

SUBSTITUTE FOR  
SENATE BILL NO. 722

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, 2010, A HOSPITAL SHALL  
2   ESTABLISH AN INFLUENZA IMMUNIZATION POLICY. THE INFLUENZA  
3   IMMUNIZATION POLICY 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. A HOSPITAL SHALL INCLUDE ALL OF THE FOLLOWING IN ITS  
8   INFLUENZA IMMUNIZATION POLICY:  
9        (A) A STRATEGIC PLAN FOR MANAGING ITS SUPPLY OF THE INFLUENZA

1 VACCINE.

2 (B) PROCEDURES FOR IDENTIFYING INDIVIDUALS 65 YEARS OF AGE OR  
3 OLDER AND, AT THE DISCRETION OF THE HOSPITAL, OTHER PATIENTS AT  
4 RISK, WHO ARE ADMITTED TO THE HOSPITAL.

5 (C) PROCEDURES FOR OFFERING IMMUNIZATION AGAINST THE INFLUENZA  
6 VIRUS DURING THE INFLUENZA SEASON TO INDIVIDUALS 65 YEARS OF AGE OR  
7 OLDER AND, AT THE DISCRETION OF THE HOSPITAL, OTHER PATIENTS AT  
8 RISK, WHO ARE ADMITTED TO THE HOSPITAL FOR A PERIOD OF 24 HOURS OR  
9 MORE.

10 (D) PROCEDURES FOR ENSURING THAT AN INDIVIDUAL OFFERED THE  
11 INFLUENZA VACCINATION OR THE INDIVIDUAL'S AUTHORIZED REPRESENTATIVE  
12 RECEIVES INFORMATION REGARDING THE RISKS AND BENEFITS OF THE  
13 INFLUENZA VACCINATION.

14 (E) A STANDING ORDER POLICY APPROVED BY THE MEDICAL DIRECTOR  
15 OR OTHER APPROPRIATE HEALTH PROFESSIONAL THAT INCLUDES, BUT IS NOT  
16 LIMITED TO, AN ASSESSMENT FOR MEDICAL CONTRAINDICATION TO  
17 ADMINISTERING THE INFLUENZA VACCINATION.

18 (F) A SYSTEM FOR DOCUMENTING INFLUENZA VACCINATION  
19 ADMINISTRATION, MEDICAL CONTRAINDICATIONS, PATIENT REFUSALS, AND  
20 ANY POSTVACCINATION ADVERSE EVENTS.

21 (2) DURING THE INFLUENZA SEASON, IF THE HOSPITAL HAS THE  
22 VACCINE AVAILABLE AND CONSISTENT WITH THE HOSPITAL'S INFLUENZA  
23 IMMUNIZATION POLICY, THE HOSPITAL SHALL INFORM INDIVIDUALS  
24 IDENTIFIED IN THE POLICY WHO ARE ADMITTED TO THE HOSPITAL FOR A  
25 PERIOD OF 24 HOURS OR MORE THAT THE INFLUENZA VACCINE IS AVAILABLE  
26 AND OFFER TO PROVIDE THE VACCINE TO THOSE INDIVIDUALS FOR WHOM THE  
27 VACCINE IS NOT MEDICALLY CONTRAINDICATIVE. IF AN INDIVIDUAL

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

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

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