THE PUBLIC HEARING

N/A PREPARED TESTIMONY AND OTHER SUBMISSIONS

SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

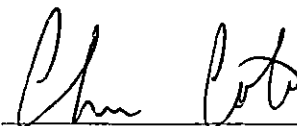
_____ - AMENDMENT # _____	_____ - AMENDMENT # _____
_____ - AMENDMENT # _____	_____ - AMENDMENT # _____

ALL/AVAILABLE VERSIONS OF THE BILL:

<input checked="" type="checkbox"/> AS INTRODUCED	_____ AS AMENDED BY THE HOUSE
_____ FINAL VERSION	_____ AS AMENDED BY THE SENATE

_____ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes): _____

DATE DELIVERED TO SENATE CLERK 8.28.15



BY COMMITTEE AIDE