

Chairman: Dr. Harris, Dr. Scott Harris is our Public Health Officer for Alabama. Welcome to the Health Committee. You know you're always welcome.

Dr. SH:

Thank you, Mr. Chairman. Thank you, Senator. Yes, sir I'll be happy to answer any questions on this. This is the registry that Alabama has had in place for over 20 years. It's called ImmPRINT is the name of it in Alabama but in fact every state in the country has a vaccine registry and, and most large cities even have their own vaccine registry. It's a way for us to make sure that kids are vaccinated and that when they see a different provider that provider knows what they've had. So if you're, you know, live in Mobile and you get a shot and you move to Huntsville and you need to get, your kid needs to get into school that physician can check and just see exactly what shots that child has already had. So, almost all of our pediatricians do this anyway virtually all of them do, in fact. The reason for this bill is it would require it from some of those providers who aren't voluntarily doing that now. The biggest complaint that we receive has to do with elderly folks who go to a pharmacy and they get a shot and they don't know for certain what they got and then they see their provider and their provider doesn't know, "Should I give them a shot or not give them a shot?", and, and it's difficult to obtain that record from some folks. So, most all states do require this. Alabama has not required it. It has been voluntary for all of this time. The other important issue to public health is that it allows us just to know what our vulnerability is as a state. As you know, last year we had measles outbreaks in several places in this country. We don't know for sure what's our measles coverage in our state. We don't actually know that because there's no record of that.

Chairman: Okay, if you'll hold on, in case we have any questions. As if Senator Melson might have a question.

Melson: One question that I was asked about: How does this... with HIPAA compliance. Is there any chance that it violates any HIPAA compliance? Or does...

Dr. Harris: No, sir. Public health is allowed by statute, by government statute and by Alabama statute to collect information of public health importance or public health significance. So, for example if you have a notifiable disease, if we had a dysentery case you know the people notify the health department of that information because that has real public health significance and HIPAA does not apply to public health then.

Melson: What about the provider of the vaccine looking on your records? That's perfectly okay too?

Dr. Harris: Yes, sir. I mean, those providers are, you know, under the authority of their own boards but yeah, they can, they would obtain information on their own.

Chairman: Thank you. Senator Williams?

Williams: Yes, my question is... I have been flooded with emails to vote no on this. I've had none to vote yes. And not all, most of them were by the public – inaudible – I've talked to several doctors on this too. What's the downside?

(Overlapping speech) What were the doctors saying? What were their issues? What was their agenda?

Williams: I added their paperwork.

Okay so the deal is it's been something they could do voluntarily before this and now they have to put them in the registry. Dr. Harris what's your experience with pediatricians providing this information. Has that been going on?

Dr. Harris: Yes, the pediatricians do a terrific job of doing that because that's so crucial to what they do every day. We provide this software product free to practices. We send someone to train them one-on-one or train themselves one-on-one. It doesn't impose a nature of financial burden on the office that's doing that. There's you know, maybe, maybe there's a little bit more time involved in typing it in the computer for ImmPRINT as opposed to typing it into your EHR (Electronic Health Record). I don't know but it's very similar to what they're already doing. It's just it goes into our electronic health registry.

Chairman: Anything else Senator Williams? Did that help you with that?

Williams: You encourage us to ask more questions so I was just...

Chairman: I know it (laughter from committee) but you can overdo it so... (more laughter)

Dr. Harris: Chairman, if there's no more questions, I'm going to go if that's okay at the appropriate time.

Chairman: I'll take that. We do have a motion and we have, Senator Coleman-Madison has a question, comment, or something.

Coleman-Madison: I have a question. I just didn't understand the term "bidirectional interface" I'm assuming this is some type of computer connection that you use. Could you explain that and..."

Dr. Harris: Yes ma'am. I had to get somebody to explain it to me also. What that means is we have a computer program that's called ImmPRINT. It runs on a computer that you can enter into the, into the registry. Some hospitals or physician practices have that built into their own software and into their own EHR. So, this just means they're allowed to do that through their own EHR without having to go find a different computer and do it. It's strictly a technical accommodation for those who just want to do it within their own software.

Coleman-Madison: So, when they do this, does this provide access to other physicians who are... would want to pull up the record? I guess they use social security numbers or what have you.

Dr. Harris: Yes, that particular phrase has nothing to do with that but the registry itself is designed for that purpose. It's designed so that physician can tell what a patient has. It's similar to what we do when the prescription drug monitoring program for example when you, you know, see a patient in your office you can look at that person's history. This is just another way of looking at that person's immunization history.

Coleman-Madison: And this is just to relate to children, right?

Dr. Harris: No ma'am it relates to everyone. Most providers put in all the shots for children and for adults and this just would require that.

Chairman: Senator Melson, did you...?

Melson: Just quickly things like tetanus would be involved so if you show up to the E.R. and they say, "When was your last tetanus shot?" and it makes it easier on them to just go get another one and give it to you but as it is covered in this it can actually prevent you from having to get another shot. It also lets providers know that this day with controversial vaccines whether you believe in any controversy or not it just gives people a way to know that yes, they have been or haven't been and they don't have to worry about bringing their immunization form for, for certain things. They can just pull it up on record. I understand that there could be some extra work, but I think it's probably worth it in the long run.

Chairman: Anything else from the committee members? Senator Butler?

Butler: One question for Dr. Harris. Dr. Harris, how would you respond, I'm following up on Senator Williams' question, I think all of us probably got the e-mails and things. How would you respond to folks that are worried about HIPAA disclosures, "anti-vaccine" supporters, those kind of things? How would you...?

Dr. Harris: Yes, sir. I would, I guess I understand the concern, but I believe that those concerns represent kind of a misunderstanding of what it is. This doesn't impose anything on anyone in

the public at all. You know, the same people who would seek an exemption can still seek an exemption. That hasn't changed. The collection of this information will continue. That hasn't changed at all. Public health does have a statutory authority to collect public health information so that's how we decide when outbreaks occur what our vulnerability is, and HIPAA does not apply to public health agencies.

Butler: No intervention in the privacy information or anything of that nature?

Dr. Harris: No, sir, it's the same information that we continue to collect.

Butler: Oh, so for a public health crisis?

Dr. Harris: Yes, sir, that's absolutely right.

Melson: Senator Butler, let me comment on that. The parents or children or individuals have a right to opt out of these vaccines. If they opt out, they don't go in the registry.

Butler: Is that in the bill?

Melson: Yes. That's the way it is today. If they, if they opt out, then they're, they're not in there.

Dr. Harris: They do opt out through the health department. That's how you...

Butler: They go through the health department?

Dr. Harris: Yes.

Chairman: Any other questions?

Dr. Harris: Yes, ma'am?

Coleman-Madison: Do people know they have the option to opt out? I think this would adjust the issues that a lot of people have about...

Melson: Yeah, I got a lot of those emails too and that would be the answer to every one of the emails that I got. Is that you don't have to do it.

Coleman-Madison: Yeah, you have the option, but people have to know that they have that option.

Dr. Harris: The opt out is people may choose to opt out of immunizing their children if they choose. And that's what is allowed under Alabama law to opt out. The registry though is public health information and it would honestly defeat the purpose if people could... I don't know how many people who are willing to get vaccines but not willing to be in the registry. I don't think that would be a (overlapping speech)

Coleman-Madison: If you immunize, you will be listed is what you're saying. I think it's a great bill, really, but you know, people are just skeptical. But I can understand it if you have a child, child transfers from one school to another, parents oftentimes don't know how many shots or

what types of shots their child has had. And I know that there are a lot of parents that are concerned about overimmunization.

Dr. Harris: Yes, ma'am.

Coleman-Madison: This would eliminate that concern right there.

Chairman: Senator Stutts?

Stutts: Thank you, Mr. Chairman. I guess what I'm, I didn't think I was confused but now I may be. If you opt out, are you just not recorded in the system at all?

Dr. Harris: If you opt out of vaccines?

Stutts: Right. If you opt out of having a vaccine, are you recorded in the system as an "opt-outer" or are you just not listed in the system at all?

Dr. Harris: You're "opt-out" in the system just like we always have been. Because, you know, those people when they go through school have to show that they're immunized or show that they have opted out. They have to demonstrate one or the other so if you decide not to immunize your children, you, you know, sign a declination form and watch a video on our website and then you get a thing that says you've opted out for either religious reasons or, you know, medical reasons.

Stutts: You would be recorded in this same system that you that you opt out.

Dr. Harris: Right. Just like now.

Stutts: Just like now. Okay. Thank you.

Dr. Harris: That doesn't change that at all. Yes, sir.

Chairman: Senator Melson?

Melson: Last statement. Just to make it clear, this record is never used to go, alright, we're going to Lauderdale County today and find all the people that's not registered on this system and make them get vaccines. And that's the biggest fear I think we're hearing. There's no way we're going to use this record to go hunt down people and make their child or that individual get vaccines. This isn't [Rafe Hollister] on the Andy Griffith show having to get his shot from the health department. (laughter)

Dr. Harris: You're absolutely right. And for people who have chosen not to immunize their children, that information's already in there because they have to come to us to decline. So, we're not taking new information on those folks that we didn't already have. And no, sir, we would not do that.

Chairman: If there's no other questions, comments, I'll second the motion. The clerk will call roll.

Senator McClendon: Aye

Beasley: Aye

Butler: Aye

Chesteen: Aye

Coleman-Madison: Aye

Melson: Aye

Reed: Aye

Roberts: Aye

Stutts: Aye

Whatley: Aye

Williams: No

Chairman: 10-1 Bill passes.