



**House
Legislative
Analysis
Section**

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TEST NEWBORNS FOR HIV

House Bill 4558

Sponsor: Rep. John Jamian

Committee: Public Health

Complete to 1-25-94

A SUMMARY OF HOUSE BILL 4558 AS INTRODUCED 3-25-93

The bill would amend the Public Health Code to require that (a) all newborns be tested for HIV or an antibody to HIV; (b) health care providers doing required tests on newborns give the parents or legal guardians written information on each test and on the condition to which the test applied; and (c) the DPH promulgate administrative rules requiring that positive test results be reported in person to the infant's parent or guardian. The bill would exempt the Michigan Health Initiative Fund from paying for newborn HIV tests, and require certain sources of funding for the tests (first federal, then state, then fee-for-service with a hardship waiver). The bill also would exempt HIV testing of newborns from the code's pre-test counseling requirements, but require counseling by the health care provider when a baby tested positive for HIV.

More specifically, the bill would add HIV testing to the list of tests required for newborn babies (currently, the code requires that newborns be tested for seven treatable metabolic conditions). The bill also would set up a ranking of preferred funding for the newborn HIV testing. It would require the DPH first to ask for federal approval to use federal funds for newborn HIV testing. If federal funds were denied or inadequate, the state would be required to pay for the testing, and if state funds were not available or were inadequate, the DPH would charge a fee for the testing along the lines of existing fees for the other required newborn tests. (Currently the department can charge up to \$25 for each set of required tests, with the fee adjusted annually for inflation, and provides a hardship waiver of the fee for those who cannot afford to pay it.)

MCL 333.5131 et al.

House Bill 4558 (1-25-94)