



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bills 237, 238, and 239 (as passed by the Senate)

Sponsor: Senator Jim Marleau (S.B. 237)
Senator Rebekah Warren (S.B. 238)
Senator Judy K. Emmons (S.B. 239)

Committee: Health Policy

Date Completed: 5-14-13

RATIONALE

The Centers for Disease Control and Prevention (CDC) recommends that children be immunized against a number of diseases according to a schedule developed in conjunction with medical and public health experts. Since 1978, Michigan law has required that every student entering kindergarten present documentation that he or she has received the recommended vaccines. This requirement also applies to any student entering a new school district from grades 1 through 12. A similar requirement that applies to students entering grade 6 was enacted in 2000 to ensure that all children receive the recommended childhood immunizations before reaching their teen years.

Since then, the CDC-recommended schedule has been revised in response to the development of new vaccines to prevent diseases that may occur in adolescence, such as meningitis, human papilloma virus (HPV), and tetanus, diphtheria, and pertussis (TDaP). The CDC now recommends these vaccines for children who are 11 or 12 years old. In 2010, Michigan added these immunizations to those required upon entering grade 6. Some children, however, are only 10 years old at that time. Others might turn 11 shortly before registration for the school year, leaving little time for them to get vaccinated. Thus, it has been suggested that Michigan law should require these immunizations for students entering grade 7, rather than grade 6.

CONTENT

Senate Bills 237, 238, and 239 would amend the Public Health Code, the Revised School Code, and the State School Aid Act, respectively, to require all pupils to submit a certificate of immunization upon enrolling in grade 7, rather than grade 6, beginning in 2014; and revise reporting requirements applicable to school districts, intermediate school districts (ISDs), and administrators to reflect this change.

The bills are tie-barred to each other and would take effect on July 1, 2013.

Senate Bill 237

The Public Health Code requires a parent, guardian, or person in loco parentis who is applying to have a child registered for the first time in a school in Michigan, or who has a child entering the sixth grade, to present to school officials a certificate of immunization, or a statement of exemption under Section 9215. A teacher or principal may not permit a child to enter or attend school without the certificate. Beginning on January 1, 2014, the bill would apply the immunization requirement to a child entering the seventh grade, rather than the sixth grade.

(Section 9215 provides an exemption from the immunization requirement based on medical contraindication or religious convictions or other objection to immunization.)

Senate Bill 238

Under the Revised School Code, a child enrolling in a public or nonpublic school for the first time, or enrolling in grade 6 for the first time, must submit one of the following:

- A statement signed by a physician that the child has been tested for and immunized or protected against diseases specified by the Director of the Department of Community Health.
- A statement signed by a parent or guardian to the effect that the child has not been immunized because of religious convictions or other objection to immunization.
- A statement signed by a physician that certifies that the child is in the process of complying with all immunization requirements.

The administrator of each school must provide the Department Director with the immunization status of each pupil in grades K through 12 who enrolled in the school for the first time or enrolled in grade 6 for the first time.

The bill would refer to a pupil who enrolled in grade 7 for the first time, rather than grade 6, beginning in 2014-2015.

Senate Bill 239

The State School Aid Act requires each school district or ISD to report to the applicable local health department the immunization status of each pupil in grades K through 12 who enrolled in the district or ISD for the first time or who enrolled in grade 6 for the first time. The report must be made by November 1 of each fiscal year for pupils who enrolled between January 1 and September 30 of the preceding fiscal year, and again by February 1 of each fiscal year for pupils who enrolled between January 1 of the preceding fiscal year and December 1 of the current fiscal year.

The Act also requires the Department of Community Health, by December 31 and March 31, to notify the Department of Education by district or ISD of the percentage of entering pupils and of pupils who enrolled in grade 6 for the first time, who do not have a completed, waived, or provisional immunization record.

The bill would refer in these provisions to a pupil who enrolled in grade 7 for the first time, rather than grade 6, beginning in 2014-2015.

MCL 333.9208 (S.B. 237)
380.1177 (S.B. 238)
388.1767 (S.B. 239)

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bills would align Michigan's school immunization requirements with the age guidelines of the medical community. This change would improve the efficiency and effectiveness of vaccinating against diseases that may occur in adolescence, and would have a positive impact on public health. Currently, with regard to pupils who reach age 11 shortly before the school year begins, schools have little time to remind parents of the vaccination requirements, and doctors' offices experience an influx of patients who need to be immunized within a narrow time frame. The grade 6 requirement also presents administrative difficulties for schools by making it necessary for them to track students by age of entry. As a result, some who enter grade 6 at 10 years old might never receive the required vaccinations, putting the students at risk of acquiring potentially life-threatening illnesses. For these reasons, it would make sense to delay the immunization requirement from grade 6 to grade 7, when virtually all students are at least 11 years old.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Kathryn Summers

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.