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The Honorable Akilah Weber  
Member, California State Assembly  
1021 O Street, Suite 4130  
Sacramento, CA 94249

April 13, 2022

**RE: OPPOSE - AB 1797 Immunization registry.**

Dear Assemblymember Weber,

*California Health Coalition Advocacy* has reviewed your proposed bill and has serious concerns about the necessity and the potential impact of this legislation. AB 1797 would require health care providers and other agencies to disclose immunization information to state information systems, would add the patient's race or ethnicity to the list of information being disclosed, and would authorize schools, childcare facilities, family childcare homes, and county human services agencies to use the specified immunization information, in the event of a public health emergency, to perform immunization status assessments of pupils, adults, and clients.

**CHCA opposes AB 1797 for the following reasons:**

- 1) Any private medical information should only be stored and shared with the express written permission of the patient or the parent or guardian of the patient. Currently, the only option for patients is to refuse to allow their personal medical information to be shared, however, the local health department and the State Department of Public Health may maintain access to the information. The CAIR2 database should be an opt in system.
- 2) The risk of violating patient privacy is significant. There is a history of database breaches in California. Here are two recent examples of privacy breach in California:
  - Just this year, the State Bar of California experienced a data breach of confidential information.  
<https://www.latimes.com/california/story/2022-02-27/california-bar-investigates-possible-data-breach-after-discipline-records-published-online>
  - In 2018, the California Department of Developmental Services notified 582,174 patients that their protected health information had potentially been compromised.  
<https://www.hipaajournal.com/california-dept-of-developmental-services-582000-patients-phi/>

The California Constitution gives each citizen an "inalienable right" to pursue and obtain "privacy." Many other California laws protect the medical information of individuals.

- 3) While the stated intention of this bill is to keep schools safe and open by tracking COVID-19 vaccination status, no state requirement for students to be vaccinated for COVID-19 exists at this time. Furthermore, children have a very low risk of severe disease or hospitalization from COVID-19 and multiple studies have shown that fewer than 5% of COVID cases in school came from within the school.
- 4) Lastly, some patients want to get vaccinated, but they do not want their information in the CAIR2 system. To avoid being part of the database, they might choose to avoid vaccination, resulting in fewer people getting vaccinated.

CHCA is very concerned that these types of health policies could lead to loss of privacy.

Assemblymember Weber, we ask committee members to vote no on AB 1797, and we kindly ask that you withdraw AB 1797 or amend the bill to require that providers obtain written permission from patients in order for their medical and personal information to be entered into the CAIR2 database.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Valerie Noble".

Valerie Noble, President  
California Health Coalition Advocacy