

## Confidentiality, Privacy and School Access to the Immunization Registry

### Background

The CHILD Profile Immunization Registry operates under the Washington State Health Care Information Act (RCW 70.02), as well as other state and federal laws that govern the use of and sharing of health information. RCW 70.02 allows licensed health care professionals to exchange patient-specific health care information without patient/parental consent for the purpose of providing, coordinating, or facilitating health care, and for the purpose of preventing and controlling disease.

### Key Points for School Nurses

- 1) Since School Nurses are licensed health care providers, as described in RCW 70.02, and have a bona-fide need to know the immunization status of students for the purpose of preventing or controlling disease, they are authorized to participate in the CHILD Profile Immunization Registry. An Information Sharing Agreement must first be signed by the district and filed with the Washington Department of Health.
- 2) Non-licensed school staff that are assigned by the School Nurse and have signed a confidentiality agreement may utilize the Immunization Registry to obtain information for immunization documentation and verification.
- 3) In accordance with RCW 28A.210.100 and 28A.210.110 it is the parent's responsibility to submit immunization information to the school. In utilizing the CHILD Profile Immunization Registry, the school Nurse or assignee is facilitating parent report. As such, the School Nurse will provide information from the Immunization Registry **to the parent** of the child for which the information was obtained. The parent will be directed to review, amend if needed, sign and submit to the school.
- 4) It is unlawful for the School Nurse or any assignee to submit information from the CHILD Profile Immunization Registry directly to the school.

Currently, school personnel have “view-access” to the registry. Parent signature is NOT required to **view** data in the registry.

**FERPA guides the school's authority to disclose information.** According to FERPA, a school nurse or assignee should have written parent consent to add immunization information to a child's record in the CHILD Profile Immunization Registry. In the future, the ability to enter data may be a function that becomes available to schools.

*Note:* This document is not intended to provide legal advice, and you are encouraged to seek your own counsel regarding HIPAA, FERPA and Washington State laws.