

Providing Immunization Records to School Nurses

Please see the following developed for Montgomery County but relevant to all Pennsylvania physicians.

“Last year’s change in Pennsylvania law regarding immunization and school attendance has increased the importance of timely sharing of immunization history between a child’s medical provider and their school. We are all appropriately concerned about confidentiality of medical records and HIPAA regulations; however, it is important to note that HIPAA does provide an exception to obtaining a written release for schools to acquire immunization records. A verbal consent from the parent or guardian (or student, if they are 18 years old or emancipated) is sufficient for this purpose. It would be most expeditious and appropriate if the verbal consent to release the immunization history were routinely obtained at the time of the vaccine administration. Otherwise, consider asking for the provider’s office assistance in obtaining a verbal consent when the school has determined that information on a required immunization is lacking, and they have reached out to the provider for this information. All of us share the goal of keeping our children healthy and expediting their participation in the educational experience.”

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§ 164.512 Uses and disclosures for which an authorization or opportunity to agree or object is not required.

A covered entity may use or disclose protected health information without the written authorization of the individual, as described in § 164.508, or the opportunity for the individual to agree or object as described in § 164.510, in the situations covered by this section, subject to the applicable requirements of this section. When the covered entity is required by this section to inform the individual of, or when the individual may agree to, a use or disclosure permitted by this section, the covered entity's information and the individual's agreement may be given orally.

(b) *Standard: Uses and disclosures for public health activities.* (1) *Permitted uses and disclosures.* A covered entity may use or disclose protected health information for the public health activities and purposes described in this paragraph to:

(vi) A school, about an individual who is a student or prospective student of the school, if:

- (A) The protected health information that is disclosed is limited to proof of immunization; (B) The school is required by State or other law to have such proof of immunization prior to admitting the individual; and (C) The covered entity obtains and documents the agreement to the disclosure from either: (1) A parent, guardian, or other person acting *in loco parentis* of the individual, if the individual is an unemancipated minor; or (2) The individual, if the individual is an adult or emancipated minor.