

Act No. 91
Public Acts of 2006
Approved by the Governor
April 4, 2006
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April 4, 2006
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**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Senators Hardiman, Birkholz, Van Woerkom, Goschka and Garcia

ENROLLED SENATE BILL No. 728

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 9201, 9204, 9207, and 9227 (MCL 333.9201, 333.9204, 333.9207, and 333.9227), sections 9201 and 9227 as amended and section 9207 as added by 1996 PA 540.

The People of the State of Michigan enact:

Sec. 9201. (1) As used in this part:

(a) "Camping" means attendance at a residential, day, troop, or travel camp conducted for more than 4 school-age children, apart from their parents, guardians, or persons in loco parentis for 5 or more days or parts of days in a 14-day period.

(b) "Immunizing agent" means a vaccine, antibody preparation, or other substance used to increase an individual's immunity to a disease or infectious agent.

(c) "Infectious agent" means that term as defined in R 325.9031 of the Michigan administrative code.

(d) "Registry" means the childhood immunization registry or Michigan care improvement registry established under section 9207.

(2) In addition, article 1 contains general definitions and principles of construction applicable to all articles in this code.

Sec. 9204. A health professional other than a physician may administer an immunizing agent as long as the agent is being administered under the direction of a physician.

Sec. 9207. (1) The department shall establish a registry, to be known as the "childhood immunization registry", to record information regarding immunizations performed under this part. Beginning after the effective date of the amendatory act that added section 9227(2), the "childhood immunization registry" shall be known as the "Michigan care improvement registry". The department shall enter information received under sections 2821 and 9206 in the registry.

(2) The information contained in the registry is subject to the confidentiality and disclosure requirements of sections 2637 and 2888 and to the rules promulgated under section 9227. The department may access the information contained in the registry when necessary to fulfill its duties under this code.

(3) Upon receipt of a written request from an individual who is 20 years of age or older, the department shall make any immunization information in the registry pertaining to that individual inaccessible. The written request shall be in a form prescribed or otherwise authorized by the department.

Sec. 9227. (1) The department shall promulgate rules to implement this part, including, but not limited to, rules governing all of the following:

- (a) Age periods for immunizations.
- (b) The minimum ages at which immunization may be commenced.
- (c) The minimum number of doses required during a specified time period.
- (d) Minimum levels of immunization for children in school.
- (e) Reporting under section 9206(3).
- (f) The acquisition, maintenance, and dissemination of information contained in the registry established under section 9207.

(2) The department shall promulgate rules to implement the expansion of the registry to include the reporting and recording of additional information such as lead screening performed on children.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor