

HOUSE BILL No. 5362

February 16, 2016, Introduced by Reps. Brinks, Hovey-Wright, Plawecki, Chang, Singh, Zemke, LaVoy, Rutledge, Greig, Faris, Gay-Dagnogo, Byrd, Banks, Darany, Liberati, Potvin and Pagel and referred to the Committee on Health Policy.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1177 (MCL 380.1177), as amended by 2013 PA 121.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1177. (1) A child enrolling in a public or nonpublic
2 school for the first time or ~~, beginning in the 2014-2015 school~~
3 ~~year,~~ enrolling in grade 7 for the first time shall submit 1 of the
4 following:

5 (a) A statement signed by a physician that the child has been
6 tested for and immunized or protected against diseases specified by
7 the director of the department of ~~community health.~~ **HEALTH AND HUMAN**
8 **SERVICES.**

1 (b) ~~A statement signed by a parent or guardian to the effect~~
2 ~~that the child has not been immunized because of religious~~
3 ~~convictions or other objection to immunization.~~ **FOR ANY IMMUNIZATION**
4 **DESCRIBED IN SUBDIVISION (A) FOR WHICH A STATEMENT IS NOT SUBMITTED**
5 **UNDER SUBDIVISION (A) OR (C), A SIGNED AND COMPLETED MEDICAL**
6 **CONTRAINDICTION FORM DESCRIBED IN SECTION 9215(3) OF THE PUBLIC**
7 **HEALTH CODE, 1978 PA 368, MCL 333.9215, OR A SIGNED AND COMPLETED**
8 **NONMEDICAL IMMUNIZATION WAIVER FORM DESCRIBED IN SECTION 9215(4) OF**
9 **THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.9215.**

10 (c) A statement signed by a physician that certifies that the
11 child is in the process of complying with all immunization
12 requirements.

13 (2) In addition, the parent or guardian of each child
14 enrolling in kindergarten for the first time shall submit a
15 statement signed by a district, county, or city health department
16 director stating that the child has been administered the
17 department of ~~community~~ health **AND HUMAN SERVICES** preschool vision
18 screening test, or signed by a licensed medical or osteopathic
19 physician or a licensed optometrist stating that the child's eyes
20 have been examined during the preschool years after age 3 and
21 before initial entrance. A vision test is not required if there is
22 a statement signed by a parent or guardian to the effect that the
23 child cannot be submitted to the test because of religious
24 convictions.

25 (3) Not later than November 1 of each year, the administrator
26 of each school shall provide the director of the department of
27 ~~community~~ health **AND HUMAN SERVICES** with the immunization status of

1 each pupil in grades K ~~through~~ **TO** 12 who enrolled in the school for
2 the first time, or ~~, beginning in the 2014-2015 school year,~~
3 enrolled in grade 7 in the school for the first time, between the
4 immediately preceding January 1 and the immediately preceding
5 September 30, as well as a vision report of each child entering
6 kindergarten during that time period. This information shall be
7 transmitted through the approved local full-time health department,
8 if available, and shall be on forms provided by the director of
9 ~~community health~~ **AND HUMAN SERVICES** or otherwise reported in a
10 manner approved by the director of the department of ~~community~~
11 ~~health.~~ **HEALTH AND HUMAN SERVICES**. Not later than February 1 of
12 each year, the administrator of each school shall provide an update
13 to the report due the previous November 1 to show the immunization
14 status of each pupil in grades K ~~through~~ **TO** 12 who enrolled in the
15 school for the first time, or ~~, beginning in the 2014-2015 school~~
16 ~~year,~~ enrolled in grade 7 in the school for the first time, during
17 the calendar year ending the immediately preceding December 31.
18 This information shall be transmitted in the same manner as the
19 report due the previous November 1.

20 (4) The department of ~~community health~~ **AND HUMAN SERVICES**
21 shall promulgate rules, including rules identifying the diseases
22 specified under subsection (1)(a), for the implementation of this
23 section.

24 Enacting section 1. This amendatory act takes effect 90 days
25 after the date it is enacted into law.

26 Enacting section 2. This amendatory act does not take effect
27 unless Senate Bill No. _____ or House Bill No. 5361 (request no.

1 02687'15) of the 98th Legislature is enacted into law.