

SUBSTITUTE FOR
SENATE BILL NO. 280

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 9316 (MCL 333.9316), as added by 2020 PA 261.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9316. (1) By the ~~2021-2022~~**2023-2024** school year, the
2 department shall establish and maintain a dental oral assessment
3 program to provide dental oral assessments to children residing in
4 this state whose parents, guardians, or persons in loco parentis ~~do~~
5 ~~not have dental oral assessments conducted as~~**have not met the**
6 **requirements** described in subsection (5) (a). ~~but otherwise decide~~
7 ~~to have dental oral assessments conducted on their children under~~
8 ~~this section.~~

9 (2) Subject to subsection (3), the department shall accomplish

1 the program by contracting with a government entity or person,
2 which may include a grantee health agency described in section
3 16625. The following apply to the government entity or person
4 selected by the department under this subsection:

5 (a) The government entity or person shall conduct the program
6 in each area served by a local health department and shall
7 publicize the dental oral assessment service and the time and place
8 of the clinics.

9 (b) A dental oral assessment administered under the program
10 must include a limited clinical inspection, performed by a dentist
11 or a dental hygienist, to identify possible signs of oral or
12 systemic disease, malformation, or injury, and the potential need
13 for referral for diagnosis and treatment.

14 (3) If a school district has entered into a contract with a
15 government entity or person to administer dental oral assessments
16 to the school district's students, the school district may continue
17 to use the government entity or person to conduct the dental oral
18 assessments if the school district ensures that the dental oral
19 assessments are conducted by May 31 of each year and the
20 requirements of subsections (4) and (7) are met. ~~and provides all~~
21 ~~of the following information to the department:~~

22 ~~(a) The name of the government entity or person that conducts~~
23 ~~the dental oral assessments.~~

24 ~~(b) Each date the government entity or person is scheduled to~~
25 ~~provide the dental oral assessments.~~

26 ~~(c) The total number of dental oral assessments that are~~
27 ~~scheduled.~~

28 (4) When the result of a dental oral assessment indicates that
29 a child requires follow-up care, the dentist or dental hygienist or

1 government entity or person conducting the assessment shall present
 2 to the individual bringing the child a written statement clearly
 3 indicating that follow-up treatment is ~~encouraged~~**required** and,
 4 upon request, provide information concerning the availability and
 5 sources of dental treatment required to eliminate or reduce an
 6 identified problem.

7 (5) Beginning in the ~~2021-2022~~**2023-2024** school year, a
 8 parent, guardian, or person in loco parentis applying to have a
 9 child registered for the first time in kindergarten or first grade
 10 in a school in this state ~~may do~~**shall comply with** the following:

11 (a) Have a dentist or dental hygienist conduct a dental oral
 12 assessment on the child not earlier than 6 months before the date
 13 of the child's registration with the school and obtain from the
 14 dentist or dental hygienist a written statement certifying that the
 15 child has received the dental oral assessment within the time frame
 16 required under this subdivision. The written statement must be on a
 17 form prescribed by the department.

18 (b) If the parent, guardian, or person in loco parentis of the
 19 child ~~does not have a dental oral assessment conducted as~~**does not**
 20 **meet the requirements** described in subdivision (a), ~~have the~~
 21 **parent, guardian, or person in loco parentis of the child shall**
 22 **have the government entity or person selected by the department**
 23 **under subsection (2) conduct** a dental oral assessment ~~conducted on~~
 24 the child. ~~by the government entity or person selected by the~~
 25 ~~department under subsection (2).~~

26 (6) Beginning in the ~~2021-2022~~**2023-2024** school year, a
 27 parent, guardian, or person in loco parentis applying to have a
 28 child registered for the first time in kindergarten or first grade
 29 in a school in this state ~~who chooses to have a dental oral~~

1 ~~assessment conducted on the child as described in subsection (5)~~
 2 ~~may~~ **shall** present to school officials, at the time of registration
 3 or not later than the first day of school, **a statement of exemption**
 4 **under section 9311**; the statement described in subsection (5); or a
 5 written statement indicating that the parent, guardian, or person
 6 in loco parentis of the child will provide for the child's dental
 7 oral assessment by a government entity or person selected by the
 8 department under subsection (2). A child shall not be excluded from
 9 school attendance if the parent, guardian, or person in loco
 10 parentis of the child does not present a statement to school
 11 officials **on or before the first day of school as required** under
 12 this section.

13 (7) Before November 1 of each year, beginning in the 2021-2022
 14 school year, the principal or administrator of each school shall
 15 give the department a summary of ~~any~~ **the** dental reports ~~that it~~
 16 ~~receives~~ at the time of school entry of new kindergarten and first
 17 grade students. The reports must be made on forms provided or
 18 approved by the department.

19 (8) This section does not apply in a fiscal year in which the
 20 legislature does not appropriate money for the program.

21 (9) As used in this section, "program" means the dental oral
 22 assessment program described in subsection (1).

23 ~~(10) This section does not apply beginning January 1, 2024.~~