

House Bill 4642

Sponsor: Rep. Stanley Stopczynski

Committee: Public Health

Complete to 9-10-91

A SUMMARY OF HOUSE BILL 4642 AS INTRODUCED 3-25-91

Currently, the Public Health Code requires applicants for marriage licenses to receive counseling about the transmission and prevention of venereal disease and HIV (human immunodeficiency virus) infection. Applicants must be offered tests for both venereal disease and HIV infection, but are not required to take them. In addition, county clerks are prohibited from issuing marriage licenses without first receiving from the applicant a certificate saying that the applicant has had the required counseling (or a written objection refusing the counseling on religious grounds).

The bill would amend the code to require applicants for marriage licenses, in addition to receiving counseling on disease transmission and prevention, to be examined by a physician (within 30 days before the application was filed) for venereal disease. The bill would require the physician to include in the examination for venereal disease a serological (that is, blood) test approved by the health department. If necessary, the physician also would have to do a "dark field" test for syphilis (which requires getting a fluid sample from a syphilis lesion) and a gonococci test for gonorrhea. The physician also would have to submit the specimens as prescribed by the health department.

County clerks could not issue marriage licenses unless they received from applicants both a counseling certificate (or a written objection to the counseling) and a medical certificate issued by the examining physician which indicates either that the applicant is free from venereal disease or, if infected, is in a noncommunicable stage of the disease and would not endanger the health of the other applicant for the license.

An applicant for a marriage license who objected to the medical examination on religious grounds could file a written objection with a court (either district or circuit) in the county of application, and the court could waive the requirement.

MCL 333.5119 and 333.5121