



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 5015 (Substitute H-1 as passed by the House)  
Sponsor: Representative Roger Kahn  
House Committee: Health Policy  
Senate Committee: Health Policy

Date Completed: 5-30-06

### **CONTENT**

**The bill would amend the Public Health Code to do the following:**

- Create the Hepatitis C Advisory Task Force within the Department of Community Health (DCH).**
- Require the Michigan Health Initiative Information Clearinghouse to maintain and provide information on the hepatitis C virus (HCV).**
- Require the DCH to spend money in the Michigan Health Initiative Fund on HCV public awareness programs.**
- Require the DCH to spend money from the Fund, if available, to provide HCV testing to high-risk individuals without health insurance.**
- Repeal sections of the Code creating the Risk Reduction and AIDS Policy Commission.**

The proposed Task Force would be abolished on June 30, 2010.

The bill is described below in further detail.

#### Hepatitis C Advisory Task Force

The bill would create the Task Force within the DCH. The Task Force would have to be appointed by the Governor. It would consist of 11 members, including the DCH Director and his or her designee as an ex officio member, one member from an association representing local public health, and nine members appointed from the following categories:

- Business and industry.
- Labor.
- Health care providers.
- The legal community.
- Religious organizations.
- State and local government, including the Chronic Disease Advisory Committee.
- The education community.

A health care provider member could not be an employee of a State executive department or local health department, nor could he or she represent a facility or agency that was owned or operated by a State executive or local health department. To the extent practicable, the members, except the DCH Director, would have to be representative of the demographic composition and geographic regions of the State.

The term of each member, other than the DCH Director, would be three years, except that the members first appointed would serve staggered terms. A member could not serve more than two consecutive terms, either partial or full. A vacancy would have to be filled for the balance of the unexpired term in the same manner as the original appointment. The Task Force biennially would have to elect a chairperson and other officers and committees as it considered appropriate. The actual and necessary per diem compensation and the schedule for reimbursement of expenses for the public members would have to be the same as is established annually by the Legislature for similar commissions or task forces that are reimbursed from the General Fund.

The Task Force would have to meet at least quarterly at the call of the chairperson. It would be subject to the Open Meetings Act and the Freedom of Information Act.

The Task Force would have to do all of the following:

- Advise the Governor and the Legislature on policies regarding hepatitis C and risk reduction.
- Report annually to the Governor and the Legislature on major risk factors and preventable diseases or conditions, including hepatitis C.
- Make recommendations to the DCH regarding the allocation of money, if available, from the Michigan Health Initiative Fund, including the level of funding for grants under Section 5925 (described below).
- Review and comment to the DCH on topics the Task Force determined to be appropriate for the media campaign conducted under Part 59 (Michigan Health Initiative Program).
- Review and identify potential additional funding mechanisms and sources to cover the costs of outreach, awareness, available treatment options, and testing for HCV.
- Make recommendations to the DCH regarding information to be used and incorporated into the proposed HCV information package (described below), including information regarding the status of HCV in Michigan, State-supported testing and counseling programs, and research findings.

(Section 5925 requires the Department to use the Michigan Health Initiative Fund to provide grants for employee wellness programs that reduce the prevalence of high risk factors for employees.)

#### Michigan Health Initiative Fund

The Code requires the DCH to use money from the Michigan Health Initiative Fund to establish a clearinghouse accessible to the public statewide. The Michigan Health Initiative Information clearinghouse must, at a minimum, maintain and provide up-to-date information on major risk factors and preventable diseases and conditions, including AIDS; and risk reduction service providers and AIDS treatment programs throughout the State. Under the bill, the clearinghouse also would have to maintain and provide up-to-date information on HCV and HCV treatment programs.

The Code also requires the DCH to use Fund money to produce or arrange for the production of public service announcements regarding risk reduction and AIDS that are distributed to publicly supported radio and television stations and to cable television studios, and that may be distributed to commercial radio and television stations. Under the bill, the DCH also would have to use Fund money to produce or arrange for the production of public service announcements regarding HCV.

Additionally, the DCH is required to use Fund money to develop, in cooperation with institutions of higher education, a risk reduction and AIDS information package that includes information regarding testing, counseling, transmission, prevention, and treatment. The bill would require the DCH to use Fund money to develop a similar HCV information package.

## HCV Testing

Under the Code, the DCH must use the Fund to provide HIV testing free of charge to all residents of the State and all nonresident students enrolled in and attending a public or private college, university, or other postsecondary educational institution in Michigan. The testing must be performed by the DCH or a licensed clinical laboratory designated by the Department. Under the bill, if additional funds were available, the DCH would have to use the Fund to provide free HCV testing to Michigan residents who were identified as high-risk and who did not have health insurance, coverage, or benefits.

The Code requires a person receiving a free HIV test to undergo counseling paid for by the DCH or a local health department. The bill would extend this requirement to a person receiving an HCV test under these provisions.

## Risk Reduction & AIDS Policy Commission

The bill would repeal Sections 5903 through 5909, which created the Commission and prescribe its membership and duties.

MCL 333.5901 et al.

Legislative Analyst: Julie Koval

## **FISCAL IMPACT**

Creation of the Hepatitis C Advisory Task Force would lead to a moderate, indeterminate increase in administrative cost to the Department of Community Health. The Department would have to provide some staff support to the Task Force and provide per diem payments and reimbursement of expenses to Task Force members.

The bill would expand the required distribution of Michigan Health Initiative (MHI) funding to include hepatitis C education and testing services (contingent upon the availability of funding). The General Sales Tax Act mandates that the Department not spend more than \$12.0 million in MHI funds each fiscal year. The FY 2005-06, Department of Community Health appropriation includes \$10.1 million in MHI funds for various public health programs. The addition of hepatitis C services, as proposed by the bill, would likely increase the use of MHI funds to the \$12.0 million ceiling.

Fiscal Analyst: David Fosdick

S0506\5015sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.