



# HOUSE BILL No. 6157

September 25, 1996, Introduced by Rep. Law and referred to the Committee on Health Policy.

A bill to amend section 5111 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," as amended by Act No. 200 of the Public Acts of 1994, being section 333.5111 of the Michigan Compiled Laws; and to add sections 17018, 17518, and 20556.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 5111 of Act No. 368 of the Public Acts  
2 of 1978, as amended by Act No. 200 of the Public Acts of 1994,  
3 being section 333.5111 of the Michigan Compiled Laws, is amended  
4 and sections 17018, 17518, and 20556 are added to read as  
5 follows:

6 Sec. 5111. (1) In carrying out its authority under this  
7 article, the department may promulgate rules to:

1 (a) Designate and classify communicable, serious  
2 communicable, chronic, other noncommunicable diseases,  
3 infections, and disabilities.

4 (b) Establish requirements for reporting and other surveil-  
5 lance methods for measuring the occurrence of diseases, infec-  
6 tions, and disabilities and the potential for epidemics. Rules  
7 promulgated under this subdivision may require a licensed health  
8 professional or health facility to submit to the department or a  
9 local health department, on a form provided by the department, a  
10 report of the occurrence of a communicable disease, serious com-  
11 municable disease or infection, or disability. The rules promul-  
12 gated under this subdivision may require a report to be submitted  
13 to the department not more than 24 hours after a licensed health  
14 professional or health facility determines that an individual has  
15 a serious communicable disease or infection.

16 (c) Investigate cases, epidemics, and unusual occurrences of  
17 diseases, infections, and situations with a potential for causing  
18 diseases.

19 (d) Establish procedures for control of diseases and infec-  
20 tions, including, but not limited to, immunization and environ-  
21 mental controls.

22 (e) Establish procedures for the prevention, detection, and  
23 treatment of disabilities and rehabilitation of individuals suf-  
24 fering from disabilities or disease, including nutritional  
25 problems.

1 (f) Establish procedures for control of rabies and the  
2 disposition of nonhuman agents carrying disease, including rabid  
3 animals.

4 (g) Establish procedures for the reporting of known or sus-  
5 pected cases of lead poisoning or undue lead body burden.

6 (h) Designate communicable diseases or serious communicable  
7 diseases or infections for which local health departments are  
8 required to furnish care including, but not limited to, tubercu-  
9 losis and venereal disease.

10 (i) Implement this part and parts 52 and 53 including, but  
11 not limited to, rules for the discovery, care, and reporting of  
12 an individual having or suspected of having a communicable dis-  
13 ease or a serious communicable disease or infection, and to  
14 establish approved tests under section 5125 and approved prophy-  
15 laxes under section 5127.

16 (2) The department shall promulgate rules to provide for the  
17 confidentiality of reports, records, and data pertaining to test-  
18 ing, care, treatment, reporting, and research associated with  
19 communicable diseases and serious communicable diseases or  
20 infections. The rules shall specify the communicable diseases  
21 and serious communicable diseases or infections covered under the  
22 rules and shall include, but are not limited to, hepatitis B,  
23 venereal disease, and tuberculosis. The rules shall not apply to  
24 the serious communicable diseases or infections of HIV infection,  
25 or acquired immunodeficiency syndrome. The department shall  
26 submit the rules for public hearing under the administrative  
27 procedures act of 1969 by November 20, 1989.

1 (3) THE DEPARTMENT SHALL PROMULGATE RULES TO ESTABLISH  
2 PROCEDURES FOR THE PROTECTION OF CLINICAL LABORATORY WORKERS AND  
3 OTHER INDIVIDUALS HANDLING SPECIMENS OF HUMAN TISSUE, BLOOD,  
4 URINE, OR OTHER BODY FLUIDS THAT CONTAIN OR MAY CONTAIN AN INFEC-  
5 TIOUS AGENT. AT A MINIMUM, THE RULES SHALL PROVIDE FOR PROCE-  
6 DURES BY WHICH A PHYSICIAN IS TO GIVE NOTICE THAT A SPECIMEN CON-  
7 TAINS OR MAY CONTAIN AN INFECTIOUS AGENT AND SHALL PROVIDE FOR  
8 PROCEDURES FOR THE LABELING OF THOSE SPECIMENS.

9 (4) UNLESS DEFINED OTHERWISE IN THE RULES PROMULGATED UNDER  
10 THIS SECTION, "INFECTIOUS AGENT" MEANS A DISEASE OR ORGANISM  
11 DESCRIBED IN R 325.9031 OF THE MICHIGAN ADMINISTRATIVE CODE.

12 SEC. 17018. (1) A PHYSICIAN WHO ORDERS A CLINICAL LABORA-  
13 TORY TEST TO BE PERFORMED ON A SPECIMEN OF HUMAN TISSUE, BLOOD,  
14 URINE, OR OTHER BODY FLUID KNOWN OR SUSPECTED BY THE PHYSICIAN TO  
15 CONTAIN AN INFECTIOUS AGENT SHALL COMPLY WITH THE NOTIFICATION  
16 AND LABELING REQUIREMENTS SET FORTH IN RULES PROMULGATED PURSUANT  
17 TO SECTION 5111(3).

18 (2) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A  
19 MISDEMEANOR.

20 SEC. 17518. (1) A PHYSICIAN WHO ORDERS A CLINICAL LABORA-  
21 TORY TEST TO BE PERFORMED ON A SPECIMEN OF HUMAN TISSUE, BLOOD,  
22 URINE, OR OTHER BODY FLUID KNOWN OR SUSPECTED BY THE PHYSICIAN TO  
23 CONTAIN AN INFECTIOUS AGENT SHALL COMPLY WITH THE NOTIFICATION  
24 AND LABELING REQUIREMENTS SET FORTH IN RULES PROMULGATED PURSUANT  
25 TO SECTION 5111(3).

26 (2) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A  
27 MISDEMEANOR.

1        SEC. 20556. (1) A CLINICAL LABORATORY LICENSED UNDER THIS  
2 ARTICLE OR DESCRIBED IN SECTION 20507 THAT HANDLES A SPECIMEN OF  
3 HUMAN TISSUE, BLOOD, URINE, OR OTHER BODY FLUID THAT HAS BEEN  
4 IDENTIFIED BY A PHYSICIAN AS CONTAINING OR POSSIBLY CONTAINING AN  
5 INFECTIOUS AGENT SHALL LABEL THE SPECIMEN ACCORDING TO RULES  
6 PROMULGATED PURSUANT TO SECTION 5111(3).

7        (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
8 MISDEMEANOR.