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ELIMINATE REVIEW PANEL FOR HIV TESTING

House Bill 4742

Sponsor: Rep. Rick Johnson

Committee: Health Policy

Complete to 8-10-99

A SUMMARY OF HOUSE BILL 4742 AS INTRODUCED 5-27-99

The Public Health Code authorizes certain police officers, fire fighters, motor carrier officers, state property security officers, local correctional officers or other county employees, court employees, and individuals making a lawful arrest who were exposed in certain ways to the blood or body fluids of an arrestee, correctional facility inmate, parolee, or probationer to request that the arrestee, etc. be tested for HIV, HBV (hepatitis B) infection, or HCV (hepatitis C) infection, or all three infections. If the test subject refused to undergo a requested test, the requester's employer can petition a circuit court to order the test or tests. Before ordering testing, the circuit court is required under the code to appoint a review panel consisting of three physicians (from a list submitted by the Department of Community Health) to review the need for testing the proposed test subject for HIV, HBV, or HCV infection (or all three), one of whom can be selected by the proposed test subject. At least two of the physicians have to have training and experience in the diagnosis and treatment of serious communicable diseases and infections. The review panel then has to review the record of the proceeding, interview the proposed test subject (or document why he or she wasn't interviewed), and recommend either that the individual be tested for HIV infection, HBV infection, or HCV infection, or all three, or not be tested for any, and document the reasons for the recommendation.

House Bill 4742 would eliminate the requirement that a circuit court appoint a review panel before ordering testing for HIV, HBV, or HCV infections.

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