

Act No. 400
Public Acts of 2004
Approved by the Governor
October 20, 2004
Filed with the Secretary of State
October 20, 2004
EFFECTIVE DATE: Pending—Tie-barred to SB 753, which has not been enacted

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Reps. Kolb, Woodward, Zelenko, Murphy, Dennis, Farrah, Kooiman, Plakas, Waters, Anderson, Rocca, Minore, Jamnick, Richardville, Spade, Julian, Williams, Hunter, Tobocman, Bieda, Condino, Vagnozzi, Sak and Gillard

ENROLLED HOUSE BILL No. 5118

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 5474c; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 5474c. (1) The commission shall study the environmental threats of lead poisoning to children's health, review this state's lead poisoning prevention program, evaluate the effectiveness of that program, including, but not limited to, the ability of the program to satisfy federal law requirements that 100% of all young children enrolled in medicaid shall be screened with a blood lead test, and make recommendations for improvements to that program.

(2) The commission shall consider all information received from its public hearings, review information from other sources, and study the experiences of other states. The commission shall develop short- and long-range strategic recommendations for childhood lead poisoning prevention and control in this state. The recommendations shall include, but are not limited to, strategies to:

- (a) Enhance public and professional awareness of lead poisoning as a child health emergency.
- (b) Significantly increase blood lead testing rates for young children.

(c) Eliminate or manage the sources of lead poisoning, especially focusing on lead-based paint in aged housing.

(d) Assure state interagency as well as public and private cooperation and communication regarding resolution of this complex environmental and public health problem.

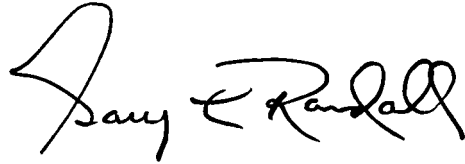
(3) The childhood lead poisoning prevention and control commission shall submit a written report of its findings, including the recommendations under subsection (2), to the governor and the legislature by March 31, 2005 and annually thereafter by March 31 of each year. A representative of the department of community health shall provide testimony summarizing the findings and recommendations of the commission to the standing committees of the senate and house of representatives with jurisdiction over issues pertaining to public health and children.

(4) As used in this section, "commission" means the commission created and appointed by the governor under section 5474a.

(5) This section is repealed effective July 1, 2007.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 753 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor