

SUBSTITUTE FOR
HOUSE BILL NO. 4172

A bill to amend 1978 PA 368, entitled
"Public health code,"
(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:

1 SEC. 21530. (1) DURING THE INFLUENZA SEASON, IF A HOSPITAL HAS
2 INFLUENZA VACCINE AVAILABLE AND CONSISTENT WITH THE HOSPITAL'S
3 SEASONAL INFLUENZA IMMUNIZATION POLICY ESTABLISHED UNDER SECTION
4 21529, THE HOSPITAL SHALL INFORM INDIVIDUALS IDENTIFIED IN THE
5 POLICY WHO ARE ADMITTED TO THE HOSPITAL FOR A PERIOD OF 24 HOURS OR
6 MORE THAT THE INFLUENZA VACCINE IS AVAILABLE AND OFFER TO PROVIDE
7 THE VACCINE TO THOSE INDIVIDUALS FOR WHOM THE VACCINE IS NOT
8 MEDICALLY CONTRAINDICATIVE. IF AN INDIVIDUAL CONSENTS TO BE

1 IMMUNIZED AGAINST THE INFLUENZA VIRUS AND A PHYSICIAN, PHYSICIAN'S
2 ASSISTANT, NURSE, PHARMACIST, OR OTHER INDEPENDENT PRACTICING
3 LICENSED HEALTH CARE PROFESSIONAL DETERMINES THAT THERE IS NOT AN
4 AUTHORIZED REPRESENTATIVE OPPOSED TO GIVING THE VACCINE OR AN
5 ABSOLUTE MEDICAL CONTRAINDICATION TO GIVING THE VACCINE, THE HEALTH
6 CARE PROFESSIONAL SHALL ADMINISTER THE INFLUENZA VACCINATION TO THE
7 INDIVIDUAL BEFORE HE OR SHE IS DISCHARGED FROM THE HOSPITAL AND
8 SHALL DOCUMENT THE VACCINATION IN THE MANNER PRESCRIBED IN THE
9 SEASONAL INFLUENZA IMMUNIZATION POLICY.

10 (2) AS USED IN THIS SECTION, "INFLUENZA SEASON" MEANS THAT
11 PERIOD BETWEEN OCTOBER 1 AND MARCH 1.

12 (3) THIS SECTION IS REPEALED EFFECTIVE APRIL 1, 2012.

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