

HOUSE BILL NO. 6491

November 09, 2022, Introduced by Rep. Steven Johnson and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5111 (MCL 333.5111), as amended by 2016 PA 64.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5111. (1) In carrying out its authority under this
2 article, the department shall maintain a list of reportable
3 diseases, infections, and disabilities that designates and
4 classifies communicable, serious communicable, chronic, or

1 noncommunicable diseases, infections, and disabilities. The
2 department shall review and revise the list under this subsection
3 at least annually.

4 (2) In carrying out its authority under this article, the
5 department may, **subject to subsection (4)**, promulgate rules to do
6 any of the following:

7 (a) Establish requirements for reporting and other
8 surveillance methods for measuring the occurrence of diseases,
9 infections, and disabilities and the potential for epidemics. Rules
10 promulgated under this subdivision may require a licensed health
11 professional or health facility to submit to the department or a
12 local health department, on a form provided by the department, a
13 report of the occurrence of a communicable disease, serious
14 communicable disease or infection, or disability. The rules
15 promulgated under this subdivision may require a report to be
16 submitted to the department not more than 24 hours after a licensed
17 health professional or health facility determines that an
18 individual has a serious communicable disease or infection.

19 (b) Investigate cases, epidemics, and unusual occurrences of
20 diseases, infections, and situations with a potential for causing
21 diseases.

22 (c) Establish procedures for controlling diseases and
23 infections, including, but not limited to, immunization and
24 environmental controls.

25 (d) Establish procedures for preventing, detecting, and
26 treating disabilities and rehabilitating individuals suffering from
27 disabilities or disease, including nutritional problems.

28 (e) Establish procedures for controlling rabies and the
29 disposition of nonhuman agents carrying disease, including rabid

1 animals.

2 (f) Establish procedures for reporting known or suspected
3 cases of lead poisoning or undue lead body burden.

4 (g) Designate communicable diseases or serious communicable
5 diseases or infections for which local health departments are
6 required to furnish care, including, but not limited to,
7 tuberculosis and sexually transmitted infection.

8 (h) Implement this part and parts 52 and 53, including, but
9 not limited to, rules for discovering, caring for, and reporting an
10 individual having or suspected of having a communicable disease or
11 a serious communicable disease or infection, and establishing
12 approved tests under section 5123 and approved prophylaxes under
13 section 5125.

14 (3) The department shall promulgate rules providing for the
15 confidentiality of reports, records, and data pertaining to
16 testing, care, treatment, reporting, and research associated with
17 communicable diseases and serious communicable diseases or
18 infections.

19 **(4) Any rules promulgated under subsection (2) that require a**
20 **person, including a governmental entity, to report the occurrence**
21 **of a communicable disease, serious communicable disease or**
22 **infection, or disability to the department or a local health**
23 **department must comply with all of the following:**

24 (a) Allow an individual who has the communicable disease,
25 serious communicable disease or infection, or disability to object
26 to the reporting of the individual's name or other identifying
27 information if the individual's name or other identifying
28 information will be included in the report.

29 (b) Require the person making the report to notify the

1 individual who has the communicable disease, serious communicable
2 disease or infection, or disability of the right to object, on a
3 form provided by the department, to the individual's name or other
4 identifying information being included in the report.

5 (c) On the receipt of a written request from an individual who
6 has a communicable disease, serious communicable disease or
7 infection, or disability and whose name or other identifying
8 information was included in a report, make any information
9 pertaining to that individual inaccessible in any database
10 maintained by the department.