

HOUSE BILL No. 4181

February 13, 2001, Introduced by Reps. Wojno, Spade, Dennis, Callahan, Whitmer, Jacobs, Faunce and Hart and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 21332 and 21716 (MCL 333.21332 and 333.21716), as added by 2000 PA 437.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21332. (1) ~~A~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSEC-
2 TION (3), A home for the aged shall ~~offer~~ ASSURE THAT each res-
3 ident ~~, or shall provide each resident with information and~~
4 ~~assistance in obtaining, an annual vaccination~~ IS VACCINATED
5 against influenza ~~in accordance with the most recent recommenda-~~
6 ~~tions of the advisory committee on immunization practices of the~~
7 ~~federal centers for disease control and prevention, as approved~~
8 ~~by the department of community health~~ ANNUALLY BETWEEN NOVEMBER
9 15 AND DECEMBER 15.

1 (2) A HOME FOR THE AGED SHALL ENTER EACH VACCINATION UNDER
2 SUBSECTION (1) AND EACH WAIVER UNDER SUBSECTION (3) IN THE
3 VACCINATED RESIDENT'S PERMANENT RECORD.

4 (3) A HOME FOR THE AGED SHALL NOT VACCINATE A RESIDENT IF
5 THE RESIDENT OR A MEMBER OF THE RESIDENT'S FAMILY PRESENTS TO THE
6 ADMINISTRATOR OF THE HOME FOR THE AGED A WRITTEN STATEMENT THAT
7 VACCINATION IS CONTRARY TO THE RESIDENT'S RELIGIOUS OR OTHER
8 BELIEFS OR IS MEDICALLY INAPPROPRIATE.

9 Sec. 21716. (1) ~~A~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSEC-
10 TION (3), A nursing home shall ~~offer~~ ASSURE THAT each resident
11 ~~, or shall provide each resident with information and assistance~~
12 ~~in obtaining, an annual vaccination~~ IS VACCINATED against influ-
13 enza ~~in accordance with the most recent recommendations of the~~
14 ~~advisory committee on immunization practices of the federal cen-~~
15 ~~ters for disease control and prevention, as approved by the~~
16 ~~department of community health~~ ANNUALLY BETWEEN NOVEMBER 15 AND
17 DECEMBER 15.

18 (2) A NURSING HOME SHALL ENTER EACH VACCINATION UNDER SUB-
19 SECTION (1) AND EACH WAIVER UNDER SUBSECTION (3) IN THE VACCI-
20 NATED RESIDENT'S PERMANENT MEDICAL RECORD.

21 (3) A NURSING HOME SHALL NOT VACCINATE A RESIDENT UNDER THIS
22 SECTION IF THE RESIDENT OR A MEMBER OF THE RESIDENT'S FAMILY
23 PRESENTS TO THE NURSING HOME ADMINISTRATOR A WRITTEN STATEMENT
24 THAT INFLUENZA VACCINATION IS CONTRARY TO THE RESIDENT'S RELI-
25 GIOUS OR OTHER BELIEFS OR IS MEDICALLY INAPPROPRIATE.