



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bills 237, 238, and 239 (as enacted)
Sponsor: Senator Jim Marleau (S.B. 237)
Senator Rebekah Warren (S.B. 238)
Senator Judy K. Emmons (S.B. 239)
Senate Committee: Health Policy
House Committee: Health Policy

PUBLIC ACTS 120, 121, & 122 of 2013

Date Completed: 8-19-15

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 applied to students entering grade 6 was enacted in 2000 to ensure that all children received the recommended childhood immunizations before reaching their teen years.

Since then, the CDC-recommended schedule was 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 was suggested that Michigan law should require these immunizations for students entering grade 7, rather than grade 6.

CONTENT

Senate Bills 237, 238, and 239 amended 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 took effect on October 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 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. Previously, this requirement also applied in the case of a child entering the sixth grade. Beginning on January 1, 2014, the bill applies 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.)

The bill requires the Department of Community Health to provide an annual report showing a year-to-year comparison of the percentage of children by age who are immunized appropriately upon entering the seventh grade.

Senate Bill 238

Under the Revised School Code, a child enrolling in a public or nonpublic school 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

Previously, these requirements also applied in the case of a child enrolling in grade 6 for the first time. The bill refers to a pupil enrolling in grade 7 for the first time, rather than grade 6, beginning in the 2014-2015 school year.

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. 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 who do not have a completed, waived, or provisional immunization record.

Previously, these requirements also applied in the case of a pupil who enrolled in grade 6 for the first time. The bill refers instead 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 aligned Michigan's school immunization requirements with the age guidelines of the medical community. This change will improve the efficiency and effectiveness of vaccinating against diseases that may occur in adolescence, and will have a positive impact on public health. Previously, with regard to pupils who reached age 11 shortly before the school year began, schools had little time to remind parents of the vaccination requirements, and doctors' offices experienced an influx of patients who needed to be immunized within a narrow time frame. The grade 6 requirement also presented administrative difficulties for schools by making it necessary for them to track students by age of entry. As a result, some who entered grade 6 at 10 years old might not have received the required vaccinations, putting the students at risk of acquiring potentially

life-threatening illnesses. For these reasons, it made 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

Senate Bill 237

The bill increases costs to the Department of Community Health for annually providing a report comparing percentages of children by age immunized as specified in the bill, but the cost likely is fairly negligible.

The bill has no fiscal impact on local government.

Senate Bill 238 and 239

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

Fiscal Analyst: Kathryn Summers