

SENATE BILL No. 377

June 4, 2015, Introduced by Senators SCHMIDT, HERTEL, GREGORY, WARREN and MARLEAU
and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 5119 (MCL 333.5119), as amended by 2000 PA 209.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5119. (1) An individual applying for a marriage license
2 shall be advised through the distribution of written educational
3 materials by the county clerk regarding prenatal care and the
4 transmission and prevention of ~~venereal disease~~ **SEXUALLY**
5 **TRANSMITTED INFECTION** and HIV infection. The written educational
6 materials shall describe the availability to the applicant of tests
7 for both ~~venereal disease~~ **SEXUALLY TRANSMITTED INFECTION** and HIV
8 infection. The information shall include a list of locations where
9 HIV counseling and testing services funded by the department are
10 available. The written educational materials shall be approved or

1 prepared by the department.

2 (2) A county clerk shall not issue a marriage license to an
3 applicant who fails to sign and file with the county clerk an
4 application for a marriage license that includes a statement with a
5 check-off box indicating that the applicant has received the
6 educational materials regarding the transmission and prevention of
7 both ~~venereal disease~~ **SEXUALLY TRANSMITTED INFECTION** and HIV
8 infection and has been advised of testing for both ~~venereal disease~~
9 **SEXUALLY TRANSMITTED INFECTION** and HIV infection, pursuant to
10 subsection (1).

11 (3) If either applicant for a marriage license undergoes a
12 test for HIV or an antibody to HIV, and if the test results
13 indicate that an applicant is HIV infected, the physician or a
14 designee of the physician, the physician's assistant, the certified
15 nurse midwife, ~~or~~ the certified nurse practitioner, or the local
16 health officer or **A** designee of the local health officer
17 administering the test immediately shall inform both applicants of
18 the test results ~~,~~ and shall counsel both applicants regarding the
19 modes of HIV transmission, the potential for HIV transmission to a
20 fetus, and protective measures.

21 (4) As used in this section:

22 (a) "Certified nurse midwife" means an individual licensed as
23 a registered professional nurse under part 172 who has been issued
24 a specialty certification in the practice of nurse midwifery by the
25 board of nursing under section 17210.

26 (b) "Certified nurse practitioner" means an individual
27 licensed as a registered professional nurse under part 172 who has

1 been issued a specialty certification as a nurse practitioner by
2 the board of nursing under section 17210.

3 (c) "Physician" means an individual licensed as a physician
4 under part 170 or an osteopathic physician under part 175.

5 (d) "Physician's assistant" means an individual licensed as a
6 physician's assistant under part 170 or part 175.

7 Enacting section 1. This amendatory act takes effect 90 days
8 after the date it is enacted into law.

9 Enacting section 2. This amendatory act does not take effect
10 unless all of the following bills of the 98th Legislature are
11 enacted into law:

12 (a) Senate Bill No. 374.

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14 (b) Senate Bill No. 375.

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16 (c) Senate Bill No. 376.

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18 (d) Senate Bill No. 378.

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20 (e) Senate Bill No. 379.

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22 (f) Senate Bill No. 380.

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24 (g) Senate Bill No. 381.