

SENATE BILL No. 800

September 23, 2007, Introduced by Senators GLEASON, CLARK-COLEMAN, SCOTT, CLARKE and JACOBS 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 21529; and to repeal
acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21529. (1) BEGINNING OCTOBER 1, 2008, A HOSPITAL SHALL
2 ESTABLISH A STRATEGIC PLAN FOR MANAGING ITS SUPPLY OF THE INFLUENZA
3 VACCINE. THE PLAN SHALL BE CONSISTENT WITH GUIDELINES OR
4 RECOMMENDATIONS ISSUED BY THE FEDERAL CENTERS FOR DISEASE CONTROL
5 AND PREVENTION OR BY THE ADVISORY COMMITTEE ON IMMUNIZATION
6 PRACTICES OF THE FEDERAL CENTERS FOR DISEASE CONTROL AND
7 PREVENTION. DURING THE INFLUENZA SEASON, IF THE HOSPITAL HAS THE
8 INFLUENZA VACCINE AVAILABLE AND SUPPLY IS CONSISTENT WITH THE

1 HOSPITAL'S STRATEGIC PLAN, THE HOSPITAL SHALL INFORM EACH PERSON 65
2 YEARS OF AGE OR OLDER WHO IS ADMITTED TO THE HOSPITAL FOR A PERIOD
3 OF 24 HOURS OR MORE THAT THE INFLUENZA VACCINE IS AVAILABLE AND
4 OFFER TO PROVIDE THE VACCINE TO THOSE PERSONS FOR WHOM THE VACCINE
5 IS NOT CONTRAINDICATIVE. IF THAT PERSON CONSENTS TO BE VACCINATED
6 AGAINST INFLUENZA AND A PHYSICIAN, NURSE, PHARMACIST, OR OTHER
7 INDEPENDENT PRACTICING LICENSED HEALTH CARE PROFESSIONAL DETERMINES
8 THAT THERE IS NOT A RELATIVE OR ABSOLUTE CONTRAINDICATION TO GIVING
9 THE VACCINE, THE HEALTH CARE PROFESSIONAL SHALL ADMINISTER THE
10 VACCINATION TO THE PERSON BEFORE HE OR SHE IS DISCHARGED FROM THE
11 HOSPITAL AND SHALL DOCUMENT THE VACCINATION IN THE PATIENT'S
12 MEDICAL RECORD. THE DOCUMENTATION OF THE VACCINE REQUIRED UNDER
13 THIS SECTION MAY BE IN THE FORM OF A WRITTEN NOTE INCLUDED IN THE
14 PATIENT'S MEDICAL RECORD INDICATING THAT HE OR SHE HAD RECEIVED THE
15 VACCINE ON A PREVIOUS OCCASION, RECEIVED THE VACCINE, OR REFUSED
16 THE VACCINE OR THAT THE VACCINE WAS NOT ADMINISTERED BECAUSE A
17 CONTRAINDICATION RENDERED THE ADMINISTRATION OF THE VACCINE
18 INADVISABLE.

19 (2) AS USED IN THIS SECTION, "INFLUENZA SEASON" MEANS THAT
20 PERIOD BETWEEN OCTOBER 1 AND MARCH 1.

21 (3) THIS SECTION IS REPEALED EFFECTIVE APRIL 1, 2011.