

**SUBSTITUTE FOR
SENATE BILL NO. 592**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 5431 (MCL 333.5431), as amended by 1998 PA
88.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5431. (1) A health professional in charge of the care
2 of a newborn infant or, if none, the health professional in
3 charge at the birth of an infant shall administer or cause to be
4 administered to the infant a test for each of the following:

- 5 (a) Phenylketonuria.
6 (b) Galactosemia.
7 (c) Hypothyroidism.
8 (d) Maple syrup urine disease.
9 (e) Biotinidase deficiency.

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1 (f) Sickle cell anemia.

2 (g) Congenital adrenal hyperplasia.

3 (h) Other treatable but otherwise disabling conditions as
4 designated by the department.

5 (2) The ~~test~~ TESTS required under subsection (1) shall be
6 administered and reported within a time and under conditions pre-
7 scribed by the department. The department may require that the
8 ~~test~~ TESTS be performed by the department.

9 (3) If the results of a test administered under subsection
10 (1) are positive, the results shall be reported to the infant's
11 parents, guardian, or person in loco parentis. A person is in
12 compliance with this subsection if the person makes a good faith
13 effort to report the positive test results to the infant's par-
14 ents, guardian, or person in loco parentis. The department shall
15 promulgate rules that define a good faith effort to report posi-
16 tive test results for purposes of this subsection.

17 (4) ~~If~~ SUBJECT TO THE ANNUAL ADJUSTMENT REQUIRED UNDER
18 THIS SUBSECTION AND SUBJECT TO SUBSECTION (6), IF the department
19 performs ~~a test~~ 1 OR MORE OF THE TESTS required under
20 subsection (1), the department may charge a fee for the ~~test~~
21 TESTS of not more than ~~-\$25.00-~~ \$39.00. The amount ~~stated in~~
22 PRESCRIBED BY this subsection shall be adjusted annually by an
23 amount determined by the state treasurer to reflect the cumula-
24 tive annual percentage change in the Detroit consumer price
25 index. As used in this subsection, "Detroit consumer price
26 index" means the most comprehensive index of consumer prices

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1 available for the Detroit area from the bureau of labor
2 statistics of the United States department of labor.

3 (5) A person who violates this section or a rule promulgated
4 under this part is guilty of a misdemeanor.

5 (6) The department shall provide for a hardship waiver of
6 the fee authorized under subsection (4) under circumstances found
7 appropriate by the department.