HOUSE BILL NO. 5136

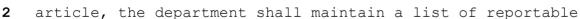
October 22, 2019, Introduced by Reps. Reilly, Miller, Maddock and Steven Johnson and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code,"

by amending sections 5111 and 9227 (MCL 333.5111 and 333.9227), section 5111 as amended by 2016 PA 64 and section 9227 as amended by 2006 PA 91.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5111. (1) In carrying out its authority under this







- 1 diseases, infections, and disabilities that designates and
- 2 classifies communicable, serious communicable, chronic, or
- 3 noncommunicable diseases, infections, and disabilities. The
- 4 department shall review and revise the list under this subsection
- 5 at least annually.
- 6 (2) In carrying out its authority under this article, the 7 department may promulgate rules to do any of the following:
- 8 (a) Establish requirements for reporting and other
- 9 surveillance methods for measuring the occurrence of diseases,
- 10 infections, and disabilities and the potential for epidemics. Rules
- 11 promulgated under this subdivision may require a licensed health
- 12 professional or health facility to submit to the department or a
- 13 local health department, on a form provided by the department, a
- 14 report of the occurrence of a communicable disease, serious
- 15 communicable disease or infection, or disability. The rules
- 16 promulgated under this subdivision may require a report to be
- 17 submitted to the department not more than 24 hours after a licensed
- 18 health professional or health facility determines that an
- 19 individual has a serious communicable disease or infection.
- 20 (b) Investigate cases, epidemics, and unusual occurrences of
- 21 diseases, infections, and situations with a potential for causing
- 22 diseases.
- 23 (c) Establish Subject to section 9227(3), establish procedures
- 24 for controlling diseases and infections, including, but not limited
- 25 to, immunization and environmental controls.
- 26 (d) Establish procedures for preventing, detecting, and
- 27 treating disabilities and rehabilitating individuals suffering from
- 28 disabilities or disease, including nutritional problems.
- 29 (e) Establish procedures for controlling rabies and the



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- 1 disposition of nonhuman agents carrying disease, including rabid
 2 animals.
- 3 (f) Establish procedures for reporting known or suspected4 cases of lead poisoning or undue lead body burden.
- (g) Designate communicable diseases or serious communicable
 diseases or infections for which local health departments are
 required to furnish care, including, but not limited to,
 tuberculosis and sexually transmitted infection.
- 9 (h) Implement this part and parts 52 and 53, including, but
 10 not limited to, rules for discovering, caring for, and reporting an
 11 individual having or suspected of having a communicable disease or
 12 a serious communicable disease or infection, and establishing
 13 approved tests under section 5123 and approved prophylaxes under
 14 section 5125.
- 15 (3) The department shall promulgate rules providing for the
 16 confidentiality of reports, records, and data pertaining to
 17 testing, care, treatment, reporting, and research associated with
 18 communicable diseases and serious communicable diseases or
 19 infections.
- Sec. 9227. (1) The Except as otherwise provided in subsection

 (3), the department shall promulgate rules to implement this part,

 including, but not limited to, rules governing all of the

 following:
 - (a) Age periods for immunizations.
- 25 (b) The minimum ages at which immunization may be commenced.
- (c) The minimum number of doses required during a specifiedtime period.
- 28 (d) Minimum levels of immunization for children in school.
- (e) Reporting under section 9206(3).



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- (f) The acquisition, maintenance, and dissemination of
 information contained in the registry established under section
 9207.
- 4 (2) The department shall promulgate rules to implement the
 5 expansion of the registry to include the reporting and recording of
 6 additional information such as lead screening performed on
 7 children.
 - (3) Notwithstanding any other provision of this code to the contrary, beginning on the effective date of the amendatory act that added this subsection, the department shall not promulgate a rule on any of the topics described in subsection (1)(a) to (c) or requiring an individual to receive an immunizing agent that is not required by the department on the effective date of the amendatory act that added this subsection. However, a rule promulgated under this code on any of the topics described in this subsection that is in effect on the effective date of the amendatory act that added this subsection remains in effect until a change to or rescission of that rule is enacted into law.
- Enacting section 1. This amendatory act takes effect 90 daysafter the date it is enacted into law.
- Enacting section 2. This amendatory act does not take effect unless Senate Bill No. ____ or House Bill No. 5135 (request no.
- 23 00314'19 a) of the 100th Legislature is enacted into law.

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