

HOUSE BILL NO. 4591

May 17, 2023, Introduced by Rep. Schmaltz and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 9316 (MCL 333.9316), as added by 2020 PA 261.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9316. (1) By the 2021-2022 school year, the department
2 shall establish and maintain a dental oral assessment program to
3 provide dental oral assessments to children residing in this state
4 whose parents, guardians, or persons in loco parentis do not have
5 dental oral assessments conducted as described in subsection (5)(a)
6 but otherwise decide to have dental oral assessments conducted on

1 their children under this section.

2 (2) Subject to subsection (3), the department shall accomplish
3 the program by contracting with a government entity or person,
4 which may include a grantee health agency described in section
5 16625. The following apply to the government entity or person
6 selected by the department under this subsection:

7 (a) The government entity or person shall conduct the program
8 in each area served by a local health department and shall
9 publicize the dental oral assessment service and the time and place
10 of the clinics.

11 (b) A dental oral assessment administered under the program
12 must include a limited clinical inspection, performed by a dentist
13 or a dental hygienist, to identify possible signs of oral or
14 systemic disease, malformation, or injury, and the potential need
15 for referral for diagnosis and treatment.

16 (3) If a school district has entered into a contract with a
17 government entity or person to administer dental oral assessments
18 to the school district's students, the school district may continue
19 to use the government entity or person to conduct the dental oral
20 assessments if the school district ensures that the dental oral
21 assessments are conducted by May 31 of each year and the
22 requirements of subsections (4) and (7) are met and provides all of
23 the following information to the department:

24 (a) The name of the government entity or person that conducts
25 the dental oral assessments.

26 (b) Each date the government entity or person is scheduled to
27 provide the dental oral assessments.

28 (c) The total number of dental oral assessments that are
29 scheduled.

1 (4) When the result of a dental oral assessment indicates that
2 a child requires follow-up care, the dentist or dental hygienist or
3 government entity or person conducting the assessment shall present
4 to the individual bringing the child a written statement clearly
5 indicating that follow-up treatment is encouraged and, upon
6 request, provide information concerning the availability and
7 sources of dental treatment required to eliminate or reduce an
8 identified problem.

9 (5) Beginning in the 2021-2022 school year, a parent,
10 guardian, or person in loco parentis applying to have a child
11 registered for the first time in kindergarten or first grade in a
12 school in this state may do the following:

13 (a) Have a dentist or dental hygienist conduct a dental oral
14 assessment on the child not earlier than 6 months before the date
15 of the child's registration with the school and obtain from the
16 dentist or dental hygienist a written statement certifying that the
17 child has received the dental oral assessment within the time frame
18 required under this subdivision. The written statement must be on a
19 form prescribed by the department.

20 (b) If the parent, guardian, or person in loco parentis of the
21 child does not have a dental oral assessment conducted as described
22 in subdivision (a), have a dental oral assessment conducted on the
23 child by the government entity or person selected by the department
24 under subsection (2).

25 (6) Beginning in the 2021-2022 school year, a parent,
26 guardian, or person in loco parentis applying to have a child
27 registered for the first time in kindergarten or first grade in a
28 school in this state who chooses to have a dental oral assessment
29 conducted on the child as described in subsection (5) may present

1 to school officials, at the time of registration or not later than
2 the first day of school, the statement described in subsection (5)
3 or a written statement indicating that the parent, guardian, or
4 person in loco parentis of the child will provide for the child's
5 dental oral assessment by a government entity or person selected by
6 the department under subsection (2). A child shall not be excluded
7 from school attendance if the parent, guardian, or person in loco
8 parentis of the child does not present a statement to school
9 officials under this section.

10 (7) Before November 1 of each year, beginning in the 2021-2022
11 school year, the principal or administrator of each school shall
12 give the department a summary of any dental reports that it
13 receives at the time of school entry of new kindergarten and first
14 grade students. The reports must be made on forms provided or
15 approved by the department.

16 (8) This section does not apply in a fiscal year in which the
17 legislature does not appropriate money for the program.

18 (9) As used in this section, "program" means the dental oral
19 assessment program described in subsection (1).

20 (10) This section does not apply beginning January 1,
21 ~~2024-2029~~.