

HOUSE BILL No. 5363

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 **2, 5, OR 7** for the first time shall submit
4 1 of the 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.

4 (c) A statement signed by a physician that certifies that the
5 child is in the process of complying with all immunization
6 requirements.

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

19 (3) Not later than November 1 of each year, the administrator
20 of each school shall provide the director of the department of
21 ~~community~~ health **AND HUMAN SERVICES** with the immunization status of
22 each pupil in grades K through 12 who enrolled in the school for
23 the first time, or ~~, beginning in the 2014-2015 school year,~~
24 enrolled in grade **2, 5, OR 7** in the school for the first time,
25 between the immediately preceding January 1 and the immediately
26 preceding September 30, as well as a vision report of each child
27 entering kindergarten during that time period. This information

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

15 (4) **BEGINNING IN THE 2016-2017 SCHOOL YEAR, WITHIN 10 DAYS**
16 **AFTER SUBMITTING THE INFORMATION REQUIRED UNDER SUBSECTION (3) TO**
17 **THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE**
18 **BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR BOARD**
19 **OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT EACH**
20 **PUBLIC SCHOOL IT OPERATES COMPLIES WITH ALL OF THE FOLLOWING**
21 **CONCERNING PUBLIC REPORTING OF THE IMMUNIZATION STATUS OF PUPILS:**

22 (A) **PROVIDES ALL OF THE FOLLOWING TO THE PARENT OR LEGAL**
23 **GUARDIAN OF EACH PUPIL ENROLLED IN THE SCHOOL BY SENDING AN**
24 **ELECTRONIC MAIL TO THE ELECTRONIC MAIL ADDRESS IT HAS ON RECORD FOR**
25 **THE PARENT OR LEGAL GUARDIAN OR, IF IT DOES NOT HAVE AN ELECTRONIC**
26 **MAIL ADDRESS ON RECORD, BY UNITED STATES MAIL TO THE MAILING**
27 **ADDRESS IT HAS ON RECORD FOR THE PARENT OR LEGAL GUARDIAN:**

1 (i) INFORMATION CONCERNING THE IMMUNIZATION STATUS OF PUPILS
2 ENROLLED IN KINDERGARTEN OR GRADE 2, 5, OR 7 IN THE SCHOOL,
3 INCLUDING AT LEAST THE TOTAL NUMBER OF PUPILS ENROLLED IN EACH OF
4 THOSE GRADES IN THE SCHOOL, THE TOTAL NUMBER OF THOSE PUPILS IN
5 EACH OF THOSE GRADES FOR WHOM THE SCHOOL HAS RECEIVED A SIGNED
6 STATEMENT UNDER SUBSECTION (1) (A) OR (C), AND THE TOTAL NUMBER OF
7 THOSE PUPILS IN EACH OF THOSE GRADES FOR WHOM THE SCHOOL HAS
8 RECEIVED A WAIVER STATEMENT UNDER SUBSECTION (1) (B).

9 (ii) FOR A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT,
10 INFORMATION CONCERNING THE IMMUNIZATION STATUS OF PUPILS ENROLLED
11 IN KINDERGARTEN OR GRADE 2, 5, OR 7 IN ALL OF THE SCHOOLS OPERATED
12 BY THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, INCLUDING
13 AT LEAST THE TOTAL NUMBER OF PUPILS ENROLLED IN EACH OF THOSE
14 GRADES IN THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, THE
15 TOTAL NUMBER OF THOSE PUPILS IN EACH OF THOSE GRADES FOR WHOM THE
16 SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT HAS RECEIVED A
17 SIGNED STATEMENT UNDER SUBSECTION (1) (A) OR (C), AND THE TOTAL
18 NUMBER OF THOSE PUPILS IN EACH OF THOSE GRADES FOR WHOM THE SCHOOL
19 DISTRICT OR INTERMEDIATE SCHOOL DISTRICT HAS RECEIVED A WAIVER
20 STATEMENT UNDER SUBSECTION (1) (B).

21 (B) POSTS ALL OF THE INFORMATION REQUIRED UNDER SUBDIVISION
22 (A) ON THE SCHOOL'S PUBLIC WEBSITE, WITH A LINK FROM THE HOMEPAGE.

23 (C) POSTS A PAPER NOTICE CONTAINING ALL OF THE INFORMATION
24 REQUIRED UNDER SUBDIVISION (A) IN THE MAIN RECEPTION AREA OF THE
25 SCHOOL IN A LOCATION WITHIN THE PLAIN VIEW OF THE PUBLIC.

26 (5) ~~(4)~~—The department of ~~community~~ health AND HUMAN SERVICES
27 shall promulgate rules, including rules identifying the diseases

1 specified under subsection (1)(a), for the implementation of this
2 section.

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

5 Enacting section 2. This amendatory act does not take effect
6 unless Senate Bill No. _____ or House Bill No. 5364 (request no.
7 02686'15) of the 98th Legislature is enacted into law.