

HOUSE BILL No. 5605

May 9, 2012, Introduced by Reps. Genetski, McMillin, Agema, Damrow, Heise, Olson, Goike, Haugh, Denby, Franz, Huuki and Tyler and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 20174.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20174. (1) A HEALTH FACILITY OR AGENCY SHALL NOT REQUIRE
2 AN EMPLOYEE TO RECEIVE AN INFLUENZA IMMUNIZATION AS A CONDITION OF
3 EMPLOYMENT, PROMOTION, OR CHANGE IN EMPLOYMENT STATUS, AS A
4 CONDITION OF GRANTING STAFF PRIVILEGES, OR AS AN EXPRESS OR IMPLIED
5 CONDITION OF A BENEFIT OR PRIVILEGE OF EMPLOYMENT.

6 (2) IF, DURING INFLUENZA SEASON, AN EMPLOYEE DOES NOT
7 DEMONSTRATE TO THE HEALTH FACILITY OR AGENCY THAT HE OR SHE HAS
8 RECEIVED AN INFLUENZA IMMUNIZATION FOR THE CURRENT INFLUENZA
9 SEASON, THE HEALTH FACILITY OR AGENCY MAY REQUIRE THAT EMPLOYEE TO
10 WEAR A SURGICAL MASK OR TAKE OTHER OVERT ACTION WHEN IN DIRECT

1 CONTACT WITH THE HEALTH FACILITY'S OR AGENCY'S PATIENTS.