FOR AN ACT ENTITLED, An Act to allow authorized entities to access immunization information in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-22-12.5 be amended to read as follows:

34-22-12.5. A patient's immunization record, even if the immunization was received prior to July 1, 1996, may shall be shared among health care providers, health care facilities, federal or state health agencies, child welfare agencies, schools, or family day care facilities, without the consent of the patient or the person acting on the patient's behalf unless the patient's signed refusal to release immunization information is part of the patient's medical record. The provider shall verbally notify the patient, or if the patient is a minor, the patient's parent or guardian of the patient's ability to refuse to permit immunization information to be shared. If the patient is a minor, the refusal to release immunization information may be signed by the patient's parent or guardian on behalf of the minor patient. Any person who receives immunization data pursuant to this section and knowingly or intentionally discloses or fails to protect the confidentiality of the data is guilty of a Class 1 misdemeanor.