



HOUSE BILL No. 4652

March 21, 1995, Introduced by Reps. Gire, Freeman, DeHart, Martinez, Vaughn, Scott, LaForge, Wetters, London, Curtis, Harder, Dalman, Brewer and Brater and referred to the Committee on Health Policy.

A bill to amend section 9201 of Act No. 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

being section 333.9201 of the Michigan Compiled Laws; and to add section 9205a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 9201 of Act No. 368 of the Public Acts
2 of 1978, being section 333.9201 of the Michigan Compiled Laws, is
3 amended and section 9205a is added to read as follows:

4 Sec. 9201. (1) As used in this part:

5 (a) "Camping" means attendance at a residential, day, troop,
6 or travel camp conducted for more than 4 school-age children,
7 apart from their parents, guardians, or persons in loco parentis
8 for 5 or more days or parts ~~thereof~~ OF DAYS in a 14-day
9 period.

1 (B) "CHILD" MEANS AN INDIVIDUAL LESS THAN 18 YEARS OF AGE
2 WHO IS NOT EMANCIPATED PURSUANT TO SECTION 4 OF ACT NO. 293 OF
3 THE PUBLIC ACTS OF 1968, BEING SECTION 722.4 OF THE MICHIGAN
4 COMPILED LAWS.

5 (C) ~~(b)~~ "Immunizing agent" means a vaccine, antibody prep-
6 aration, or other substance used to increase an individual's
7 immunity to a disease.

8 (d) "Person in loco parentis" means that term as defined in
9 section 6122.

10 (2) In addition, article 1 contains general definitions and
11 principles of construction applicable to all articles in this
12 code.

13 SEC. 9205A. (1) AT THE TIME A CHILD'S CERTIFICATE OF LIVE
14 BIRTH IS TRANSMITTED TO THE DEPARTMENT PURSUANT TO SECTION 2815,
15 THE DEPARTMENT SHALL CALCULATE AND MAINTAIN A RECORD OF THE
16 FUTURE DATES THAT THE CHILD IS TO RECEIVE AN IMMUNIZING AGENT
17 PURSUANT TO RULES PROMULGATED BY THE DEPARTMENT UNDER
18 SECTION 9227.

19 (2) BEGINNING 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMEN-
20 DATORY ACT THAT ADDED THIS SECTION, THE DEPARTMENT SHALL DEVELOP
21 AND IMPLEMENT AN IMMUNIZATION NOTIFICATION PROGRAM FOR PARENTS,
22 GUARDIANS, AND PERSONS IN LOCO PARENTIS OF CHILDREN IN THIS
23 STATE, USING THE INFORMATION CONTAINED IN THE CERTIFICATES OF
24 LIVE BIRTH FOR THOSE CHILDREN. EACH IMMUNIZATION NOTICE SHALL,
25 AT A MINIMUM, CONTAIN ALL OF THE FOLLOWING:

26 (A) THE CHILD'S NAME.

1 (B) THE IMMUNIZING AGENT THAT THE CHILD REQUIRES, AND THE
2 DATE BY WHICH THAT IMMUNIZING AGENT SHOULD BE ADMINISTERED TO THE
3 CHILD.

4 (C) THE RISKS ASSOCIATED WITH A FAILURE TO TIMELY ADMINISTER
5 THE IMMUNIZING AGENT TO A CHILD.

6 (D) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THOSE FACILI-
7 TIES IN THE STATE THAT PROVIDE THE IMMUNIZING AGENT WITHOUT COST
8 TO THE PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS.

9 (3) SUBJECT TO SUBSECTION (4), THE DEPARTMENT SHALL SERVE A
10 NOTICE DESCRIBED IN SUBSECTION (2) UPON A PARENT, GUARDIAN, OR
11 PERSON IN LOCO PARENTIS OF A CHILD BY FIRST-CLASS MAIL ADDRESSED
12 TO THE PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS OF THE CHILD
13 AT THE PERSON'S LAST KNOWN ADDRESS NOT LESS THAN 30 DAYS OR MORE
14 THAN 60 DAYS BEFORE THE DATE THE DEPARTMENT HAS RECOMMENDED THAT
15 THE CHILD RECEIVE THE IMMUNIZING AGENT.

16 (4) A PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS OF A
17 CHILD WHO HAS PHYSICAL CUSTODY OF THAT CHILD SHALL PROVIDE THE
18 DEPARTMENT WITH WRITTEN NOTICE OF ANY CHANGE OF THE CHILD'S
19 ADDRESS WITHIN 60 DAYS AFTER THE CHANGE OF ADDRESS. THE DEPART-
20 MENT IS NOT REQUIRED TO SERVE A NOTICE DESCRIBED IN SUBSECTION
21 (2) UPON A PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS WHO DOES
22 NOT COMPLY WITH THIS SUBSECTION.