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BILL ANALYSIS

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Senate Bill 1129 (Substitute S-1 as reported)  
Sponsor: Senator Virg Bernero  
Committee: Health Policy

## **CONTENT**

The bill would amend the Public Health Code to:

- Delete a provision exempting licensed clinical laboratories from HIV reporting requirements.
- Revise the reporting requirements.
- Require a physician to send a specimen to a laboratory for an HIV test without specified identifying information, upon a patient's request.

Under the Code, except for a licensed clinical laboratory, if a person or governmental entity obtains from a test subject a test result indicating that the subject is HIV-infected, the person or entity must report the test result to the Department of Community Health (DCH) within seven days, along with specified information about the test subject. Any person or governmental entity that obtains a test result indicating an HIV infection must report to the appropriate local health department within seven days all of the same information, as well as the test subject's name, address, and telephone number.

The bill would delete the exemption for licensed clinical laboratories. Under the bill, if any person or governmental entity obtained from a test subject a result indicating an HIV infection, or obtained from a test subject who already had been diagnosed as HIV-infected a test result ordered for the management and surveillance of the infection or the detection of the HIV infection or AIDS, the person or governmental entity would have to report within seven days to the appropriate local health department or, at the local health department's request, to the DCH, specified information, if available, including the name, date of birth, race, sex, address, and telephone number of the test subject.

MCL 333.5114 & 333.5114a

Legislative Analyst: Julie Koval

## **FISCAL IMPACT**

Effectively, this bill would add HIV/AIDS to the list of 42 infectious diseases that clinical labs already are required to report to the Department. To the extent that the bill led to an increase in the number of HIV/AIDS cases that are reported, Michigan could become eligible for additional Federal funding under the Ryan White CARE Act, as this funding is determined according to the prevalence of the disease.

Date Completed: 6-28-04

Fiscal Analyst: Dana Patterson