

Note- matter in brackets [] to be deleted  
matter underlined is new

RESOLVED, that paragraph (1) of subsection (a) of Section 11.04 of the New York City Health Code as last amended by resolution, on the twenty-sixth day of April, nineteen hundred and ninety-four, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

**§11.04 Immunization Registry.**

(a) (1) All immunizations administered to any child age [seven] eighteen and under shall be reported to the Department, within 14 days of such immunization, by any person authorized by law to administer an immunization, or a person in charge of a hospital, clinic or other institution where such immunization is administered. Upon application of a provider, the Department in its discretion and when deemed necessary may extend the period of time within which a provider shall report immunizations. Any person required to report pursuant to this section shall also report to the Department any occurrences or matters which are reportable to the Secretary of Health and Human Services pursuant to the Vaccine Adverse Event Reporting System established by 42 U.S.C. Section 300aa-25(b) or any successor statute and any rules adopted pursuant thereto. The reporting of such occurrences or matters to the Department shall be made at the same time as made to the Secretary of Health and Human Services.

Notes: Paragraph (1) of subsection (a) of Section 11.04 was amended on July 7, 2005 to change the ages for mandatory reporting of immunizations from seven and under to eighteen and under in order to enable the Department to better account for vaccine doses administered to older children and thus preventing the spread of vaccine-preventable diseases.

RESOLVED, that paragraph (2) of subsection (a) of Section 11.04 of the New York City Health Code as last amended by resolution, on the twenty-sixth day of April, nineteen hundred and ninety-four, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

(a) (2) Reports submitted to the Department pursuant to this section shall contain the name, address, and any other information required by the Department for the proper identification of the [child] individual, demographic and epidemiological information and the immunization record, including past immunizations administered to the [child] individual, in the possession of the

person required to report pursuant to this section. Such [R] reports [required pursuant to this section] shall be made in manner and form prescribed by the Department which may require reports to be made in writing on prescribed form, or by electronic or computer media.

Notes: Paragraph (2) of subsection (a) of Section 11.04 was amended on July 7, 2005 to clarify the reports that will be submitted to the Department.

RESOLVED, that paragraph (3) of subsection (a) of Section 11.04 of the New York City Health Code as last amended by resolution, on the twenty-sixth day of April, nineteen hundred and ninety-four, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

(a)(3) Reports of an immunization administered to any [child] individual age [eight through] nineteen and above may be submitted to the Department provided that the person administering the immunization or the person in charge of the hospital, clinic or other institution where the immunization is administered, has obtained the written consent to report such immunization [from the custodial parent or guardian of the child or other person in parental or custodial relation to the child, or, as may be required by applicable law,] from the person to whom such immunization information relates or from such person's legal guardian.

Notes: Paragraph (3) of subsection (a) of Section 11.04 was amended on July 7, 2005 change the ages for which immunizations can be reported to the Department with consent from eight through nineteen to nineteen and older.

RESOLVED, subsection (b) of Section 11.04 of the New York City Health Code as last amended by resolution, on the twenty-sixth day of April, nineteen hundred and ninety-four, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

(b) All records of [childhood] immunization created or received by the Department shall be maintained in an immunization registry and shall be subject to the limitations of §11.07(d) of this Code.

Notes: Subsection (b) of Section 11.04 was amended on July 7, 2005 to reflect that the immunization registry will receive reports of immunizations for adults and not only children.

RESOLVED, that subsection (c) of Section 11.04 of the New York City Health Code as

last amended by resolution, on the twenty-sixth day of April, nineteen hundred and ninety-four, be and the same hereby is repealed:

[(c) Compliance with the provisions of this of this section shall be required and enforced in accordance with the following:

(1) On and after September 1, 1994, compliance with subsection (a) of this section shall be required by those persons authorized by law to administer an immunization and by persons in charge of hospitals, clinics or other institutions where immunization are administered upon designation by the Commissioner, when, based upon community prevalence of vaccine-preventable disease, community immunization levels of children entering schools, and other epidemiological information, the Commissioner deems reporting to be essential to protect the public health; and

(2) On and after January 1, 1997, compliance with subsection (a) of this section shall be required by all remaining persons authorized by law to administer an immunization and persons in charge of hospitals, clinics and other institutions here immunizations are administered, provided however, that the Commissioner may, in his or her discretion, designate by rule an earlier date for the universal compliance.]

Notes: Subsection (c) of Section 11.04 was repealed on July 7, 2005 because these provisions no longer apply.

RESOLVED, that paragraph (1) of subsection (d) of Section 11.07 of the New York City Health Code as last amended by resolution, on the twenty-sixth day of April, nineteen hundred and ninety-four, be and the same hereby is amended, to be printed with explanatory notes to read as follows:

**§11.07 Confidentiality of reports and records.**

(d) (1) Information contained in the immunization registry created pursuant to §11.04 of this Code and the children's blood registry established pursuant to §11.06 of this Code shall be confidential and not subject to inspection by persons other than authorized personnel of the Department or the Corporation Counsel of the City and persons or agencies authorized herein. The Department may disclose information concerning immunizations to [a child] an individual and children's blood lead tests results and the dates of such administration or testing and may permit access to such information by a person, authorized by law to administer an immunization or administer or order a blood test, who is immunizing, treating or testing such individual or

child. The Department may disclose such information to a person or agency concerned with the immunization or blood lead testing of children authorized by the Department when (i) such person or agency provides sufficient identifying information satisfactory to the Department to identify such child or individual and (ii) such disclosure is in the best interests of such individual or child and his or her family, or will contribute to the protection of the public health. Notwithstanding the foregoing, the person to whom any immunization or blood lead test record relates, or his or her custodial parent, guardian, or other person in parental or custodial relation to such relation to such person, may, by signing a written consent, authorize the Commissioner to disclose such record. Such record shall be subject to subpoena pursuant to Section 2307 of the Civil Practice Law and Rules, where applicable.

Notes: Paragraph (1) of subsection (d) of Section 11.07 was amended on July 7, 2005 to better enable the Department to collect reports of immunizations and thus reduce the incidence of illness, disability and death due to vaccine-preventable diseases.