



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1167

health information organizations; confidentiality; data

Purpose

An emergency measure that allows the state's official health information exchange organization to receive, use and redisclose confidential information regarding child immunizations and communicable diseases only for the purposes permitted by federal law.

Background

The federal Health Information Portability and Accountability Act (HIPAA) requires the Secretary of the U.S. Department of Health and Human Services (U.S. HHS) to publicize standards for the electronic exchange, privacy and security of health information. In 2002, the U.S. HHS developed a proposed rule governing the privacy of individually identifiable health information. The regulation, known as the privacy rule, establishes a set of national standards governing the protection of certain health information. HIPAA privacy rules address the use and disclosure of individuals' protected health information by entities that are subject to the privacy rule as well as standards for privacy rights for individuals to understand and control how their health information is used. The privacy rule applies to health plans, health care clearinghouses and to any health care provider who transmits health information in electronic form in connection with transactions for which the Secretary of the U.S. HHS has adopted standards under HIPAA ([HIPAA](#)).

In Arizona, the health information exchange organization is Health Current, which connects more than 500 Arizona organizations, including first responders, hospitals, labs and providers of community behavioral health, physical health, post-acute care and hospice providers ([AHCCCS](#)).

The Child Immunization Reporting System is established within Department of Health Services (DHS) to collect, store, analyze, release and report immunization data. Identifying information in the system is confidential. A person who is authorized to receive confidential information must disclose this information only as permitted. Except under specified situations, DHS must release identifying information only to: 1) the person; 2) the person's health care decision maker; 3) a parent or guardian; 4) a health care provider, 5) a regulated insurance provider; 6) the Arizona Health Care Cost Containment System, its contractors or its external quality review organization; 7) authorized school officials; 8) a person or entity that provides services to a health care provider through a business agreement; or 9) the state's designated nonprofit health information organization. DHS may also release identifying information to an entity designated by the person or the person's health care decision maker, parent or guardian for specified purposes ([A.R.S. § 36-135](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows the state's official health information exchange organization to receive, use and redisclose confidential information regarding child immunizations and communicable diseases only for the purposes permitted by HIPAA privacy standards, regardless of whether the information is being maintained by or for a covered entity or business associate.
2. Prohibits the state's official health information exchange organization from using or disclosing identifying information from the childhood immunization reporting system for purposes of inclusion in a federal vaccine database or for any purpose that serves to discriminate against individuals based on their vaccination status.
3. Makes technical and conforming changes.
4. Becomes effective on signature of the Governor, if the emergency clause is enacted.

Amendments Adopted by Committee of the Whole

1. Limits the use of confidential child immunization and communicable disease information by the state's official health information exchange organization to only the purposes permitted by HIPAA privacy standards.
2. Prohibits the state's official health information exchange organization from using or disclosing identifying information from the childhood immunization reporting system for purposes of inclusion in a federal vaccine database or for any purpose that serves to discriminate against individuals based on their vaccination status.

Senate Action

HHS            2/2/22        DP    7-1-0

Prepared by Senate Research

March 10, 2022

MM/MC/sr