



HOUSE BILL No. 5772

May 11, 2000, Introduced by Reps. DeHart, Scott, Kelly, Neumann, Gielegem, Hale, Basham, Jellema, Schermesser, Mans, Bogardus and Spade and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 21332 and 21716.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21332. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
2 (3), A HOME FOR THE AGED SHALL ASSURE THAT EACH OF ITS RESIDENTS
3 IS VACCINATED FOR INFLUENZA ANNUALLY BETWEEN NOVEMBER 15 AND
4 DECEMBER 15. A HOME FOR THE AGED SHALL ASSURE THAT A RESIDENT
5 ADMITTED AFTER DECEMBER 15, BUT BEFORE APRIL 1 OF THE FOLLOWING
6 YEAR, IS VACCINATED FOR INFLUENZA AT THE TIME OF ADMISSION TO THE
7 HOME FOR THE AGED.

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

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

6 SEC. 21716. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
7 (3), A NURSING HOME SHALL ASSURE THAT EACH OF ITS RESIDENTS IS
8 ANNUALLY VACCINATED FOR INFLUENZA BETWEEN NOVEMBER 15 AND
9 DECEMBER 15. A NURSING HOME SHALL ASSURE THAT A RESIDENT ADMIT-
10 TED AFTER DECEMBER 15, BUT BEFORE APRIL 1 OF THE FOLLOWING YEAR,
11 IS VACCINATED FOR INFLUENZA AT THE TIME OF ADMISSION.

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

15 (3) A NURSING HOME SHALL NOT VACCINATE A RESIDENT UNDER THIS
16 SECTION IF THE RESIDENT OR A MEMBER OF THE RESIDENT'S FAMILY
17 PRESENTS TO THE NURSING HOME ADMINISTRATOR A WRITTEN STATEMENT
18 THAT INFLUENZA VACCINATION IS CONTRARY TO THE RESIDENT'S RELI-
19 GIOUS OR OTHER BELIEFS OR IS MEDICALLY INAPPROPRIATE.