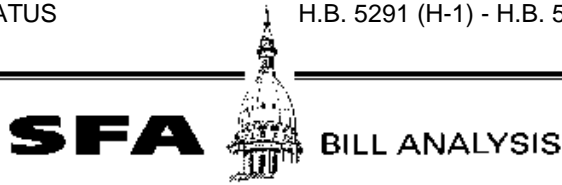


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House Bill 5291 (Substitute H-1 as reported without amendment)
House Bill 5292 (Substitute H-1 as reported without amendment)
House Bill 5293 (Substitute H-1 as reported without amendment)
Sponsor: Representative Paul DeWeese (H.B. 5291)
Representative Gerald Law (H.B. 5292)
Representative Jason Allen (H.B. 5293)
House Committee: Health Policy
Senate Committee: Education

Date Completed: 4-12-00

RATIONALE

The Revised School Code requires a child entering a public or nonpublic school for the first time to submit a statement as to his or her immunization status, specifically whether the child has been tested for and immunized against certain diseases; whether the child has not been immunized because of religious convictions or other objections; or, whether the child is in the process of complying with all immunization requirements. Without this documentation, a child cannot enroll in school. According to public health and school officials, immunization is one of the most effective tools in protecting a person's health and preventing the spread of certain diseases. Before the immunization status for school children was required to be reported, approximately 8,000 cases of measles were reported statewide in 1978, according to the Department of Community Health (DCH). Many incidents resulted in hospitalization or death of the children who had been infected. Once the immunization status of newly enrolled students began to be reported, the number of cases of measles dropped, so that in 1999 only a few cases were reported in the State.

Despite the reduction in the number of reported illnesses in young children, some adolescents and young adults continue to contract these diseases. It is believed that this situation is due to the fact that most vaccination programs focus on young children when they first enroll in school or when children change schools, but there is no effort to update the vaccination coverage of adolescents. Many vaccines require booster shots that must be administered to children in the fifth to seventh grades. Unless adolescents have regular medical check-ups, or change schools and must report their immunization status to the new school, the need for additional immunizations may go unnoticed. Given the benefits to public health and safety of updating the immunizations for adolescents, some people believe

that schools should have to report on the immunization status of students in the sixth grade.

CONTENT

House Bills 5291 (H-1), 5292 (H-1), and 5293 (H-1) would amend the State School Aid Act, the Public Health Code, and the Revised School Code, respectively, to require the immunization status of students entering the sixth grade to be included in the immunization status reports for new students currently provided by school districts and intermediate school districts. The bills are tie-barred to each other.

A more detailed description of the bills follows.

House Bill 5291 (H-1)

The State School Aid Act requires each school district or intermediate school district (ISD) to report by November 1 of each fiscal year to the local health department in which it is located the immunization status of each pupil in grades kindergarten through 12 who enrolled in the district or ISD for the first time, between January 1 and September 30 of the immediately preceding fiscal year. The bill would require that beginning in 2002-2003, a school district or ISD also report the immunization status of each pupil who was enrolled in sixth grade for the first time between January 1 and September 30 of the immediately preceding fiscal year.

In addition, each district or ISD is required to report by February 1 of each fiscal year, to the local health department the immunization status of each pupil in kindergarten through grade 12 who enrolled in the district or ISD for the first time between January 1 of the immediately preceding fiscal year and December 31 of the current fiscal year. The bill would require that beginning in 2002-2003, a district or ISD also

report the immunization status of each pupil who was enrolled in sixth grade for the first time between January 1 of the immediately preceding fiscal year and December 31 of the current fiscal year.

Currently, the Department of Community Health is required by March 31 of each fiscal year to notify the Department of Education by district or ISD of the percentage of entering pupils who do not have a completed, waived, or provisional immunization record in accordance with the Revised School Code. The bill would add that beginning in 2002-2003, the DCH also would have to report the percentage of pupils who enrolled in sixth grade for the first time and did not have a completed, waived, or provisional immunization record.

House Bill 5292 (H-1)

Currently, the Public Health Code requires a parent, guardian, or person in loco parentis applying to have a child registered for the first time in a school in the State to present to school officials, at the time of registration or no later than the first day of school, a certificate of immunization or statement of exemption. The bill also would require, beginning 2002-2003, a parent, guardian, or person in loco parentis of a child entering the sixth grade to present to school officials, at the time of registration or by the first day of school, a certificate of immunization or statement of exemption.

House Bill 5293 (H-1)

The Revised School Code requires a child enrolling in a public or nonpublic school for the first time to submit one of the following: a statement signed by a physician that the child has been tested for and immunized or protected against diseases specified by the Director of the Department of Community Health; a statement signed by a parent or guardian to the effect that the child has not been immunized because of religious convictions or other objection to immunization; or, a statement signed by a physician that certified that the child is in the process of complying with all immunization requirements. Under the bill, this requirement also would apply, beginning in the 2002-2003 school year, to a child enrolling in sixth grade for the first time.

The administrator of each school currently is required by November 1 of each year to provide the DCH Director with the immunization status of each pupil in kindergarten through grade 12 who enrolled for the first time between the immediately preceding January 1 and the immediately preceding September 30. In addition, by February 1 of each school year, the administrator of a school must provide an update to the report due the previous November 1 to show the immunization status of each pupil in kindergarten

through grade 12 who enrolled in school for the first time during the calendar year ending the immediately preceding December 31. The bill would require that beginning in the 2002-2003 school year, a school administrator also report, as required above, on the immunization status of each pupil enrolled in sixth grade in the school for the first time.

The Code also requires the parent or guardian of each enrolling child to submit a statement signed by a district, county, or city health department director stating that the child has been administered the DCH preschool vision screening test, or signed by a licensed medical or osteopathic physician or a licensed optometrist stating that the child's eyes have been examined during the preschool years after age three and before initial entrance. The bill would refer in this provision to a child enrolling in kindergarten for the first time.

MCL 388.1767 (H.B. 5291)

333.9208 (H.B. 5292)

380.1177 (H.B. 5293)

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Through requirements in the State School Aid Act, the Public Health Code, and the Revised School Code, the immunization status of children enrolling in a public or nonpublic school for the first time must be reported to school and local health officials. In fact, Department of Education officials note that most school districts comply with the reporting requirements, and only a few do not meet reporting deadlines due to delays in receiving the required information. Thus, the laws are sufficient to ensure that children entering school in kindergarten receive the initial immunizations. After kindergarten, however, there is no reporting requirement unless a student transfers to another school district. Many vaccines, such as those for diphtheria and tetanus, that children receive when they are old enough to start school require booster shots when the students are adolescents and are enrolled in the fifth to seventh grades. Unless a child moves to a new school or has regular health check-ups, parents of an older child may not realize that he or she needs booster shots or additional doses to maintain immunity. Furthermore, the diseases for which vaccines are required are more than mere childhood diseases and can result in serious complications

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

when contracted by an adolescent or adult. By requiring an immunization assessment of every child when he or she entered the sixth grade, the bills would help education and public health officials determine whether students were up-to-date with the required immunizations and, thus, would protect other school children and the public from the outbreak of serious diseases that could be prevented.

Supporting Argument

With the recent availability of vaccines for Hepatitis B and chicken pox, children attending day care currently must be vaccinated for these diseases, according to officials at the DCH. Children entering school will have to be inoculated against Hepatitis B starting in the 2000-2001 school year, and against chicken pox in the 2002-2003 school year. The bills' reporting requirements on the immunization status of students entering the sixth grade would help school and public health officials determine whether these students needed additional vaccinations.

Supporting Argument

More than half of the states reportedly have adopted laws, similar to what the bills propose, that require the immunization status of children attending middle school to be checked. More than two years ago, the Michigan Advisory Committee on Immunization recommended that the DCH promote health screening visits for children 11 to 12 years of age. A health screening for these children could be used to assess the need for updating a child's immunization status. Officials from the DCH note that this policy has been endorsed by several national committees, including the Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bills could have a small fiscal impact on the budget for the Department of Community Health. Though the DCH already has in place a system for administering the information collection and data record-keeping of student immunization records, the Department could incur a slight additional cost associated with collecting data from all pupils enrolling in sixth grade in a district or ISD for the first time.

Local school districts also could incur a small cost associated with collecting immunization data and forwarding the data to the DCH. The costs to the State and local districts, though minimal, would be indeterminate.

Fiscal Analyst: J. Carrasco