

# SENATE BILL No. 722

August 5, 2009, Introduced by Senators KAHN, PAPPAGEORGE, HARDIMAN and BIRKHOLZ and referred to the Committee on Health Policy.

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, 2009, A HOSPITAL SHALL  
2        ESTABLISH AN INFLUENZA IMMUNIZATION POLICY AND SHALL SUBMIT A COPY  
3        OF ITS CURRENT POLICY WITH THE DEPARTMENT. THE INFLUENZA  
4        IMMUNIZATION POLICY SHALL BE CONSISTENT WITH GUIDELINES OR  
5        RECOMMENDATIONS ISSUED BY THE FEDERAL CENTERS FOR DISEASE CONTROL  
6        AND PREVENTION OR BY THE ADVISORY COMMITTEE ON IMMUNIZATION  
7        PRACTICES OF THE FEDERAL CENTERS FOR DISEASE CONTROL AND  
8        PREVENTION. A HOSPITAL SHALL INCLUDE ALL OF THE FOLLOWING IN ITS  
9        INFLUENZA IMMUNIZATION POLICY:

1 (A) A STRATEGIC PLAN FOR MANAGING ITS SUPPLY OF THE INFLUENZA  
2 VACCINE.

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

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

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

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

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

22 (2) DURING THE INFLUENZA SEASON, IF THE HOSPITAL HAS THE  
23 VACCINE AVAILABLE AND CONSISTENT WITH THE HOSPITAL'S INFLUENZA  
24 IMMUNIZATION POLICY, THE HOSPITAL SHALL INFORM EACH INDIVIDUAL 65  
25 YEARS OF AGE OR OLDER OR OTHER INDIVIDUAL IDENTIFIED IN THE POLICY  
26 WHO IS ADMITTED TO THE HOSPITAL FOR A PERIOD OF 24 HOURS OR MORE  
27 THAT THE INFLUENZA VACCINE IS AVAILABLE AND OFFER TO PROVIDE THE

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

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

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