

SUBSTITUTE FOR  
HOUSE BILL NO. 5325

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, 2006, A HOSPITAL SHALL  
2   ESTABLISH A STRATEGIC PLAN FOR MANAGING ITS SUPPLY OF THE INFLUENZA  
3   VACCINE. THE PLAN SHALL BE CONSISTENT WITH GUIDELINES OR  
4   RECOMMENDATIONS ISSUED BY THE FEDERAL CENTERS FOR DISEASE CONTROL  
5   AND PREVENTION OR BY THE ADVISORY COMMITTEE ON IMMUNIZATION  
6   PRACTICES OF THE FEDERAL CENTERS FOR DISEASE CONTROL AND  
7   PREVENTION. DURING THE INFLUENZA SEASON, IF THE HOSPITAL HAS THE  
8   INFLUENZA VACCINE AVAILABLE AND SUPPLY IS CONSISTENT WITH THE  
9   HOSPITAL'S STRATEGIC PLAN, THE HOSPITAL SHALL INFORM EACH PERSON 65

1 YEARS OF AGE OR OLDER WHO IS ADMITTED TO THE HOSPITAL FOR A PERIOD  
2 OF 24 HOURS OR MORE THAT THE INFLUENZA VACCINE IS AVAILABLE AND  
3 OFFER TO PROVIDE THE VACCINE TO THOSE PERSONS FOR WHOM THE VACCINE  
4 IS NOT CONTRAINDICATIVE. IF THAT PERSON CONSENTS TO BE VACCINATED  
5 AGAINST INFLUENZA AND A PHYSICIAN, NURSE, PHARMACIST, OR OTHER  
6 INDEPENDENT PRACTICING LICENSED HEALTH CARE PROFESSIONAL DETERMINES  
7 THAT THERE IS NOT A RELATIVE OR ABSOLUTE CONTRAINDICATION TO GIVING  
8 THE VACCINE, THE HEALTH CARE PROFESSIONAL SHALL ADMINISTER THE  
9 VACCINATION TO THE PERSON BEFORE HE OR SHE IS DISCHARGED FROM THE  
10 HOSPITAL AND SHALL DOCUMENT THE VACCINATION IN THE PATIENT'S  
11 MEDICAL RECORD. THE DOCUMENTATION OF THE VACCINE REQUIRED UNDER  
12 THIS SECTION MAY BE IN THE FORM OF A WRITTEN NOTE INCLUDED IN THE  
13 PATIENT'S MEDICAL RECORD INDICATING THAT HE OR SHE HAD RECEIVED THE  
14 VACCINE ON A PREVIOUS OCCASION, RECEIVED THE VACCINE, OR REFUSED  
15 THE VACCINE OR THAT THE VACCINE WAS NOT ADMINISTERED BECAUSE A  
16 CONTRAINDICATION RENDERED THE ADMINISTRATION OF THE VACCINE  
17 INADVISABLE.

18 (2) THIS SECTION IS REPEALED EFFECTIVE APRIL 1, 2009.

19 (3) AS USED IN THIS SECTION, "INFLUENZA SEASON" MEANS THAT  
20 PERIOD BETWEEN OCTOBER 1 AND MARCH 1.