

SCHOOLS TO DISTRIBUTE MENINGITIS INFORMATION

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House Bill 4726 as enrolled
Public Act 240 of 2005
Sponsor: Rep. Leslie Mortimer
House Committee: Education
Senate Committee: Education

Second Analysis (8-28-06)

BRIEF SUMMARY: The bill would require officials in school districts to distribute information to parents about meningitis, and the Department of Education, in cooperation with the Department of Community Health, to provide information about meningitis to school districts.

FISCAL IMPACT: This bill will have minimal impact to the state for the cost of development of information related to meningococcal meningitis. This bill would have indeterminate impact to local school districts for the cost of distribution of information related to meningococcal meningitis to all parents and guardians.

THE APPARENT PROBLEM:

Meningitis is a very serious infection of the fluid that surrounds the brain and spinal cord, and it can be fatal unless detected early. That clear fluid, called cerebro-spinal fluid, or CSF, that surrounds the brain and spinal cord, acts as a shock absorber to protect them from injury. Membranes called meninges protect all three—the brain, spinal cord, and CSF—and also help prevent the CSF from leaking to the outside of the brain and spinal column. Meningitis is the infection of the CSF—a condition sometimes referred to as spinal meningitis.

Generally, there are two types of meningitis: viral and bacterial. Each requires a different treatment. Viral meningitis is usually less severe, and may need little attention. In contrast, bacterial meningitis can be quite severe, and result in brain damage, hearing loss, or learning disability if not treated early.

Nationwide, there are between 2,500 and 3,000 cases of meningitis reported each year, and about 300 people die from the disease. Of those who survive, nearly 20 percent suffer permanent disability such as brain damage, hearing loss, and limb amputations.

There is now a vaccine for bacterial meningitis, and the Center for Disease Control has recently recommended that youngsters be vaccinated at or near age 11. College students—especially those living in dormitories—are at increased risk of contracting the disease. It is estimated that up to 80 percent of cases that occur on college campuses are vaccine preventable. See [Background Information](#) below.

The Center for Disease Control together with the National Meningitis Association, and the manufacturers of the vaccine are undertaking a nationwide Meningitis Awareness Campaign. Their purpose is to alert parents to the vaccine, as well as to inform them about the symptoms of meningitis so that it can be detected early and medically treated. To this end, legislation has been introduced to require the administrators of schools to inform parents about the disease.

THE CONTENT OF THE BILL:

House Bill 4726 would amend the Revised School Code to require officials in school districts to distribute information to parents about meningitis under certain circumstances, and to require the Department of Education to provide information about meningitis to school districts.

The bill specifies that if, at the beginning of a school year, the board of a school district or board of directors of a public school academy provided information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of students in at least grades 6, 9, and 12, then school officials would be required to include information about meningococcal meningitis, and its vaccine. Under the bill, the information would have to include at least the causes and symptoms of meningitis, how it is spread, and sources where parents and guardians could obtain both additional information, and the vaccination of a child.

The Department of Education, in cooperation with the Department of Community Health, would be required to develop and make available the required information to school districts, public school academies, and nonpublic schools, in the manner it determined to be the most cost- and programmatically-effective, which would include at least posting the information on its website.

MCL 380.1177a

BACKGROUND INFORMATION:

Additional information about meningitis. The symptoms of meningitis in anyone over two years of age include a high fever, headache, and stiff neck. They can develop in several hours, or over one or two days. Other symptoms may include nausea, vomiting, difficulty seeing in bright light, confusion, and sleepiness. (For those younger than two years of age, classic symptoms are difficult to detect; instead, infants should be watched to ascertain whether they are slow or inactive, irritable, vomit often, and eat poorly.) As meningitis progresses, patients may have seizures. Diagnosis of meningitis requires a spinal tap to identify whether the disease is present, and if so, whether it is due to a bacteria or a virus.

Vaccines are available to prevent certain types of bacterial meningitis, and are often recommended for travelers to developing countries overseas.

For further information about meningitis, visit the website of the Center for Disease Control at www.cdc.gov

Information about the Meningitis Awareness Campaign is available at the website of the National Meningitis Association: www.nmaus.org

A meningitis and encephalitis fact sheet is available on the website of the National Institute of Neurological Disorders and Stroke at www.ninds.nih.gov/disorders/encephalitis_meningitis/detail

ARGUMENTS:

For:

Meningitis is a deadly infection that can often be prevented entirely if youngsters are vaccinated or treated successfully when it is detected early. In order to overcome this disease, parents need more information about its prevalence, symptoms, and treatments. An effective way to disseminate information about the disease is through the public school system, where school officials already are required by law to inform parents and guardians about other diseases and vaccines.

Against:

The bill is voluntary, not mandatory. Since meningitis is so deadly, every school should be required to disseminate information to parents about the disease and its prevention.

Response:

To require the dissemination of information about meningitis (or, for that matter, to require anything at all) could invite a legal challenge to the bill, filed by school officials under the Headlee amendment to the state constitution. The Headlee amendment, among other things, prohibits the legislature from enacting bills having unfunded mandates. To avoid that challenge, it is customary for the legislature to mandate a condition of a voluntary activity, rather than to mandate the activity itself.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.