

# SENATE BILL No. 379

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

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 5123 (MCL 333.5123), as amended by 1994 PA 200.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 5123. (1) A physician or an individual otherwise  
2 authorized by law to provide medical treatment to a pregnant woman  
3 shall take or cause to be taken, at the time of the woman's initial  
4 examination, test specimens of the woman and shall submit the  
5 specimens to a clinical laboratory approved by the department for  
6 the purpose of performing tests approved by the department for  
7 ~~venereal disease,~~ **SEXUALLY TRANSMITTED INFECTION**, HIV or an  
8 antibody to HIV, and ~~for~~ hepatitis B. If, when a woman ~~presents~~  
9 **APPEARS** at a health care facility to deliver an infant or for care  
10 in the immediate postpartum period having recently delivered an  
11 infant outside a health care facility, no record of results from

1 the tests required ~~by~~ **UNDER** this subsection is readily available to  
2 the physician or individual otherwise authorized to provide care in  
3 such a setting, then the physician or individual otherwise  
4 authorized to provide care shall take or cause to be taken  
5 specimens of the woman and shall submit the specimens to a clinical  
6 laboratory approved by the department for the purpose of performing  
7 department approved tests for ~~venereal disease, for~~ **SEXUALLY**  
8 **TRANSMITTED INFECTION**, HIV or an antibody to HIV, and ~~for~~ hepatitis

9 B. This subsection does not apply if, in the professional opinion  
10 of the physician or other person, the tests are medically  
11 inadvisable or the woman does not consent to be tested.

12 (2) The physician or other individual described in subsection  
13 (1) shall make and retain a record showing the date the tests  
14 required under subsection (1) were ordered and the results of the  
15 tests. If the tests were not ordered by the physician or other  
16 person, the record shall contain an explanation of why the tests  
17 were not ordered.

18 (3) The test results and the records required under subsection  
19 (2) are not public records, but shall be available to a local  
20 health department and to a physician who provides medical treatment  
21 to the woman or her offspring.

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

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

27 (a) Senate Bill No. 374.

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2 (b) Senate Bill No. 375.

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4 (c) Senate Bill No. 376.

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6 (d) Senate Bill No. 377.

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8 (e) Senate Bill No. 378.

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10 (f) Senate Bill No. 380.

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12 (g) Senate Bill No. 381.

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