

**SUBSTITUTE FOR
HOUSE BILL NO. 4200**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 9206 (MCL 333.9206), as amended by 2023 PA 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9206. (1) A health care provider administering an
2 immunizing agent to a child shall present the person accompanying
3 the child with a written certificate of immunization, or make an
4 entry of the immunization on a certificate in the person's
5 possession. The certificate must be in a form prescribed by the
6 department and indicate the diseases or infections for which the
7 child has been immunized, the number of doses given, the dates when
8 administered, and whether further immunizations are indicated.
9 **Beginning January 1, 2024, the certificate must also have a space**

1 **to indicate whether the minor has been tested for lead poisoning.**

2 (2) Before administering an immunizing agent to a child, a
3 health care provider shall notify the parent, guardian, or person
4 in loco parentis of the child, on a form provided by the
5 department, of the right to object to the reporting requirement ~~of~~
6 **described in** subsection (3).

7 (3) Unless the parent, guardian, or person in loco parentis of
8 the child who received the immunizing agent objects by written
9 notice received by the health care provider prior to reporting, a
10 health care provider shall report to the department each
11 immunization administered by the health care provider, pursuant to
12 rules promulgated under section 9227. If the parent, guardian, or
13 person in loco parentis of the child who was immunized objects to
14 the reporting requirement of this subsection by written notice
15 received by the health care provider prior to notification, the
16 health care provider shall not report the immunization.

17 (4) A health care provider who complies or fails to comply in
18 good faith with subsection (3) is not liable in a civil action for
19 damages as a result of an act or omission during the compliance,
20 except an act or omission constituting gross negligence or willful
21 and wanton misconduct.

22 (5) As used in this section:

23 (a) "Health care provider" means a health professional, health
24 facility, or local health department.

25 (b) "Health professional" means an individual who is licensed,
26 registered, or otherwise authorized to engage in a health
27 profession under article 15.

28 Enacting section 1. This amendatory act does not take effect
29 unless Senate Bill No. 31 of the 102nd Legislature is enacted into

1 law.