

HOUSE BILL NO. 6532

December 17, 2020, Introduced by Rep. LaGrand and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 9215 (MCL 333.9215).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9215. (1) A child is exempt from the requirements of this
2 part as to a specific immunization for any period of time as to
3 which a physician certifies **on a completed medical contraindication**
4 **form as prescribed in this section** that a specific immunization is
5 or may be detrimental to the child's health or is not appropriate.

1 (2) A child is exempt from this part if a parent, guardian, or
2 person in loco parentis of the child presents a ~~written statement~~
3 **completed nonmedical immunization waiver form as prescribed in this**
4 **section** to the administrator of the child's school or operator of
5 the group program to the effect that the requirements of this part
6 cannot be met because of a religious ~~convictions or other objection~~
7 ~~to immunization conviction~~. **The nonmedical immunization waiver form**
8 **must be obtained in person from a local health department by the**
9 **parent, guardian, or person in loco parentis of the child and,**
10 **subject to this subsection, the nonmedical immunization waiver form**
11 **must be signed by the parent, guardian, or person in loco parentis**
12 **of the child and witnessed by a local health officer. Before**
13 **witnessing the signature of a parent, guardian, or person in loco**
14 **parentis of a child on the nonmedical immunization waiver form**
15 **described in this section, the local health officer shall inform**
16 **the parent, guardian, or person in loco parentis of the child on**
17 **the risks of not receiving the vaccine being waived by the parent,**
18 **guardian, or person in loco parentis of the child and the benefits**
19 **of immunizations to the child and the community.**

20 (3) The department shall create a medical contraindication
21 form that must be used by a physician who certifies that a specific
22 immunization is or may be detrimental to a child's health or is not
23 appropriate. The department shall include on the medical
24 contraindication form at least all of the following:

25 (a) A statement that the laws of this state require that a
26 child enrolled in a school or a group program be immunized against
27 the diseases specified by the department unless an exemption
28 applies.

29 (b) A statement that a child is exempt from a specific

1 immunization for any period of time as to which a physician
2 certifies that the specific immunization is or may be detrimental
3 to the child's health or is not appropriate.

4 (c) A statement that a child with a medical contraindication
5 to a vaccination is considered susceptible to a vaccine-preventable
6 disease and the child may be excluded from the child's school or
7 group program if an outbreak of that disease occurs in the school
8 or group program.

9 (d) A space for the printed name and date of birth of the
10 child.

11 (e) A space for the printed name of the child's school or
12 group program.

13 (f) A space for the printed name, address, and telephone
14 number of the physician signing the medical contraindication form.

15 (g) A space for the signature of the physician.

16 (h) A space for the physician to identify the vaccine that is
17 medically contraindicated.

18 (i) A space for the physician to describe the reason for the
19 exemption.

20 (j) A space for the physician to indicate the date that the
21 exemption expires.

22 (4) The department shall create a nonmedical immunization
23 waiver form that must be used by a parent, guardian, or person in
24 loco parentis of a child who claims an exemption for a child from
25 the immunization requirements of this part based on a religious
26 conviction. The department shall include on the nonmedical
27 immunization waiver form at least all of the following:

28 (a) Instructions to the parent, guardian, or person in loco
29 parentis of the child that sections 9208 and 9211 require the

1 parent, guardian, or person in loco parentis of the child to submit
2 to school officials or the operator of the child's group program
3 either a certificate of immunization verifying that the child has
4 been immunized against the diseases specified by the department or
5 a written statement indicating a religious conviction against
6 immunization.

7 (b) A space for the printed name and date of birth of the
8 child.

9 (c) A space for the parent, guardian, or person in loco
10 parentis of the child to identify the vaccine for which the parent,
11 guardian, or person in loco parentis objects.

12 (d) A space for the parent, guardian, or person in loco
13 parentis of the child to describe his or her religious conviction
14 against immunization.

15 (e) A space for the printed name, address, and telephone
16 number of the parent, guardian, or person in loco parentis of the
17 child signing the nonmedical immunization waiver form.

18 (f) A space for the printed name of the child's school or
19 group program.

20 (g) A statement indicating that the child may be excluded from
21 the child's school or group program if the local health department
22 or the department recommends excluding the child as a disease
23 control measure.

24 (h) A statement that, by signing the nonmedical immunization
25 waiver form, the parent, guardian, or person in loco parentis of
26 the child acknowledges that the child and others may be at risk of
27 serious illness if the child contracts a disease that could have
28 been prevented through proper immunization.

29 (i) A space for the signature of the parent, guardian, or

1 person in loco parentis of the child.

2 (j) A space for the signature of the local health officer who
3 witnessed the signature of the parent, guardian, or person in loco
4 parentis of the child, including a certification that the local
5 health officer provided the information required under subsection
6 (2) to the parent, guardian, or person in loco parentis of the
7 child.

8 (5) The department shall provide to all local health
9 departments the nonmedical immunization waiver form created under
10 subsection (4).

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No.____ or House Bill No.____ (request no.
15 06712'20) of the 100th Legislature is enacted into law.