



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <http://rules.wyo.gov>

Revised November 2016

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		

* By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Enrolled Act Numbers and Years Enacted:

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:
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b. What is the manner in which interested persons may present their views on the rulemaking action?

By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. No. Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:
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Indicate one (1):

The proposed rules meet, but do not exceed, minimum federal requirements.

The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

The proposed rule change *MEETS* minimum substantive statutory requirements.

The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

Not Applicable.

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

_____ (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

_____ (Provide chapter numbers)

b. Checklist

The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

Intent to Repeal Rules

WYOMING IMMUNIZATION REGISTRY

Statement of Reasons

The Wyoming Department of Health proposes to repeal the following Rules pursuant to Wyo. Stat. Ann. §§ 14-4-116, 21-4-309, 35-1-240, 35-4-101, and 35-4-139.

Wyoming Immunization Registry

Chapter #	Chapter Name
1	General Provisions

Content from the repealed Chapters will be reflected in the **Wyoming Department of Health, Wyoming Immunization Program**, Chapters 1-5 that are being promulgated at the same time. Moving all of the immunization rules to one program will make it easier for the public and interested parties to find the rules. The rules are currently spread out among 3 programs.

Rules and Regulations for the Wyoming Immunization Registry

Chapter 1

General Provisions

~~Section 1.—Authority. The Wyoming Department of Health (Department) is promulgating rules and regulations for the management and control of communicable diseases to comply with Wyoming Statute (W.S.) §§ 35-4-101, 35-1-240, and 35-4-139.~~

~~Section 2.—Purpose. This Chapter authorizes the Department to implement, maintain, or otherwise supervise the Wyoming Immunization Registry (WyIR), establish accessibility of immunization data recorded and stored in the WyIR, define reporting guidelines for the WyIR, and outline consent, confidentiality, and guidelines for the WyIR.~~

~~Section 3.—Definitions. The following definitions shall apply in the interpretation and enforcement of these rules. Where the context in which words are use in these rules indicates that such is the intent, words in the singular number shall include the plural and vice-versa. Throughout these rules gender pronouns are used interchangeably except where the context dictates otherwise. The drafters have attempted to utilize each gender pronoun in equal numbers in random distribution. Words in each gender shall include individuals of the other gender.~~

~~(a) —“Authorized User” means any individual who is permitted to access immunization records of individuals falling within his administrative or clinical responsibilities. An Authorized User may designate the ability to access the system to others as appropriate.~~

~~(b) —“Designee” means an individual, acting under the authority of a health care provider or another category of Authorized User, who has been specifically delegated responsibility to access the WyIR, an Immunization Information System (IIS), and perform the functions permitted the primary Authorized User.~~

~~(c) —“Electronic Health Record” (EHR) means a longitudinal electronic record of patient health information generated by one or more encounters in any care delivery setting.~~

~~(d) —“Health Information Exchange” (HIE) means the electronic movement of health-related data and information among organizations according to agreed standards, protocols, and other criteria.~~

~~(e) —“Health Care Provider” means a person who is licensed, certified, or otherwise authorized by the law of this state to provide health care in the ordinary course of business or practice of a profession, but does not include a person who provides health care solely through the sale or dispensing of drugs or medical devices.~~

~~(f) — “Immunized or immunization” means initial immunization and any boosters or reimmunizations required to maintain immunization pursuant to the vaccination standards and recommendations issued by the State Health Officer.~~

~~(g) — “Immunization Information System” means a confidential, computerized information system that attempts to collect vaccination or immunization data about individuals.~~

~~(h) — “Immunization Section” means the program housed within the Wyoming Department of Health that orders and distributes publicly provided vaccines. — The Immunization Section is also responsible for the maintenance and coordination of the WyIR and related activities.~~

~~(i) — “Wyoming Immunization Registry” (WyIR) means the secure, confidential, Internet based, full lifespan immunization database maintained within or otherwise supervised by the Immunization Section.~~

~~Section 4. — Applicability. This rule shall apply to the WyIR.~~

~~Section 5. — General Provisions.~~

~~(a) — The WyIR shall establish a system to coordinate immunizations. — That system shall:~~

~~(i) — Create an electronic immunization record;~~

~~(ii) — Provide electronic access to immunization records;~~

~~(iii) — Track an individual’s immunization status;~~

~~(iv) — Allow health care providers to identify and send reminders to individuals about immunizations that are necessary for vaccine series completion;~~

~~(v) — Allow health care providers to identify and contact individuals about vaccine recall issues;~~

~~(vi) — Provide evidence based guidelines related to immunizations for health care providers;~~

~~(vii) — Reduce the likelihood of unnecessary immunizations;~~

~~(viii) — Provide official copies of an individual’s immunization record;~~

~~(ix) — Generate reports to determine compliance with immunization mandates and/or program evaluation; and~~

~~(x) — Generate reports required for participation in the state’s vaccine distribution program.~~

~~(b) — In addition to immunization data, the WyIR may also record results of Tuberculosis skin tests (PPD) and immunization exemption status.~~

~~Section 6. — Authorized Users.~~

~~(a) — Individuals requesting access to the WyIR shall be screened and approved by the Immunization Section in accordance with WyIR policy developed by the Department. Authorizer Users shall understand and agree to adhere to the confidentiality policies developed by the Department.~~

~~(b) — Authorized Users shall access the WyIR only to assure adequate immunization, to confirm compliance with mandatory immunization requirements, to control disease outbreaks, and for treatment and program oversight.~~

~~Section 7. — Access Levels.~~

~~(a) — WyIR access shall be role based. Authorized Users shall be assigned an appropriate Access Level by the Immunization Section. Role based access shall include:~~

~~(i) — Administrator Access: The Administrator Access Level or her designee shall have the ability to activate new accounts for Authorized Users based on their roles in an organization as defined by the organizational representative, to inactivate Authorized Users who should no longer have access to the WyIR, and to inactivate immunization records from the WyIR. Individuals who have Administrator Access shall be limited to employees of the Wyoming Department of Health who are responsible for supporting and maintaining the WyIR or authorized individuals who work for an organization that has a Business Associate Agreement on file with the Immunization Section.~~

~~(ii) — View or Read-Only Access: Read-only access allows Authorized Users to view records of those individuals under their administrative responsibility and to compile reports based on data aggregated on those records.~~

~~(iii) — Client or Read/Write Access: Only health care providers who order and/or administer immunizations or his designee and designated local and state Wyoming Department of Health personnel may generate reports and enter immunization information.~~

~~(iv) — Additional access may be granted if determined necessary to comply with Section 6(b) of this Chapter.~~

~~(b) — Individuals participating in a statewide Health Information Exchange supported by the Wyoming Department of Health shall be provided appropriate access in accordance with WyIR policy.~~

~~Section 8. — Reporting Guidelines.~~

~~(a) — Health care providers who administer vaccines or their designee(s) may record doses administered into the WyIR contingent upon receiving access approval from the Immunization Section. Immunization data entered by an Authorized User shall include demographic and vaccination information in accordance with WyIR policy.~~

~~(b) — In the event that the State Health Officer, in response to a public health emergency, orders vaccines such as smallpox, anthrax, or pandemic influenza vaccines, any health care providers who receive or administer such vaccines shall enter doses administered data into WyIR within a timeframe designated by the State Health Officer.~~

~~(c) — Health care providers or their designee(s) who have access to the WyIR shall record doses administered into the WyIR through one of the following methods:~~

~~(i) — Direct online entry of immunization information into the WyIR;~~

~~(ii) — Secure transmission of electronic files extracted from clinical management information systems, such as Electronic Health Records (EHR); or~~

~~(iii) — Information uploaded from other electronic media.~~

~~Section 9. — Consent.~~

~~(a) — Any individual who receives vaccines from a Wyoming health care provider shall be provided notice that her immunization information may be entered into the WyIR. This notice shall be written in plain language and contain uses and disclosures, individual rights, and an assurance to maintain the privacy of protected health information.~~

~~(b) — Exclusion of immunization information from the WyIR may be obtained by submitting written notification to the Department in a format prescribed by the Department or substantially similar and mailed to the Immunization Section. The Department may not retain individually identifiable information about any person for whom exclusion has been requested.~~

~~(c) — Any inactivated immunization information shall be maintained in aggregate format.~~

~~Section 10. — Confidentiality. Immunization information recorded in the WyIR shall be protected in accordance with federal and state confidentiality laws and policies and shall not be disclosed except to protect the health of the individual and the health of others.~~

~~Section 11. — Security. Upon receipt of any information contained in the WyIR, Authorized Users shall be responsible for securing all such information at least to the minimum standards required by applicable law. Any violation of WyIR security policies by Authorized Users shall result in a suspension or termination of access to the WyIR.~~

~~Section 12. Hearing. If access to the WyIR has been suspended or terminated, an Authorized User may request a hearing pursuant to the Department's Procedures for the Conduct of Contested Case Hearings.~~

Rules and Regulations for the Wyoming Immunization Registry

Chapter 1

[These rules are repealed]