

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

PART 96

STATE LABORATORIES

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

333.9611 Agreements relating to laboratory services.

Sec. 9611. Before an existing agreement relating to laboratory services between the state and county or city, or both, expires, the parties thereto may enter into further agreements covering the same general subject matter on terms acceptable to all the parties. Repeal by this code of prior statutory authority relating to such agreements does not affect any agreement made pursuant thereto, nor the authority conferred by this section.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.9621 Microbiological examination and analysis; container for sample; statement; no charge.

Sec. 9621. A local health department, a state institution, or a physician may require a microbiological examination and analysis of blood, sputum, urine, water, milk, or other substance from a locality where there is an outbreak of a communicable disease or epidemic requiring the examination or analysis to protect the public health or for locating sources of infection. These agencies may also require examination and analysis of public water supplies and water used by the public to assure quality and safety. These agencies shall forward or deliver to the department a sample of the substance to be examined and analyzed in an appropriate container, accompanied by a statement indicating the examination and analyses requested. The examination and analyses for these purposes shall be without charge.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.9623 Laboratory testing fund; creation; use; unexpended funds.

Sec. 9623. (1) The laboratory testing fund is created in the state treasury. The department shall expend the fund only as provided in this section.

(2) The state treasurer shall credit to the laboratory testing fund all fees received by the department under this part.

(3) The department shall use the laboratory testing fund only to develop and provide laboratory services under this part including, but not limited to, purchasing equipment, developing procedures, and making other improvements to the laboratory testing program determined necessary by the department.

(4) Unexpended funds remaining in the laboratory testing fund at the end of the fiscal year shall remain in the laboratory testing fund and shall not revert to the general fund.

History: Add. 1992, Act 79, Imd. Eff. June 2, 1992.

Popular name: Act 368