

Introduction

Legislation

Public Health Act and Regulations 2009

The legislative authority for the New Brunswick Immunization Program is provided by the *Public Health Act and Regulation 2009-136*. This updated legislation replaced the *Health Act in 2009* and is designed to protect the public from health hazards, environmental risks and communicable diseases.

Schedule A under *Reporting and Diseases Regulation 2009-136*, identifies and describes the reporting requirements associated with communicable diseases, notifiable diseases and reportable events including a requirement to report all adverse events following immunization.

Reporting Requirements Related to Immunization Practice

Report by medical practitioner, nurse practitioner or nurse

- 3: A medical practitioners, nurse practitioners , or nurses, who, while providing professional services to a person who is not a patient in or an outpatient of a hospital facility or a resident of an institution, has reasonable and probable grounds to believe that the person has or may have a notifiable disease, is or may be infected with an agent of a communicable disease or **has suffered a reportable event**, as listed in Schedule A, shall report to a medical officer of health or a person designated by the Minister the information required under section 6.

Report by person in charge of institution

- 4: A person in charge of an institution who has reasonable and probable grounds to believe that the person under his or her custody or control has or may have a notifiable disease, is or may be infected with an agent of a communicable disease or **has suffered a reportable event**, as listed in Schedule A, shall report to a medical officer of health or a person designated by the Minister the information required under section 6.

Report by chief executive officer of a regional health authority

- 5: The chief executive officer of a regional health authority or person designated by the chief executive officer shall, where there is an entry in the records of a hospital facility operated by the regional health authority that states that a person who is a patient in or an outpatient of a hospital facility has or may have a notifiable disease, is or may be infected by an agent of a communicable disease or **has suffered a reportable event**, as listed in Schedule A, shall report to a medical officer of health or a person designated by the Minister the information required under section 6.

Contents of report

- 6: The following information shall be provided in a report:
 - (a) the name, address and telephone number of the person reporting;
 - (b) the name and address of the person who has or may have a notifiable disease, is or may be infected with an agent of a communicable disease or has suffered a reportable event;
 - (c) the Medicare number of the person referred to in paragraph (b);
 - (d) the residential telephone number and any other telephone number for the person referred to in paragraph (b);
 - (e) the date of birth and gender of the person referred to in paragraph (b);
 - (f) the name or description of the disease or reportable event;
 - (g) the name of the primary care medical practitioner or attending physician of the person referred to in paragraph (b), where applicable;
 - (h) such other clinical information as may be required by the Minister in relation to the matter being reported.

Timing and form of report

7(1): A report referred to in section 3, 4 or 5 shall be delivered as follows:

- (a) for those communicable diseases, notifiable diseases or reportable events listed in Part 1 of Schedule A - orally within one hour after identification, followed by a written report by the end of the next working day;
- (b) for those communicable diseases, notifiable diseases or reportable events listed in Part 2 of Schedule A - orally as soon as possible within 24 hours after identification, followed by a written report within one week; and
- (c) for those communicable diseases, notifiable diseases or reportable events listed in Part 3 of Schedule A - in writing within one week after identification.

7(2): A written report shall be made on a form provided by the Minister.

Immunization of children

12(1) If a child is entering a school in New Brunswick for the first time, the principal of the school shall ensure that proof of immunization of the child for the following diseases is provided to him or her:

- (a) diphtheria;
- (b) tetanus;
- (c) polio;
- (d) pertussis;
- (e) measles;
- (f) mumps;
- (g) rubella;
- (h) varicella; and
- (i) meningococcal disease.

12(2) The operator of a day care center shall ensure that proof of immunization for the following diseases is provided to him or her for each child who attends that day care center:

- (a) diphtheria;
- (b) tetanus;
- (c) polio;
- (d) pertussis;
- (e) measles;
- (f) mumps;
- (g) rubella;
- (h) varicella;
- (i) meningococcal disease;
- (j) Haemophilus influenzae type B disease; and
- (k) pneumococcal disease.

12(3) Notwithstanding subsections (1) and (2), proof of immunization is not required if the parent or legal guardian of the child provides:

- (a) a medical exemption, on a form provided by the Minister, that is signed by a medical practitioner or nurse practitioner, or
- (b) a written statement, on a form provided by the Minister, signed by the parent or legal guardian of his or her objections to the immunizations required by the Minister.

Immunization- Information to the Minister

13: A medical practitioner, nurse practitioner or a nurse who administers a publicly funded vaccine or biological preparation to a person shall provide to the Minister in a manner required by the Minister the following information within one week after administering the vaccine or biological preparation:

- (a) the name and address of the person to whom the vaccine or biological preparation was administered;
- (b) the Medicare number of the person;
- (c) the date of birth and gender of the person;
- (d) the date on which the vaccine or biological preparation was administered;
- (e) the name and lot number of the vaccine or biological preparation; and
- (f) the name of the person who administered the vaccine or biological preparation.

Record of Immunization

14: A medical practitioner, nurse practitioner or nurse who administers a vaccine to a person shall provide to the person a record of the immunization on a form provided by the Minister that includes the following information:

- (a) the name of person and date of birth;
- (b) the Medicare number of the person;
- (c) the name of disease against which the person has been vaccinated; and
- (d) the date on which the vaccine was administered.

Privacy Act

The Collection, Use and Disclosure of Personal Information (PI) and Personal Health Information (PHI) within the New Brunswick Immunization Program are governed by the Right To Information and *Protection of Privacy Act* and the *Personal Health Information Privacy and Access Act* of the Province of New Brunswick. Each time PI or PHI is collected, used or disclosed, the individuals involved must ensure that such collection, use or disclosure is authorized by, and carried out in compliance with, these Acts, including making sure that appropriate informed consents are obtained. It is important for members of the New Brunswick Immunization Program (Doctors, Nurses, Administrators, Principals, Directors of day care facilities) to understand that, every time PI or PHI is shared by one member with another member of the program (such as by a Principal of a school with a Public Health Nurse) both a disclosure and a collection takes place: the Principal discloses PI or PHI to the Nurse; the Nurse collects PI or PHI from the Principal.

Each such action must comply with the requirements of the appropriate Act.

For further information with regard to privacy requirements in the collection, use and disclosure of PI or PHI in this program, individuals should approach the Privacy Officers for their respective organizations. These requirements will be described in further detail through the policies, guidelines and standards of the New Brunswick Immunization Program.