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House Bills 4899 and 4901 (as passed by the House) Sponsor: Representative Kate Segal (H.B. 4899) Representative Lesia Liss (H.B. 4901)

House Committee: Health Policy Senate Committee: Health Policy

Date Completed: 6-2-09

CONTENT

<u>House Bill 4899</u> would amend the Public Health Code to revise provisions concerning the promulgation of rules by the Department of Community Health (DCH) related to the designation, classification, and reporting of diseases; and the confidentiality of related reports, records, and data.

<u>House Bill 4901</u> would amend the Corrections Code to reflect the changes House Bill 4899 would make.

The bills are tie-barred to each other.

House Bill 4899

Under Section 5111 of the Public Health Code, in carrying out its authority under Article 5 (Prevention and Control of Diseases and Disabilities), the DCH may promulgate rules to designate and classify communicable, serious communicable, chronic, other noncommunicable diseases, infections, and disabilities. The bill would delete this language. Instead, the DCH would have to maintain a list of reportable diseases, infections, and disabilities that designated and classified communicable, serious communicable, chronic, or noncommunicable diseases, infections, and disabilities.

That section 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. The bill would delete a requirement that the rules specify the communicable diseases and serious communicable diseases or infections covered under the rules, and include hepatitis B, venereal disease, and tuberculosis. The bill also would delete language providing that the rules may not apply to the serious communicable diseases or infections of HIV infection, or acquired immunodeficiency syndrome (AIDS).

House Bill 4901

The Corrections Code allows an employee of the Department of Corrections who sustains exposure to a prisoner's blood or body fluids to request that the prisoner be tested for HIV and/or hepatitis B infection, and prescribes procedures to be followed. The bill would revise

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references in these provisions to Section 5111 of the Public Health Code, to reflect the changes House Bill 4899 would make.

MCL 333.5101 et al. (H.B. 4899) 791.267b (H.B. 4901) Legislative Analyst: Julie Cassidy

FISCAL IMPACT

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

Fiscal Analyst: Matthew Grabowski

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.