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Maine's Immunization Information System, ImmPact User's Confidentiality and Security Policy

1. Maine's Immunization Information System, ImmPact

ImmPact is a secure, confidential, Internet-based statewide database of immunization and blood lead histories. Authorized users may access information related to a person's immunization status or blood lead testing results. Individual identifying information (Protected Information) contained in ImmPact is confidential.

ImmPact is intended to be a repository for accurate and up-to-date immunization records for all persons born, residing, or receiving vaccine in the State of Maine. The primary purpose of ImmPact is to collect data related to vaccine administration, and to promote effective and cost efficient prevention of vaccine-preventable diseases.

2. Annual User Agreements

All authorized organization or site ImmPact administrators must sign an annual agreement. The agreement documents knowledge of confidentiality and security requirements, penalties for violations and acceptance by the user of his or her responsibilities including responsibility for subordinate staff.

3. User Responsibility

All authorized users bear an individual responsibility to maintain confidentiality in accordance with this policy and the State Immunization Information System rule. Use this link to view rule: <http://www.maine.gov/sos/cec/rules/10/144/144c274.doc>.

Unauthorized use or disclosure of Protected Information is prohibited. Authorized users may disclose Protected Information to other authorized users for approved purposes. Responsibility to maintain the confidentiality of Protected Information applies to anyone having access to information contained in ImmPact, even if that individual did not access the confidential information directly from ImmPact. This policy applies to all Protected Information in all formats including paper-based and electronic records.

Authorized users are generally individuals or organizations that require regular access to immunization-related information on a specific individual regarding an individual's immunization status or blood lead test results, or compliance with specific immunization requirements (i.e. school immunization laws). Authorized users may include health care providers, medical organizations and their staff, State and local health departments, school nurses or clinics, Medicaid, WIC and Head Start programs, Maine Immunization Program staff (including contracted technical support) and health maintenance organizations.

4. Breach of Confidentiality

Unauthorized or inappropriate use or disclosure of Protected Information not in keeping with this policy or the State rule, without the express consent of the individual to whom it pertains, constitutes a breach of confidentiality and a violation of this policy which may result in penalties under State and federal law.

Any knowledge of such misuse or breach of confidentiality must be reported to the Maine Immunization Program within 24 hours of a privacy or security incident that actually or potentially could be a breach of Protected Information. Users agree to cooperate with the Department in its investigation and any required reporting and notification of individuals regarding such incident involving Protected Information.

5. Penalties

Penalties for unauthorized use or disclosure of information on ImmPact may include termination of participation in ImmPact, a referral for disciplinary action by the appropriate licensing and regulatory board, criminal prosecution under Title 22 MRSA Section 47, fines or other legal remedies as prescribed by law. The Department of Health and Human Services, Maine Center for Disease Control and Prevention, shall seek appropriate penalties for any misuse of information by any authorized user or any other party.

6. Individual's right to opt out

The immunization provider must notify an individual, or the parent or guardian of an individual, of the right to opt out of participation in ImmPact. An individual, or the parent or guardian of an individual, may opt out of participation in ImmPact by submitting a signed and witnessed Department-approved form to his or her immunization provider.

When an individual, or the parent or guardian of an individual, opts out of participation in ImmPact, immunization data will not be entered into ImmPact. The immunization provider must protect the confidentiality of information of persons who have chosen to opt out of participation in ImmPact. See 22 M.R.S. §1064.

An individual who does not have an immunization provider may secure the ImmPact Non-Participation form from the Maine Immunization Program.

7. Individual's right to access ImmPact records and to make corrections

- A.** An individual may review his or her individual immunization record and demographic information contained in ImmPact by requesting a copy from his or her immunization provider.

- B.** When an individual does not have an immunization provider, that individual shall make any requests to review or correct his or her immunization record or demographic information directly to the Maine Immunization Program in a manner prescribed by the Department.

- C.** When an individual discovers an error in his or her immunization record, or demographic information, or in the event the demographic information changes, the individual is responsible for providing the correct information to the immunization provider. The immunization provider is responsible for making corrections or updates to the individual's record in ImmPact.

- D.** An individual's request for changes to his or her immunization records must be supported by official immunization documentation that is acceptable by the Department.