

Act No. 21
Public Acts of 2010
Approved by the Governor
March 25, 2010
Filed with the Secretary of State
March 25, 2010
EFFECTIVE DATE: March 25, 2010

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Reps. Robert Jones, Scripps, Bettie Scott, Donigan, Valentine, Constan, Haugh and Stanley

ENROLLED HOUSE BILL No. 4172

AN ACT to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 21530; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

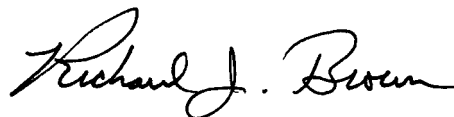
Sec. 21530. (1) During the influenza season, if a hospital has influenza vaccine available and consistent with the hospital's seasonal influenza immunization policy established under section 21529, the hospital shall inform individuals identified in the policy who are admitted to the hospital for a period of 24 hours or more that the influenza vaccine is available and offer to provide the vaccine to those individuals for whom the vaccine is not medically contraindicated. If an individual consents to be immunized against the influenza virus and a physician, physician's assistant, nurse, pharmacist, or other independent practicing licensed health care professional determines that there is not an authorized representative opposed to giving the vaccine or an absolute medical contraindication to giving the vaccine, the health care professional shall administer the influenza vaccination to the individual before he or she is discharged from the hospital and shall document the vaccination in the manner prescribed in the seasonal influenza immunization policy.

(2) As used in this section, “influenza season” means that period between October 1 and March 1.


(3) This section is repealed effective April 1, 2012.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 722 of the 95th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: Senate Bill No. 722, referred to in enacting section 2, was filed with the Secretary of State March 25, 2010, and became 2010 PA 21, Imd. Eff. Mar. 25, 2010.