

CHAPTER 83
HB 1608-FN - FINAL VERSION

16Feb2022... 0587h

2022 SESSION

22-2362
05/10

HOUSE BILL

1608-FN

AN ACT

relative to withdrawal from the state immunization registry.

SPONSORS:

Rep. Prout, Hills. 37; Rep. Blasek, Hills. 21; Rep. T. Lekas, Hills. 37; Rep. Lanzara, Hills. 28

COMMITTEE:

Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill requires the department of health and human services to inform the public of the opportunity for individuals to withdraw their Covid-19 vaccination status from the state immunization registry.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to withdrawal from the state immunization registry.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 83:1 Legislative Findings.

2 I. New Hampshire voters passed the Right of Privacy, Article 2-b of the New Hampshire
3 constitution in November 2018, with an 81 percent approval rating. With that vote, state government
4 culture and behavior needed to be shaped by the words, "An individual's right to live free from
5 governmental intrusion in private or personal information is natural, essential, and inherent."

6 II. Medical records are some of the most private and personal information, and must only be
7 accessed by consent or extraordinary justification.

8 III. Even when such extraordinary justification is declared to exist, the intrusion absent consent
9 must be limited to only the absolute minimum necessary to achieve the stated purpose.

10 IV. When the justification expires, the burden falls on the state to restore, to the maximum extent
11 possible, the circumstances that previously existed to minimize the injury to this natural, essential, and
12 inherent right.

13 V. The general court finds that the state should not continue to keep the private medical
14 information of individuals that were not afforded the opportunity to choose if they wished it to be collected.

15 83:2 Department of Health and Human Services; State Immunization Registry; Notice of Opportunity
16 to Withdraw. Within 120 days of the effective date of this section, the department of health and human
17 services shall execute a public information campaign to inform individuals that data was collected during
18 the COVID-19 state of emergency without the statutorily required opportunity to opt-out, and of the ability
19 for individuals to withdraw from the state immunization registry if they do not wish their private health
20 information to be retained by the state. This public information outreach shall, at a minimum, consist of a
21 press release, postings on the department's social media accounts, and a notice or banner prominently
22 displayed on all websites operated by the department for use by the general public for not less than 60
23 days. The campaign shall inform the public that "The state of New Hampshire obtained information about
24 your Covid-19 vaccination status without offering you a chance to opt-out of the state immunization
25 registry. Our New Hampshire constitution honors your right to privacy, including your medical information,
26 and you have the right to withdraw your information from the immunization registry. If you withdraw from
27 the registry, the state will not retain a record of your vaccination." and include a hyperlink to the current
28 form to withdraw from the immunization registry.

29 83:3 Effective Date. This act shall take effect upon its passage.

Approved: May 20, 2022
Effective Date: May 20, 2022

