

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

972A0511

## HOUSE BILL NO. 1086

Introduced by: Representatives Hassard, Belatti, Brown (Jarvis), Duenwald, Fitzgerald, Hunt, Johnson (Doug), Koskan, Madden, McNenny, Monroe, Napoli, Pederson (Gordon), Rost, and Windhorst and Senators Aker, Benson, Drake, Lange, Staggers, Vitter, and Whiting

1 FOR AN ACT ENTITLED, An Act to allow disclosure of a patient's immunization record only  
2 with written consent.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 34-22-12.5 be amended to read as follows:

5 34-22-12.5. A patient's immunization record, ~~even if the immunization was received prior~~  
6 ~~to July 1, 1996,~~ may be ~~shared among~~ disclosed to health care providers, health care facilities,  
7 federal or state health agencies, child welfare agencies, schools, or family day care facilities;  
8 ~~without the~~ only with the written consent of the patient or the person acting on the patient's  
9 behalf ~~unless the patient's signed refusal to release immunization information is.~~ The signed  
10 consent shall be made a part of the patient's medical record. If the patient is a minor, the ~~refusal~~  
11 consent to release immunization information may be signed by the patient's parent or guardian  
12 on behalf of the minor patient. Any person who receives immunization data pursuant to this  
13 section and knowingly or intentionally discloses or fails to protect the confidentiality of the data  
14 is guilty of a Class 1 misdemeanor.