

HOUSE BILL NO. 5457

October 21, 2021, Introduced by Reps. Eisen, Maddock, Bezotte, Bollin, Bellino, Allor and Yaroch and referred to the Committee on Government Operations.

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, or~~ enrolling in grade 7 for the first time shall submit 1 of
4 the following:

5 (a) A statement signed by a physician that the child has been

1 tested for and immunized or protected against diseases specified by
2 the director of the department of ~~community~~-health **and human**
3 **services**.

4 (b) A statement signed by a parent or guardian to the effect
5 that the child has not been immunized because of religious
6 convictions or other objection to immunization.

7 (c) A statement signed by a physician that certifies that the
8 child is in the process of complying with all immunization
9 requirements.

10 (d) **If COVID-19 is a disease specified by the director of the**
11 **department of health and human services as described in subdivision**
12 **(a), a written statement with supporting documentation that the**
13 **child has previously been infected with SARS-CoV-2 as indicated by**
14 **a positive antibody test result as described in section 5113a of**
15 **the public health code, 1978 PA 368, MCL 333.5113a.**

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

28 (3) Not later than November 1 of each year, the administrator
29 of each school shall provide the director of the department of

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

22 (4) The department of ~~community health and human services~~
23 shall promulgate rules, including rules identifying the diseases
24 specified under subsection (1)(a), for the implementation of this
25 section.

26 Enacting section 1. This amendatory act does not take effect
27 unless Senate Bill No. ____ or House Bill No. 5458 (request no.
28 04353'21) of the 101st Legislature is enacted into law.