

- SUBJECT:** Electronic medical records systems for immunization registry
- COMMITTEE:** Public Health — Reported favorably without amendments
- VOTE:** 8 ayes — Delisi, Jackson, Cohen, Coleman, Gonzales, S. King, Olivo, Truitt
0 nays
1 absent — Laubenberg
- SENATE VOTE:** On final passage, March 14 — 30-0, on Local and Uncontested Calendar
- WITNESSES:** For — (*Registered, but did not testify:* Linda Adkins, Memorial Hermann Healthcare System; Tom Banning, Texas Academy of Family Physicians; Jennifer Cutrer, Parkland Health and Hospital System; Carrie Kroll, Texas Pediatric Society; Gabriela Moreno, CHRISTUS Health; Michele O'Brien, CHRISTUS Santa Rosa Healthcare; Matthew T. Wall, Texas Hospital Association; Lynda Woolbert, Coalition for Nurses in Advanced Practice; Chris Yanas, University Health System)

Against — None
- BACKGROUND:** An immunization registry is a computerized information system that collects vaccination histories. Health and Safety Code, sec. 161.007 requires the Department of State Health Services (DSHS) to create a state immunization registry and requires providers to report immunizations to DSHS. Health care providers use the state registry to obtain complete and accurate immunization histories for patients, produce official immunization records, and reduce paperwork. Health departments use the registry to identify populations at high risk for vaccine-preventable diseases and to target immunization interventions and resources efficiently.
- DIGEST:** CSSB 204 would apply to an electronic medical records software package or system used for the maintenance of medical records in a clinical setting sold to a person who administers immunizations. This bill would require an electronic medical records package or system to electronically interface

with the state immunization registry and generate electronic reports containing the fields to populate the immunization registry data fields.

The executive commissioner of the Health and Human Services Commission (HHSC) could create rules to specify the fields necessary for the immunization registry and the data standards necessary for electronic submission of immunization information. Data standards would have to be compatible with standards for immunization information transmission adopted by national health care information technology groups.

The attorney general could bring an action to enjoin violation of this bill and, if successful, could recover attorney's fees, court costs, and reasonable investigative cost incurred in relation to the action.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007, and would apply only to causes of action that accrued on or after the effective date of rules adopted by HHSC executive commissioner.

**SUPPORTERS
SAY:**

CSSB 204 would help providers report their immunization information electronically to the state registry by requiring electronic medical records manufacturers to make their products compatible with the registry. The state immunization registry is a valuable resource because it keeps track of vaccination histories and provides immediate access to a child's current immunization status to authorized providers. The bill would facilitate disease prevention and improve quality and timeliness of immunization delivery by helping to keep the registry as up-to-date as possible.

The bill would not affect the confidentiality of immunization information. Health and Safety Code, sec. 161.009 expressly prohibits and provides a criminal penalty for improper disclosure of confidential immunization information. Furthermore, physicians currently transmit immunization information to DSHS electronically. CSSB 204 simply would ensure the easy interface between a provider's electronic medical records software system and the state registry. In addition, the bill would require medical record software products to meet standards for electronic data transmission adopted by national health care information technology groups.

OPPONENTS
SAY:

By encouraging the transmission of immunization records electronically, the bill might pose confidentiality concerns. Security is always a concern in the electronic transmission of data, especially when dealing with a person's confidential medical records.

NOTES:

The House committee substitute differs from the Senate-passed version of the bill in that the substitute would require data standards for medical record software products to be compatible with national standards for immunization information transmission. The substitute also would require the executive commissioner of HHSC to create rules for electronic submission of immunization information and would apply the provisions of the bill only to causes of action that accrued after the executive commissioner had adopted these rules.