

HOUSE BILL No. 4339

February 18, 2009, Introduced by Reps. Robert Jones, Durhal, Stanley and Young and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 21529; and to repeal
acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21529. (1) BEGINNING OCTOBER 1, 2009, A HOSPITAL SHALL
2 ESTABLISH A STRATEGIC PLAN FOR MANAGING ITS SUPPLY OF THE
3 PNEUMOCOCCAL VACCINE. THE PLAN SHALL BE CONSISTENT WITH GUIDELINES
4 OR RECOMMENDATIONS ISSUED BY THE FEDERAL CENTERS FOR DISEASE
5 CONTROL AND PREVENTION OR BY THE ADVISORY COMMITTEE ON IMMUNIZATION
6 PRACTICES OF THE FEDERAL CENTERS FOR DISEASE CONTROL AND
7 PREVENTION. DURING THE PNEUMONIA SEASON, IF THE HOSPITAL HAS THE
8 VACCINES AVAILABLE AND SUPPLY IS CONSISTENT WITH THE HOSPITAL'S
9 STRATEGIC PLAN, THE HOSPITAL SHALL INFORM EACH PERSON 65 YEARS OF
10 AGE OR OLDER WHO IS ADMITTED TO THE HOSPITAL FOR A PERIOD OF 24

1 HOURS OR MORE THAT THE PNEUMOCOCCAL VACCINE IS AVAILABLE AND OFFER
2 TO PROVIDE THE VACCINE TO THOSE PERSONS FOR WHOM THE VACCINE IS NOT
3 CONTRAINDICATIVE. IF THAT PERSON CONSENTS TO BE VACCINATED AGAINST
4 PNEUMONIA AND A PHYSICIAN, NURSE, PHARMACIST, OR OTHER INDEPENDENT
5 PRACTICING LICENSED HEALTH CARE PROFESSIONAL DETERMINES THAT THERE
6 IS NOT A RELATIVE OR ABSOLUTE CONTRAINDICATION TO GIVING THE
7 VACCINE, THE HEALTH CARE PROFESSIONAL SHALL ADMINISTER THE
8 PNEUMOCOCCAL VACCINATION TO THE PERSON BEFORE HE OR SHE IS
9 DISCHARGED FROM THE HOSPITAL AND SHALL DOCUMENT THE VACCINATION IN
10 THE PATIENT'S MEDICAL RECORD. THE DOCUMENTATION OF THE VACCINATION
11 REQUIRED UNDER THIS SECTION MAY BE IN THE FORM OF A WRITTEN NOTE
12 INCLUDED IN THE PATIENT'S MEDICAL RECORD INDICATING THAT HE OR SHE
13 HAD RECEIVED THE PNEUMOCOCCAL VACCINE ON A PREVIOUS OCCASION,
14 RECEIVED THE VACCINE, OR REFUSED THE VACCINE OR THAT THE VACCINE
15 WAS NOT ADMINISTERED BECAUSE A CONTRAINDICATION RENDERED THE
16 ADMINISTRATION OF THE VACCINE INADVISABLE.

17 (2) AS USED IN THIS SECTION, "PNEUMONIA SEASON" MEANS THAT
18 PERIOD BETWEEN OCTOBER 1 AND MARCH 1.

19 (3) THIS SECTION IS REPEALED EFFECTIVE APRIL 1, 2012.