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House Bill 4583 (Substitute H-2 as reported by the Committee of the Whole)

Sponsor: Representative Roy Schmidt

House Committee: Health Policy Senate Committee: Health Policy

CONTENT

The bill would amend the Public Health Code to revise informed consent provisions regarding human immunodeficiency virus (HIV) tests. Specifically, the bill would do the following:

- -- Allow informed consent to be written or verbal.
- -- Expand the information that a physician must give to a test subject before performing the test ("pretest information", under the bill).
- -- Delete provisions pertaining to an information pamphlet that physicians are supposed to distribute to HIV test subjects.
- -- Require the patient to be informed and given counseling when the results of any HIV test performed under these provisions were positive.
- -- Require the results of a negative HIV test to be given to the patient through normal health care provider procedures.

The bill also would require a person to be informed that an HIV test could be performed without his or her right to decline, rather than without his or her written consent, if the person were admitted to a health facility and a health professional or emergency personnel had been exposed to the patient's blood or other body fluids.

The bill would take effect on January 1, 2011.

MCL 333.5133 Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-1-10 Fiscal Analyst: Steve Angelotti