

January 23, 2026

MEMORANDUM FOR: All Nursing Staff and Liz King, Health Officer

SUBJECT: Certification of Vaccine Exemptions

At the January 21, 2026 meeting of the St. Clair County Advisory Board of Health, board members unanimously endorsed a recommendation to transition our department's certification of vaccine exemptions to a fully online process, recognizing that parents have an absolute statutory right under MCL 333.9215(2) to exempt their child from the provisions of Part 92 of the Public Health Code in the case of "religious convictions" or "other objection" to vaccination.

Under Michigan Administrative Code Section R. 325.176(12), the local health department is required only to certify that parents exercising this statutory right of exemption have received "education on the risks of not receiving the vaccines being waived and the benefits of vaccination to the individual and the community."

**Under my medical direction, parents seeking such certification for their children are to receive the education enclosed, which satisfies the requirements of R. 325.176(12).<sup>i</sup>**

Pending deployment of a fully online process through which our department can certify that this education has been received, all efforts should be made to accommodate parents seeking exemptions on a walk-in basis, preferably by front-line clerical staff if resources permit.

The process above is intended to be non-clinical. Only in the event that the parent voluntarily requests a clinical encounter with a clinician or a member of the public health nursing staff for additional information, should this be accommodated at the earliest opportunity as a documented clinical encounter, at no cost to the parent.



Remington Nevin, MD, MPH, DrPH  
Medical Director, St. Clair County Health Department

Enclosure as described

<sup>i</sup> MDHHS has declined to issue a declaratory ruling interpreting Michigan Administrative Code Section R. 325.176(12). The rule's plain text requires certification solely upon the receipt of education on the risks of not receiving the vaccines being waived and the benefits of vaccination to the individual and the community, without mandating format, interactivity, comprehension testing, personalized counseling, confirmation of the legitimacy of the nonmedical objection, or any clinical or educational encounter. The enclosed education directly and comprehensively covers these exact topics. In my professional medical judgment as Medical Director, based on a strict textual reading of the rule and its administrative history, the enclosed education fully satisfies the rule's requirement. Any contrary interpretation imposing additional obligations absent from the promulgated rule would add unpromulgated requirements, constitute arbitrary and capricious agency action, exceed delegated authority, and risk creating administrative delays or burdens capable of dissuading exercise of the statutory nonmedical exemption right. Such additional impositions lack statutory or rule-based authorization, rendering them *ultra vires* irrespective of any public health benefit asserted by MDHHS. If MDHHS determines that additional procedural requirements would yield public health benefit justifying the added burdens on parents' statutory rights, it must advance them via formal notice-and-comment rulemaking subject to legislative oversight, rather than through unenforceable interpretive fiat.



Elizabeth King, RN, BSN  
Director/Health Officer

Greg Brown, BS  
Administrator

Remington Nevin, MD, MPH, DrPH  
Medical Director

Michigan Administrative Code R. 325.176(12) requires that a "nonmedical exemption... shall be certified by the local health department that the individual received education on the risks of not receiving the vaccines being waived and the benefits of vaccination to the individual and the community."

**The risks of your child not receiving the vaccines being exempted include a potential increased risk of your child contracting the diseases targeted by the vaccines being exempted, and the potential for your child's temporary exclusion in the event of certain vaccine-targeted disease outbreaks.**

**The benefits of vaccination to your child and to the community include that your child would not be subject to such exclusion, and a potential decreased risk of your child contracting the diseases targeted by the vaccines being exempted or transmitting these diseases to others.**

Only a physician or an advanced practice clinician (e.g., a nurse practitioner or physician assistant) can properly counsel you on the specific risks and benefits of such vaccination unique to your child's medical circumstances.

Should you have medical questions or concerns related to vaccination, you are welcome to schedule a voluntary no-charge medical encounter with one of our clinicians where the specific risks and benefits of vaccination unique to your child's medical circumstances may be discussed.

Should you have questions on standard vaccination guidance, or questions related to these risks and benefits in general, you are also welcome to schedule a voluntary no-charge clinical encounter with a member of our public health nursing staff.