

Title: Avoid Use of ICD COVID Vaccination Status Codes and Prevent Discrimination Based on Vaccine Status

Introduced by: Sherwin Imlay, MD, for the Oakland County Delegation

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Referred To: Reference Committee D

House Action: **DISAPPROVED**

Whereas, ICD code system is developed by the World Health Organization (WHO) and widely used for billing and governmental statistics analysis by the Centers for Disease Control and Prevention (CDC) and the National Center for Health Statistics (NCHS), and

Whereas, brilliant and well-meaning physicians differ in professional opinion regarding safety and efficacy of the new COVID 19 immunizations and possible harms and sequelae, and

Whereas, the American public has an expectation of medical privacy, and

Whereas, being nonvaccinated is a natural human state and acceptance of vaccination is a personal choice., and

Whereas, new ICD 10 codes for under immunization for COVID 19 were proposed at a meeting September 14-15, 2021, because "there is interest in being able to track people who are not immunized or partially immunized" and a new category of Z28 - immunization not carried out and under immunization status; Z28.3 - under immunization status; Z28.31 - under immunization for COVID 19 status; Z28.310 - unvaccinated for COVID 19; Z28.311 - partially vaccinated for COVID 19; Z28.39 - other unvaccinated status. These codes were put into use in January 2023, and

Whereas, discrimination on the basis of vaccination status has already occurred in the provision of medical care, in forcible vaccination in order to continue employment, to continue military service, to cross borders, to use airlines for travel or to attend educational institutions, and

Whereas, governmental tracking of unvaccinated or sub vaccinated status may lead to further coercion or discrimination in the future; therefore be it

RESOLVED: That MSMS advise physicians, and those coding and billing for physician services, not to use the new Z28 set of ICD codes, due to their potential for abuse and violation of privacy and advise physicians not to discriminate in the provision of medical care, or allow others to do so, based on COVID 19 immunization status.

WAYS AND MEANS COMMITTEE FISCAL NOTE: \$2,000-\$4,000

Relevant MSMS Policy: None

Relevant AMA Policy: None

Sources:

1. ICD Coordination and Maintenance Committee Courtesy Joseph Mercola, Epoch Times, February 14, 2023: <https://twitter.com/mercola/status/1625520073698947073/photo/1>
2. Nature.com re discrimination against pts: <https://www.nature.com/articles/s41586-022-05607-y>
3. Senator Rand Paul press release re introduction of nondiscriminatory legislation: <https://www.paul.senate.gov/dr-paul-rep-bishop-introduce-covid-19-vaccination-non-discrimination-act/>