

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.9601 Laboratories; establishment, operation, and maintenance; services; continuation of existing laboratories; location; agreements and contracts; fees; development and publication of comprehensive schedule of testing services and fees; report.**

Sec. 9601. (1) The department shall maintain and operate laboratories for the protection of the public health by developing or otherwise providing for adequate laboratory services to support public health programs and to fulfill the requirements of law. The director shall determine the services to be offered by the laboratories. Laboratories established by law on the effective date of this part shall be continued until otherwise provided by law. Other laboratories shall be located at places designated by the department.

(2) The state, counties, and cities may enter into agreements and contracts necessary or appropriate to the establishment, operation, and maintenance of the laboratories required under subsection (1).

(3) Beginning October 1, 1991, the director may charge a reasonable fee for a testing service provided by a laboratory maintained and operated by the department under subsection (1). For fiscal year 1991-92 and subsequent fiscal years, the director shall not charge a fee under this subsection that is greater than the fees established under Executive Order No. 1991-17. Before collecting a fee under this subsection, the department shall develop and publish a comprehensive schedule of testing services and fees. The schedule shall include a description of each testing service and the maximum fee charged for each testing service. Along with the schedule submitted to the director of the department of management and budget for approval under this subsection, the department shall submit a statement of the rationale used in determining the fees contained in the schedule. The department shall submit the schedule for approval to the director of the department of management and budget. The fees contained in the schedule shall not exceed the amount necessary to fund the testing service provided. The department also shall submit to the director of the department of management and budget for approval any revision to the original schedule of testing services and fees.

(4) The department shall submit to the director of the department of management and budget and to the legislature an annual report that contains all of the following information:

- (a) The number of tests performed in the preceding year for which a fee can be charged under this section.
- (b) The total amount of fees collected under this section.
- (c) Any costs related to providing testing services for which a fee can be charged under this section.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1992, Act 79, Imd. Eff. June 2, 1992.

**Compiler's note:** For transfer of certain powers and duties of the bureau of infectious disease control from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.

**Popular name:** Act 368