

# HOUSE BILL No. 5574

December 13, 2007, Introduced by Rep. Miller and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13811, 13813, 13819, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13811, 333.13813, 333.13819, 333.13830, and 333.13831), sections 13805, 13807, 13809, and 13811 as added by 1990 PA 21 and sections 13813, 13819, 13830, and 13831 as added by 1990 PA 18, and by adding section 13816.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 13805. (1) "Advisory council" means the interdepartmental  
2 medical waste advisory council created in section 13827.

3           (2) "Autoclave" means to sterilize using superheated steam  
4 under pressure.

5           (3) "Decontamination" means rendering medical waste safe for

1 routine handling as solid waste.

2 (4) "Fund" means the medical waste emergency response fund  
3 created in section 13829.

4 (5) "Health facility or agency" means that term as defined in  
5 section 20106.

6 (6) "Household" means a single detached dwelling unit or a  
7 single unit of a multiple dwelling.

8 (7) "Infectious agent" means a pathogen that is sufficiently  
9 virulent so that if a susceptible host is exposed to the pathogen  
10 in an adequate concentration and through a portal of entry, the  
11 result could be transmission of disease to a human.

12 (8) "Medical waste" means any of the following that are not  
13 generated from a household, a farm operation or other agricultural  
14 business, a home for the aged, or a home health care agency:

15 (a) Cultures and stocks of infectious agents and associated  
16 biologicals, including laboratory waste, biological production  
17 wastes, discarded live and attenuated vaccines, culture dishes, and  
18 related devices.

19 (b) Liquid human and animal waste, including blood and blood  
20 products and body fluids, but not including urine or materials  
21 stained with blood or body fluids.

22 (c) Pathological waste.

23 (d) Sharps.

24 (e) Contaminated wastes from animals that have been exposed to  
25 agents infectious to humans, these being primarily research  
26 animals.

27 **(F) TRAUMA SCENE WASTE.**

1           Sec. 13807. (1) "Pathogen" means a microorganism that produces  
2 disease.

3           (2) "Pathological waste" means human organs, tissues, body  
4 parts other than teeth, products of conception, and fluids removed  
5 by trauma or during surgery or autopsy or other medical procedure,  
6 and not fixed in formaldehyde.

7           (3) "Point of generation" means the point at which medical  
8 waste leaves the producing facility site.

9           (4) "Producing facility" means a facility that generates,  
10 stores, decontaminates, or incinerates medical waste.

11           (5) "Release" means any spilling, leaking, pumping, pouring,  
12 emitting, emptying, discharging, injecting, escaping, leaching,  
13 dumping, or disposing of medical waste into the environment in  
14 violation of this part.

15           (6) "Response activity" means an activity necessary to protect  
16 the public health, safety, welfare, and the environment, and  
17 includes, but is not limited to, evaluation, cleanup, removal,  
18 containment, isolation, treatment, monitoring, maintenance,  
19 replacement of water supplies, and temporary relocation of people.

20           (7) "Sharps" means needles, syringes, scalpels, and  
21 intravenous tubing with needles attached.

22           (8) "Storage" means the containment of medical waste in a  
23 manner that does not constitute disposal of the medical waste.

24           (9) "Transport" means the movement of medical waste from the  
25 point of generation **OR FROM A TRAUMA SCENE** to any intermediate  
26 point and finally to the point of treatment or disposal. Transport  
27 does not include the movement of medical waste from a health

1 facility or agency to another health facility or agency for the  
2 purposes of testing and research.

3 (10) "TRAUMA SCENE" MEANS A LOCATION SOILED BY OR CONTAMINATED  
4 WITH PATHOLOGICAL WASTE AS A RESULT OF A SERIOUS HUMAN INJURY,  
5 ILLNESS, OR DEATH. TRAUMA SCENE INCLUDES, BUT IS NOT LIMITED TO, A  
6 PHYSICAL STRUCTURE THAT IS NOT FIXED GEOGRAPHICALLY, SUCH AS A  
7 MOBILE HOME, TRAILER, OR VEHICLE.

8 (11) "TRAUMA SCENE WASTE" MEANS PATHOLOGICAL WASTE THAT HAS  
9 BEEN REMOVED, IS TO BE REMOVED, OR IS IN THE PROCESS OF BEING  
10 REMOVED FROM A TRAUMA SCENE BY A TRAUMA SCENE WASTE MANAGEMENT  
11 PRACTITIONER.

12 (12) "TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER" MEANS A  
13 PERSON THAT IS REQUIRED TO REGISTER WITH THE DEPARTMENT TO RECEIVE  
14 A TRAUMA SCENE WASTE TRANSPORT PERMIT IN ORDER TO ENGAGE IN THE  
15 CLEANUP, HANDLING, AND TRANSPORT OF TRAUMA SCENE WASTE FROM A  
16 TRAUMA SCENE IN THIS STATE.

17 Sec. 13809. A—EXCEPT AS OTHERWISE PROVIDED UNDER SECTION  
18 13816, A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER AND A producing  
19 facility that does not incinerate medical waste on site shall do  
20 all of the following to contain medical waste:

21 (a) Package, contain, and locate medical waste in a manner  
22 that protects and prevents the medical waste from release at the  
23 producing facility or at any time before ultimate disposal.

24 (b) Separate the categories of medical waste at the point of  
25 origin into appropriate containers that are ~~labelled~~ **LABELED** as  
26 required under subdivision (c).

27 (c) Label the containers required under subdivision (b) with a

1 biohazard symbol or the words "medical waste", ~~or~~ "pathological  
2 waste", **OR "TRAUMA SCENE WASTE"** in letters not less than 1 inch  
3 high.

4 (d) Not compact or mix medical waste with other waste  
5 materials before decontamination, incineration, and disposal.

6 (e) If decontaminated medical waste is mixed with other solid  
7 waste, clearly label the container to indicate that it contains  
8 decontaminated medical waste.

9 (f) Store medical waste in such a manner that prevents  
10 putrefaction and also prevents infectious agents from coming in  
11 contact with the air or with individuals.

12 (g) If medical waste is stored outside of the producing  
13 facility **OR AT THE BUSINESS LOCATION OF A TRAUMA SCENE WASTE**  
14 **MANAGEMENT PRACTITIONER**, store the medical waste in a secured area  
15 or locked in a container that weighs more than 500 pounds and  
16 prevent access to the area or container by vermin or unauthorized  
17 individuals.

18 (h) Not store medical waste on the premises of the producing  
19 facility for more than 90 days.

20 Sec. 13811. A **TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER AND A**  
21 producing facility shall store, decontaminate, and dispose of  
22 medical waste pursuant to the following:

23 (a) Cultures and stocks of material contaminated with an  
24 infectious agent shall be stored in closed, puncture-resistant  
25 containers, decontaminated by autoclaving or incineration, and  
26 disposed of in a sanitary landfill.

27 (b) Blood and blood products and body fluids shall be disposed

1 of by 1 or more of the following methods:

2 (i) Flushing down a sanitary sewer.

3 (ii) Decontaminating by autoclaving or incineration.

4 (iii) Solidifying.

5 (iv) If not in liquid form, transferring to a sanitary  
6 landfill.

7 (v) A process approved by the department.

8 (c) Pathological waste **AND TRAUMA SCENE WASTE** shall be  
9 disposed of by 1 or more of the following methods:

10 (i) Incineration or cremation.

11 (ii) Grinding and flushing into a sanitary sewer.

12 (iii) Burial in a cemetery, if transported in leakproof  
13 containers of sufficient integrity to prevent rupture.

14 (iv) Grinding until rendered unrecognizable, stored in closed,  
15 puncture-resistant, properly labeled containers, and, if not in  
16 liquid form, disposed of in a sanitary landfill.

17 (v) A process approved by the department.

18 (d) Sharps shall be disposed of by 1 of the following methods:

19 (i) Placement in rigid, puncture-resistant containers that are  
20 appropriately labeled and transported to a sanitary landfill in a  
21 manner that retains the integrity of the container.

22 (ii) Incineration or decontamination and grinding that renders  
23 the objects unrecognizable. Ground sharps shall be placed in a  
24 sealed, rupture-resistant container and transported to a sanitary  
25 landfill.

26 (iii) A process approved by the department.

27 (e) Animal waste contaminated with organisms infectious to

1 humans shall be disposed of by incineration or by burial in a  
2 sanitary landfill in properly labeled, double containers that are  
3 leakproof and puncture-resistant and are tightly sealed to prevent  
4 escape of fluids or material. Contaminated animal organs disposed  
5 of separately shall be rendered unrecognizable.

6       Sec. 13813. (1) Each producing facility shall register with  
7 the department on a form prescribed by the department. A producing  
8 facility shall have a written medical waste management plan that  
9 contains information required in section 13817 on file on the  
10 premises within 90 days after registration.

11       (2) A producing facility shall submit the following  
12 registration fee with the registration form:

13       (a) For a producing facility that is a private practice office  
14 with fewer than 4 licensees under article 15 who are physicians,  
15 dentists, podiatrists, certified nurse practitioners, certified  
16 nurse midwives, or veterinarians employed by, under contract to, or  
17 working at the producing facility, a registration fee of \$50.00.

18       (b) For a producing facility that is a private practice office  
19 with 4 or more licensees under article 15 who are physicians,  
20 dentists, podiatrists, certified nurse practitioners, certified  
21 nurse midwives, or veterinarians employed by, under contract to, or  
22 working at the producing facility, a registration fee of \$20.00 for  
23 each licensee, up to a maximum total registration fee of \$80.00.

24       (3) Upon receipt of a complete registration form and  
25 registration fee under this section or section 13815, the  
26 department shall issue a certificate of registration to the  
27 producing facility. A certificate of registration issued under this

1 section is valid for 3 years from its date of issuance. The  
2 department shall investigate each complaint received and may  
3 inspect a producing facility registered under this section pursuant  
4 to the receipt of a complaint.

5 (4) Registration fees collected pursuant to this section, ~~and~~  
6 section 13815, **AND SECTION 13816** shall be forwarded to the state  
7 treasury and deposited pursuant to section 13829.

8 **SEC. 13816. (1) ON AND AFTER THE EFFECTIVE DATE OF THIS**  
9 **SECTION, A PERSON SHALL NOT ENGAGE IN THE CLEANUP, HANDLING, AND**  
10 **TRANSPORT OF TRAUMA SCENE WASTE FROM A TRAUMA SCENE IN THIS STATE**  
11 **UNLESS THE PERSON IS REGISTERED AND HAS BEEN ISSUED A TRAUMA SCENE**  
12 **WASTE TRANSPORT PERMIT UNDER THIS SECTION. EXCEPT AS OTHERWISE**  
13 **PROVIDED IN THIS SUBSECTION, BEFORE A PERSON ENGAGES IN THE**  
14 **CLEANUP, HANDLING, AND TRANSPORT OF TRAUMA SCENE WASTE FROM A**  
15 **TRAUMA SCENE IN THIS STATE, THE PERSON SHALL APPLY FOR REGISTRATION**  
16 **AND TO RECEIVE A TRAUMA SCENE WASTE TRANSPORT PERMIT ON FORMS AND**  
17 **IN THE MANNER PRESCRIBED BY THE DEPARTMENT. A PERSON WHO WAS**  
18 **ENGAGING IN THE CLEANUP, HANDLING, AND TRANSPORT OF TRAUMA SCENE**  
19 **WASTE FROM A TRAUMA SCENE IN THIS STATE ON THE DAY BEFORE THE**  
20 **EFFECTIVE DATE OF THIS SECTION MAY CONTINUE TO ENGAGE IN THE**  
21 **CLEANUP, HANDLING, AND TRANSPORT OF TRAUMA SCENE WASTE FROM A**  
22 **TRAUMA SCENE ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION**  
23 **SUBJECT TO THE FOLLOWING:**

24 (A) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE  
25 PERSON SHALL NOTIFY THE DEPARTMENT THAT THE PERSON IS ENGAGING IN  
26 THE CLEANUP, HANDLING, AND TRANSPORT OF TRAUMA SCENE WASTE FROM A  
27 TRAUMA SCENE AND THAT THE PERSON INTENDS TO CONTINUE TO ENGAGE IN

1 THAT ACTIVITY.

2 (B) ON OR BEFORE THE DATE AND IN THE MANNER PRESCRIBED BY THE  
3 DEPARTMENT, THE PERSON SHALL SUBMIT AN APPLICATION FOR REGISTRATION  
4 AND TO RECEIVE A TRAUMA SCENE WASTE TRANSPORT PERMIT.

5 (C) UPON RECEIPT OF THE APPLICATION UNDER SUBDIVISION (B), THE  
6 DEPARTMENT SHALL PROCEED IN THE MANNER PRESCRIBED IN SUBSECTION (3)  
7 FOR ACTING UPON A NEW APPLICATION AND EITHER ISSUE A CERTIFICATE OF  
8 REGISTRATION AND A TRAUMA SCENE WASTE TRANSPORT PERMIT OR NOTIFY  
9 THE PERSON THAT ITS APPLICATION FOR REGISTRATION AND ISSUANCE OF A  
10 TRAUMA SCENE WASTE TRANSPORT PERMIT HAS BEEN DENIED UNDER THIS  
11 SECTION AND INCLUDE THE REASONS FOR THE DENIAL. THE PERSON SHALL  
12 IMMEDIATELY CEASE OPERATION AS A TRAUMA SCENE WASTE MANAGEMENT  
13 PRACTITIONER UPON RECEIPT OF A NOTICE THAT ITS APPLICATION FOR  
14 REGISTRATION AND ISSUANCE OF A TRAUMA SCENE WASTE TRANSPORT PERMIT  
15 HAS BEEN DENIED UNDER THIS SECTION. A PERSON WHO RECEIVES A NOTICE  
16 THAT ITS APPLICATION FOR REGISTRATION AND ISSUANCE OF A TRAUMA  
17 SCENE WASTE TRANSPORT PERMIT HAS BEEN DENIED UNDER THIS SUBDIVISION  
18 MAY REAPPLY AS PRESCRIBED IN SUBSECTION (2), AND THE DEPARTMENT  
19 SHALL PROCEED IN THE MANNER PRESCRIBED IN SUBSECTION (3) ON THE  
20 APPLICATION AS IF IT WERE A NEW APPLICATION.

21 (2) A PERSON THAT SUBMITS AN APPLICATION FOR REGISTRATION AND  
22 TO RECEIVE A TRAUMA SCENE WASTE TRANSPORT PERMIT UNDER THIS SECTION  
23 SHALL SUBMIT ALL OF THE FOLLOWING WITH THE APPLICATION:

24 (A) A REGISTRATION FEE OF \$150.00.

25 (B) A WRITTEN TRAUMA SCENE WASTE MANAGEMENT PLAN THAT MEETS  
26 THE REQUIREMENTS OF SUBSECTION (6).

27 (C) PROOF OF FINANCIAL RESPONSIBILITY FOR BODILY INJURY,

1 PROPERTY DAMAGE, OR ENVIRONMENTAL DAMAGE TO THIRD PARTIES CAUSED BY  
2 ACCIDENTAL OCCURRENCES ARISING FROM THE TRAUMA SCENE WASTE CLEANUP  
3 AND TRANSPORT ACTIVITIES OF THE TRAUMA SCENE WASTE MANAGEMENT  
4 PRACTITIONER.

5 (D) SUBJECT TO SUBSECTION (4), A FEE PRESCRIBED BY THE  
6 DEPARTMENT TO COVER THE EXPENSE OF THE BACKGROUND CHECK REQUIRED  
7 UNDER SUBSECTION (3).

8 (3) UPON RECEIPT OF A COMPLETE APPLICATION FOR REGISTRATION  
9 FORM UNDER THIS SECTION AND SUBJECT TO SUBSECTION (4), THE  
10 DEPARTMENT SHALL CAUSE TO BE CONDUCTED A BACKGROUND CHECK OF ALL  
11 INDIVIDUALS LISTED IN THE APPLICATION AS BEING THE OWNERS,  
12 OFFICERS, DIRECTORS, PARTNERS, OR OTHER KEY EMPLOYEES OF THE TRAUMA  
13 SCENE WASTE MANAGEMENT PRACTITIONER. THE DEPARTMENT SHALL DETERMINE  
14 WHETHER ANY INFORMATION RECEIVED AS A RESULT OF THE BACKGROUND  
15 CHECK MAKES THE PRACTITIONER INELIGIBLE TO BE REGISTERED AND ISSUED  
16 A TRAUMA SCENE WASTE TRANSPORT PERMIT UNDER THIS SECTION AND, IF  
17 SO, SHALL NOT REGISTER OR ISSUE A PERMIT TO THE PERSON. THE  
18 DEPARTMENT SHALL NOTIFY THE PERSON THAT ITS APPLICATION FOR  
19 REGISTRATION AND ISSUANCE OF A TRAUMA SCENE WASTE TRANSPORT PERMIT  
20 HAS BEEN DENIED UNDER THIS SECTION AND INCLUDE THE REASONS FOR THE  
21 DENIAL. A PERSON WHO RECEIVES A NOTICE THAT THE ISSUANCE OF ITS  
22 APPLICATION FOR REGISTRATION AND ISSUANCE OF A TRAUMA SCENE WASTE  
23 TRANSPORT PERMIT HAS BEEN DENIED UNDER THIS SUBSECTION MAY REAPPLY  
24 IN THE MANNER PRESCRIBED IN SUBSECTION (2), AND THE DEPARTMENT  
25 SHALL PROCEED IN THE MANNER PRESCRIBED IN THIS SUBSECTION ON THE  
26 APPLICATION AS IF IT WERE A NEW APPLICATION. IF THE DEPARTMENT  
27 DETERMINES THAT THE APPLICANT IS ABLE TO ENGAGE IN THE CLEANUP,

1 HANDLING, AND TRANSPORT OF TRAUMA SCENE WASTE IN A MANNER THAT WILL  
2 PROTECT THE PUBLIC HEALTH, SAFETY, WELFARE, AND THE ENVIRONMENT,  
3 THE DEPARTMENT SHALL ISSUE A CERTIFICATION OF REGISTRATION AND A  
4 TRAUMA SCENE WASTE TRANSPORT PERMIT TO THE PRACTITIONER UNDER THIS  
5 SECTION. IF ANY OF THE INFORMATION OR DOCUMENTATION REQUIRED UNDER  
6 SUBSECTION (2) IS NOT YET AVAILABLE AT THE TIME OF APPLICATION, THE  
7 DEPARTMENT MAY ISSUE A PERMIT ON A CONDITIONAL BASIS, SUBJECT TO  
8 RECEIPT OF THAT INFORMATION OR DOCUMENTATION AS SOON AS PRACTICAL  
9 AFTER ISSUANCE OF THE CONDITIONAL PERMIT. THE APPLICANT SHALL  
10 COMPLY WITH ALL DEADLINES AND REQUIREMENTS FOR THE SUBMISSION OF  
11 THE INFORMATION OR DOCUMENTATION IN ORDER TO RECEIVE AN  
12 UNCONDITIONAL TRAUMA SCENE WASTE TRANSPORT PERMIT UNDER THIS  
13 SECTION.

14 (4) A CERTIFICATE OF REGISTRATION AND TRAUMA SCENE WASTE  
15 TRANSPORT PERMIT ISSUED UNDER THIS SECTION IS VALID FOR 1 YEAR FROM  
16 THE DATE OF ISSUANCE. A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER  
17 SHALL COMPLY WITH SUBSECTION (2) AND ANY RULES OR OTHER GUIDANCE  
18 ISSUED BY THE DEPARTMENT TO OBTAIN A RENEWAL PERMIT UNDER THIS  
19 SECTION. THE DEPARTMENT SHALL ACT ON A RENEWAL APPLICATION IN THE  
20 SAME MANNER AS A NEW APPLICATION UNDER SUBSECTION (3). HOWEVER, THE  
21 DEPARTMENT IS NOT REQUIRED TO CONDUCT A BACKGROUND CHECK ANNUALLY,  
22 BUT SHALL CONDUCT A BACKGROUND CHECK OF A TRAUMA SCENE WASTE  
23 MANAGEMENT PRACTITIONER FOR A RENEWAL APPLICATION AT LEAST ONCE  
24 EVERY 3 YEARS.

25 (5) WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS SECTION AND  
26 ON A CONTINUING BASIS, THE DEPARTMENT, IN CONSULTATION WITH THE  
27 TRAUMA SCENE WASTE MANAGEMENT INDUSTRY AND THE HEALTH CARE

1 INDUSTRY, SHALL ESTABLISH THE FOLLOWING STANDARDS:

2 (A) DOCUMENTATION OF PERSONAL PROTECTION REQUIRED TO BE  
3 PROVIDED FOR AND USED BY EMPLOYEES OF TRAUMA SCENE WASTE MANAGEMENT  
4 PRACTITIONERS.

5 (B) TECHNOLOGIES AND CHEMICALS APPROPRIATE TO THE TASK OF  
6 CLEANING, HANDLING, AND DISINFECTING A TRAUMA SCENE.

7 (C) OTHER STANDARDS AS NECESSARY.

8 (6) A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL DEVELOP  
9 A TRAUMA SCENE WASTE MANAGEMENT PLAN THAT CONTAINS INFORMATION  
10 RELATING TO THE CLEANUP, HANDLING, AND TRANSPORT OF ALL TRAUMA  
11 SCENE WASTE REMOVED, STORED, TRANSPORTED, AND DISPOSED OF BY A  
12 TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER. THE TRAUMA SCENE WASTE  
13 MANAGEMENT PRACTITIONER SHALL DESCRIBE IN THE PLAN THE PERSONAL  
14 PROTECTION REQUIRED TO BE PROVIDED TO ITS EMPLOYEES TO MINIMIZE  
15 EXPOSURE TO INFECTIOUS AGENTS THROUGHOUT THE PROCESS OF HANDLING  
16 AND TRANSPORTING TRAUMA SCENE WASTE; THE TECHNOLOGIES, CHEMICALS,  
17 AND PROCEDURES TO BE USED IN THE TASK OF CLEANING, HANDLING, AND  
18 DISINFECTING THE TRAUMA SCENE; AND ANY OTHER INFORMATION THAT THE  
19 DEPARTMENT DETERMINES IS NECESSARY UNDER SUBSECTION (5). UPON  
20 REQUEST, A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL PRODUCE  
21 ITS CURRENT TRAUMA SCENE WASTE MANAGEMENT PLAN FOR AN EMPLOYEE OF  
22 THE DEPARTMENT PURSUANT TO A ROUTINE OR UNANNOUNCED INSPECTION OR  
23 THE INVESTIGATION OF A COMPLAINT. A TRAUMA SCENE WASTE MANAGEMENT  
24 PRACTITIONER SHALL MAINTAIN A CURRENT VERSION OF ITS TRAUMA SCENE  
25 WASTE MANAGEMENT PLAN ON FILE ON THE PREMISES AT ALL TIMES. UPON  
26 REVISION OF ANY PORTION OF ITS TRAUMA SCENE WASTE MANAGEMENT PLAN,  
27 THE TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL PROMPTLY FILE

1 THE REVISED PLAN WITH THE DEPARTMENT AND SHALL COMPLY WITH ALL  
2 REQUIREMENTS OF THE DEPARTMENT UNDER SECTION 13819.

3 (7) A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL COMPLY  
4 WITH ITS TRAUMA SCENE WASTE MANAGEMENT PLAN AND SHALL TRANSPORT  
5 TRAUMA SCENE WASTE TO A PRODUCING FACILITY THAT DECONTAMINATES OR  
6 INCINERATES MEDICAL WASTE FOR TREATMENT OR DISPOSAL. A TRAUMA SCENE  
7 WASTE MANAGEMENT PRACTITIONER SHALL NOT STORE TRAUMA SCENE WASTE ON  
8 ITS PREMISES FOR MORE THAN 14 DAYS. A TRAUMA SCENE WASTE MANAGEMENT  
9 PRACTITIONER SHALL PACKAGE MEDICAL WASTE IN THE MANNER PRESCRIBED  
10 IN SECTION 13821 AND AS OTHERWISE PRESCRIBED BY THE DEPARTMENT.

11 (8) THE DEPARTMENT MAY INSPECT A TRAUMA SCENE WASTE MANAGEMENT  
12 PRACTITIONER IN EITHER A ROUTINE OR UNANNOUNCED MANNER IN ORDER TO  
13 DETERMINE WHETHER THE PRACTITIONER SHOULD BE REGISTERED AND A NEW  
14 OR RENEWAL PERMIT SHOULD BE ISSUED TO THE PRACTITIONER UNDER THIS  
15 SECTION OR TO INVESTIGATE A COMPLAINT. THE DEPARTMENT MAY DENY,  
16 SUSPEND, OR REVOKE REGISTRATION AND THE ISSUANCE OF A PERMIT IF THE  
17 DEPARTMENT DETERMINES THAT THE PRACTITIONER IS NOT ABLE TO ENGAGE  
18 IN THE CLEANUP, HANDLING, AND TRANSPORT OF TRAUMA SCENE WASTE IN A  
19 MANNER THAT WILL PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE AND  
20 THE ENVIRONMENT. A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER IS  
21 ENTITLED TO NOTICE AND A HEARING IN THE MANNER PRESCRIBED IN  
22 SECTION 92 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA  
23 306, MCL 24.292, IF THE DEPARTMENT DETERMINES THAT IT MUST SUSPEND  
24 OR REVOKE REGISTRATION AND THE ISSUANCE OF A PERMIT UNDER THIS  
25 SUBSECTION.

26 (9) THE DEPARTMENT SHALL DEVELOP, MAINTAIN, AND POST ON ITS  
27 WEBSITE A CURRENT LIST OF REGISTERED TRAUMA SCENE WASTE MANAGEMENT

1 PRACTITIONERS. THE DEPARTMENT SHALL PERIODICALLY SUBMIT A CURRENT  
2 LIST OF REGISTERED TRAUMA SCENE WASTE MANAGEMENT PRACTITIONERS TO  
3 LOCAL HEALTH AGENCIES, LOCAL HEALTH OFFICERS, LOCAL ENVIRONMENTAL  
4 HEALTH ADMINISTRATORS, AND COUNTY SHERIFFS. UPON REQUEST, THE  
5 DEPARTMENT SHALL SUBMIT A CURRENT LIST OF REGISTERED TRAUMA SCENE  
6 WASTE MANAGEMENT PRACTITIONERS TO OTHER PUBLIC AGENCIES AND TO THE  
7 GENERAL PUBLIC.

8       Sec. 13819. (1) Upon review of a medical waste management plan  
9 under section 13817(4) **OR A TRAUMA SCENE WASTE MANAGEMENT PLAN**  
10 **UNDER SECTION 13816**, the department may require a producing  
11 facility **OR TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER** to modify  
12 ~~the medical waste management~~ **ITS** plan at any time the department  
13 determines **THAT** the plan is not adequate to protect the public  
14 health, **SAFETY, AND WELFARE AND THE ENVIRONMENT** or is inconsistent  
15 with state or federal law. Upon determining that the plan is  
16 inadequate or inconsistent under this section, the department shall  
17 notify the producing facility **OR THE TRAUMA SCENE WASTE MANAGEMENT**  
18 **PRACTITIONER** in writing of its determination and the specific  
19 modifications necessary for compliance. The producing facility **OR**  
20 **TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER** shall modify the plan  
21 within 10 days after receipt of the notice from the department.

22       (2) The department may issue a warning to a producing facility  
23 **OR TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER** that fails to modify  
24 a plan within the 10-day period.

25       Sec. 13830. (1) The department shall promulgate rules to  
26 prescribe training standards for both medical and nonmedical  
27 personnel who handle medical waste in producing facilities **AND FOR**

1 **TRAUMA SCENE WASTE MANAGEMENT PRACTITIONERS.**

2 (2) Each producing facility **AND TRAUMA SCENE WASTE MANAGEMENT**  
3 **PRACTITIONER** shall train its personnel who handle medical waste  
4 pursuant to the rules promulgated under subsection (1).

5 Sec. 13831. (1) Except as provided in subsection (2), a person  
6 who violates this part or a rule promulgated under this part is  
7 subject to an administrative fine of not more than \$2,500.00 for  
8 each violation and an additional fine of not more than \$1,000.00  
9 for each day during which the violation continues. For a first  
10 offense, the department of public health or the department of  
11 natural resources may postpone the levying of a fine under this  
12 subsection for not more than 45 days or until the violation is  
13 corrected, whichever occurs first.

14 (2) A person who fails to register with the department or have  
15 a medical waste management plan available for inspection in  
16 compliance with sections 13813, **13816**, and 13817 is subject to an  
17 administrative fine of \$500.00.

18 (3) A person who violates this ~~act~~**PART** may be enjoined by a  
19 court of competent jurisdiction from continuing the violation.