

DCH: REQUIRE TO MAINTAIN & UPDATE LIST OF REPORTABLE DISEASES, INFECTIONS, & DISABILITIES

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House Bill 4899

Sponsor: Rep. Kate Segal

House Bill 4901

Sponsor: Rep. Lesia Liss

Committee: Health Policy

Complete to 5-11-09

A SUMMARY OF HOUSE BILLS 4899 & 4901 AS INTRODUCED 5-7-09

House Bill 4899 would require the Department of Community Health to maintain, review, and revise a list of reportable diseases, infections, and disabilities that would designate and classify them into specific categories. House Bill 4901 would amend a different act to adopt technical amendments consistent with the revisions of House Bill 4899. The bills are tie-barred to each other, meaning that neither could take effect unless both are enacted into law.

House Bill 4899 would amend the Public Health Code (MCL 333.5101 et al.). Currently, under the provisions of Section 5111(1), the Department of Community Health may promulgate rules to designate and classify communicable, serious communicable, chronic, other noncommunicable diseases, infections, and disabilities. Under Section 5111(2), those rules must specify the communicable diseases and serious communicable diseases or infections covered under the rules, including, but not limited to, hepatitis B (HBV), venereal disease, and tuberculosis. However, the code specifies that these rules do not apply to the serious diseases or infections of HIV infection, or to AIDS.

The bill would amend the code to delete the above provisions and instead require DCH to maintain a list of reportable diseases, infections, and disabilities. The list would have to designate and classify communicable, serious communicable, chronic, or noncommunicable diseases, infections, and disabilities. DCH would have to review and revise the list at least once a year. In addition, numerous revisions of a technical nature to conform other provisions to the bill's changes would be made.

(Section 5111(2) also requires the DCH to promulgate rules to provide for the confidentiality of reports, records, and data pertaining to testing, care, treatment, reporting, and research associated with communicable diseases and serious communicable diseases or infections. This requirement would not be affected.)

House Bill 4901 would amend the Corrections Code (MCL 791.267b). Corrections officers who have been exposed to the bodily fluids of prisoners, may, under certain conditions, request that the prisoner be tested for HIV infection and/or HBV infection and

then be notified of the results. The notice must adhere to confidentiality requirements of several statutory provisions, including rules promulgated under Section 5111(2) of the Public Health Code. To conform to the changes made to Section 5111 by House Bill 4899, the bill would change a reference to Section 5111(2) in the Corrections Code to instead reference rules promulgated under Section 5111. The bill would also make numerous technical revisions.

FISCAL IMPACT:

As introduced, these bills will not have fiscal implications for the Department of Community Health. The bills would have no significant impact on the Department of Corrections.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.