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## FISCAL IMPACT REPORT

SPONSOR Beam DATE TYPED 2/10/04 HB 254/aHCPAC/aHFI#1

SHORT TITLE Immunization Act SB \_\_\_\_\_

ANALYST Dunbar

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			NFI		

Duplicates SB203.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)

Health Policy Commission (HPC)

NM Public Education Department (NMPED)

### SUMMARY

#### Synopsis of HFI Amendment # 1

House Floor Amendment #1 provides access to the registry to “managed care organizations” and also limits that access to those “enrollees” in the managed care organization plan.

#### Synopsis of HCPAC Amendment

The House Consumer and Public Affairs Committee amend the bill as follows:

- Allows providers to participate in the Immunization Registry on a voluntary basis as opposed to a mandatory basis. Reference Amendments below.
- In the liability section which exempts certain individuals from liability for civil damages, the change includes persons “using” the Immunization Registry.

Synopsis of Original Bill

House Bill 254 authorizes the creation of a state Immunization Registry that would be jointly administered by the Human Services Department (HSD) and the Department of Health (DOH). It authorizes DOH to adopt rules for reporting, access, and use of registry information. HB254 clearly indicates that inclusion in the registry is voluntary and provides liability protection for anyone reporting, receiving, or disclosing information to or from the registry.

Significant Issues

Rates of childhood immunization in New Mexico are extremely low, partly due to poor documentation of immunization information. Improving these rates is a major priority of the Richardson Administration and the First Lady is the Honorary Chair of the New Mexico Immunization Coalition.

In addition to being an “on-line” and up-to-date source of immunization information for NM medical care providers, school nurses, and public health personnel, the registry incorporates a number of additional features to aid all users in improving immunization rates in New Mexico.

The Immunization Registry would contain the complete immunization records of patients as reported by physicians, nurses and other health providers. Physicians, nurses, school nurses and other appropriate health care providers or public health entities would have access to this information in order to ensure that registrants have received immunizations in a timely manner.

The new language includes a provision that allows parents or guardians of a minor to withdraw consent for participation in the registry and to have information removed from the registry upon their request.

The addition of the Immunization Registry allows authorized school personnel access to students’ immunization records to ensure that all students are in compliance and are receiving recommended immunizations in a timely manner.

**FISCAL IMPLICATIONS**

There is no appropriation contained in HB254, but matching funds have been previously appropriated and should be carried forward to FY05. HAFC is currently considering a supplemental appropriation for authorizing language to carry forward the FY05 appropriation to FY05.

The Statewide Immunization Registry, or SIIS, proposed in HB254 would permit the leveraging of Federal CMS resources to fund the implementation (90%/10% match) and long-term maintenance (50%/50%) of a state immunization registry. \$500.0 was appropriated several years ago to provide the State match for the implementation phase. These funds are proposed to be carried forward into FY05 through a supplemental IT appropriation currently under consideration by HAFC.

Ongoing support for maintenance of the registry beginning in FY06 or 07 will likely require about \$200.0.

## ADMINISTRATIVE IMPLICATIONS

Several term positions have or will be created in both DOH and HSD to manage and carry out this effort.

If passed, HB254 could impact the amount of time the Public Education Department (PED) staff spends on technical assistance, leadership and support for health service provisions in schools.

PED would be able to use existing FTEs to meet the requirements.

## OTHER SUBSTANTIVE ISSUES

New Mexico's rates of childhood immunization are very low. New Mexico ranks 49<sup>th</sup> in the US. Because of these low rates, the Governor has selected improving childhood immunization rates as one of his top health care priorities.

A barrier to timely immunization is poor documentation. Immunization information does not always accompany the child when NM children move from provider to provider. Further, parents often lose their children's records. Incomplete immunization records lead to provider uncertainty, so needed shots are often missed or sometimes extra, unnecessary shots are provided.

An effective solution 39 states and the District of Columbia have already adopted is to establish a state electronic immunization registry. Most registries are internet-accessible and solve the documentation problem by consolidating immunization records and histories in one central site. Registries have state-of-the-art security protection and are only accessed by authorized medical care providers, school nurses, or state public health personnel.

Besides consolidating immunization information at one central site, the registry would contain additional clinical tools useful to providers in getting New Mexicans immunized on time. Additional features include: automatic shot scheduling, the capacity to print out reminder/recall cards, letters, or address labels, a geographic reporting capacity to assist in identification of 'pockets of need', and a vaccine inventory/ vaccine ordering module that assists providers in keeping track of their vaccine inventory.

According to HPC the State of New Mexico:

- ❑ Ranked 50<sup>th</sup> in the nation for childhood immunizations.  
(Source: Kaiser State Health Facts on Line)
- ❑ Lowest in vaccination rates in the nation, with only 61% coverage of children aged 19-35 months compared to 73% in the nation (Source: Kaiser State Health Facts on Line).

## AMENDMENTS

HB254 as introduced requires providers to participate in the state Immunization Registry. Other states experience has shown voluntary participation to be more effective than mandatory participation.

DOH suggests the following language change:

Page 2, Line 5 substitute the word “may” in place of “shall”.

In order to fulfill the New Mexico Health Policy Commission’s mission to improve access and quality health care for all New Mexicans by providing timely, relevant health care information and analysis on health policy research and planning issues, it is recommended that the HPC be listed as an entity that can access the Immunization Registry under Section 4.

**BD/dm:lg**