

# HOUSE BILL No. 4165

January 30, 2007, Introduced by Reps. Clack, Donigan, Hammon, Gonzales, Warren, Hammel, Jackson, Hopgood, Wojno, Polidori, Leland, Vagnozzi, Espinoza, Mayes and Shaffer and referred to the Committee on Education.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 9208 and 9227 (MCL 333.9208 and 333.9227), section 9208 as amended by 2000 PA 90 and section 9227 as amended by 2006 PA 91, and by adding sections 9205b and 9206a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 9205B. (1) THE CHILDHOOD HEALTH ADVISORY COMMITTEE IS  
2           CREATED WITHIN THE DEPARTMENT OF COMMUNITY HEALTH. THE COMMITTEE  
3           SHALL CONSIST OF THE FOLLOWING MEMBERS, WHO SHALL BE APPOINTED ON  
4           OR BEFORE THE EXPIRATION OF 60 DAYS AFTER THE EFFECTIVE DATE OF  
5           THIS SECTION:

1 (A) TWO INDIVIDUALS APPOINTED BY THE SENATE MAJORITY LEADER.

2 (B) TWO INDIVIDUALS APPOINTED BY THE SPEAKER OF THE HOUSE OF  
3 REPRESENTATIVES.

4 (C) THREE INDIVIDUALS APPOINTED BY THE GOVERNOR.

5 (2) THE CHILDHOOD HEALTH ADVISORY COMMITTEE SHALL MEET AS IT  
6 DETERMINES NECESSARY TO CARRY OUT ITS DUTIES PRESCRIBED UNDER THIS  
7 SECTION. THE CHILDHOOD HEALTH ADVISORY COMMITTEE SHALL DO THE  
8 FOLLOWING:

9 (A) ASSIST THE DEPARTMENT IN IDENTIFYING MATERIALS THAT  
10 CONTAIN INFORMATION REGARDING THE BENEFITS OF DENTAL EXAMINATIONS  
11 IN YOUNG CHILDREN, THE BENEFITS OF EARLY PREVENTION AND DETECTION  
12 OF DENTAL OR OTHER DISEASES OF THE ORAL CAVITY IN CHILDREN, AND THE  
13 RISKS ASSOCIATED WITH NOT HAVING AN EARLY AND REGULAR DENTAL  
14 EXAMINATION.

15 (B) APPROVE THE PROPOSED MATERIALS OR RECOMMENDATIONS  
16 IDENTIFIED BY THE DEPARTMENT UNDER SUBDIVISION (A).

17 (C) OVERSEE THE MARKETING AND DISSEMINATION OF THE INFORMATION  
18 APPROVED UNDER SUBDIVISION (B).

19 (D) REVIEW AND APPROVE RECOMMENDATIONS MADE BY THE DEPARTMENT  
20 TO REVISE THE LIST OF CHILDHOOD EXAMINATIONS TO BE ADMINISTERED.

21 (3) ONCE THE INFORMATIONAL MATERIALS HAVE BEEN IDENTIFIED AND  
22 APPROVED OR THE RECOMMENDATIONS FOR ADDITIONAL CHILDHOOD  
23 EXAMINATIONS HAVE BEEN APPROVED, THE CHILDHOOD HEALTH ADVISORY  
24 COMMITTEE SHALL FORWARD A COPY OF THOSE MATERIALS OR  
25 RECOMMENDATIONS TO THE STANDING COMMITTEES IN THE SENATE AND HOUSE  
26 OF REPRESENTATIVES THAT CONSIDER ISSUES PERTAINING TO PUBLIC HEALTH  
27 FOR APPROVAL. WITHIN 45 DAYS AFTER THE PROPOSED MATERIALS OR

1 RECOMMENDATIONS ARE FORWARDED AND RECEIVED, THE LEGISLATURE SHALL  
2 APPROVE OR REJECT THOSE RECOMMENDATIONS BY CONCURRENT RESOLUTION  
3 ADOPTED BY BOTH STANDING COMMITTEES OF THE SENATE AND HOUSE OF  
4 REPRESENTATIVES THAT CONSIDER ISSUES PERTAINING TO PUBLIC HEALTH  
5 AND ADOPTED BY BOTH HOUSES OF THE LEGISLATURE BY RECORDED VOTE. IF  
6 THE PROPOSED MATERIALS OR RECOMMENDATIONS ARE NOT SUBMITTED ON A  
7 LEGISLATIVE SESSION DAY, THE 45 DAYS COMMENCE ON THE FIRST  
8 LEGISLATIVE SESSION DAY AFTER THE RECOMMENDATIONS ARE SUBMITTED.  
9 THE 45 DAYS SHALL INCLUDE NO FEWER THAN 9 LEGISLATIVE SESSION DAYS.  
10 LEGISLATIVE DISAPPROVAL SHALL BE EXPRESSED BY CONCURRENT RESOLUTION  
11 WHICH SHALL BE ADOPTED BY EACH HOUSE OF THE LEGISLATURE. THE  
12 CONCURRENT RESOLUTION SHALL STATE SPECIFIC OBJECTIONS TO THE  
13 PROPOSED MATERIALS OR RECOMMENDATIONS. IF THE RECOMMENDATIONS ARE  
14 NOT REJECTED WITH THE 45-DAY PERIOD, THE RECOMMENDATIONS ARE  
15 APPROVED AND THE DEPARTMENT SHALL PROMPTLY DISSEMINATE AND MAKE  
16 THOSE MATERIALS AVAILABLE AS REQUIRED UNDER SUBSECTION (4). AS USED  
17 IN THIS SUBSECTION, "LEGISLATIVE SESSION DAY" MEANS EACH DAY IN  
18 WHICH A QUORUM OF EITHER THE HOUSE OF REPRESENTATIVES OR THE  
19 SENATE, FOLLOWING A CALL TO ORDER, OFFICIALLY CONVENES IN LANSING  
20 TO CONDUCT LEGISLATIVE BUSINESS.

21 (4) ONCE THE INFORMATIONAL MATERIALS HAVE BEEN APPROVED IN  
22 ACCORDANCE WITH SUBSECTION (3), THE DEPARTMENT SHALL NOTIFY EACH  
23 SCHOOL IN THIS STATE OF THE AVAILABILITY OF THE MATERIALS DESCRIBED  
24 IN THIS SECTION AND SHALL MAKE THOSE MATERIALS AVAILABLE ON ITS  
25 WEBSITE.

26 SEC. 9206A. A DENTIST WHO PERFORMS A DENTAL EXAMINATION ON A  
27 CHILD WHO IS AT LEAST 3 YEARS OF AGE AND HAS NOT BEEN ENROLLED IN

1 KINDERGARTEN SHALL PRESENT TO THE PERSON ACCOMPANYING THE CHILD A  
2 WRITTEN STATEMENT SIGNED BY THE DENTIST INDICATING THAT A DENTAL  
3 EXAMINATION HAS BEEN CONDUCTED DURING THE PRESCHOOL YEARS.

4 Sec. 9208. (1) A parent, guardian, or person in loco parentis  
5 applying to have a child registered for the first time in a school  
6 in this state and ~~, beginning in 2002-2003,~~ a parent, guardian, or  
7 person in loco parentis of a child entering the sixth grade, shall  
8 present to school officials, at the time of registration or not  
9 later than the first day of school, a certificate of immunization  
10 or statement of exemption under section 9215.

11 (2) A teacher or principal shall not permit a child to enter  
12 or attend school unless a certificate indicating that a minimum of  
13 1 dose of an immunizing agent against each of the diseases  
14 specified by the department has been received and certified to by a  
15 health professional or local health department. A parent, guardian,  
16 or person in loco parentis having a child registered with only  
17 these minimum doses of immunizing agents shall present an updated  
18 certificate of immunization within 4 months after initial  
19 attendance showing that the immunizations have been completed as  
20 prescribed by the department.

21 (3) BEGINNING WITH THE 2008 SCHOOL YEAR, THE PARENT, GUARDIAN,  
22 OR PERSON IN LOCO PARENTIS OF A CHILD REGISTERED FOR THE FIRST TIME  
23 IN A PUBLIC OR NONPUBLIC SCHOOL IN THIS STATE SHALL SUBMIT TO  
24 SCHOOL OFFICIALS, AT THE TIME OF REGISTRATION OR NOT LATER THAN THE  
25 FIRST DAY OF SCHOOL, 1 OF THE FOLLOWING:

26 (A) A STATEMENT SIGNED BY A LICENSED DENTIST THAT THE CHILD  
27 HAS RECEIVED A DENTAL EXAMINATION DURING HIS OR HER PRESCHOOL YEARS

1 AFTER AGE 3 AND BEFORE INITIAL ENROLLMENT IN KINDERGARTEN.

2 (B) A STATEMENT SIGNED BY THE CHILD'S PARENT, GUARDIAN, OR  
3 PERSON IN LOCO PARENTIS TO THE EFFECT THAT THE PARENT, GUARDIAN, OR  
4 PERSON IN LOCO PARENTIS HAS RECEIVED THE INFORMATION ON THE  
5 IMPORTANCE OF DENTAL EXAMINATIONS AND EARLY PREVENTION AND  
6 DETECTION OF DENTAL OR OTHER DISEASES OF THE ORAL CAVITY IN  
7 CHILDREN IDENTIFIED BY THE DEPARTMENT UNDER SECTION 9205B AND THAT  
8 THE PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS HAS ELECTED FOR  
9 THE CHILD NOT TO RECEIVE A DENTAL EXAMINATION.

10 Sec. 9227. (1) The department shall promulgate rules to  
11 implement this part, including, but not limited to, rules governing  
12 all of the following:

13 (a) Age periods for immunizations.

14 (b) The minimum ages at which immunization may be commenced.

15 (c) The minimum number of doses required during a specified  
16 time period.

17 (d) Minimum levels of immunization for children in school.

18 (e) Reporting under section 9206(3).

19 (f) The acquisition, maintenance, and dissemination of  
20 information contained in the registry established under section  
21 9207.

22 (2) The department shall promulgate rules to implement the  
23 expansion of the registry to include the reporting and recording of  
24 additional information such as lead screening **AND DENTAL**  
25 **EXAMINATIONS** performed on children.

26 Enacting section 1. This amendatory act does not take effect  
27 unless Senate Bill No. \_\_\_\_ or House Bill No. 4166(request no.

1 00922'07) of the 94th Legislature is enacted into law.