

HOUSE BILL No. 4670

April 25, 2007, Introduced by Reps. Jackson, Johnson, Cheeks, Cushingberry, Meisner, Farrah, Scott, Virgil Smith, Lemmons, Angerer, Alma Smith and Clack and referred to the Committee on Health Policy.

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
(MCL 791.201 to 791.285) by adding section 37a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 37A. (1) BEFORE A PRISONER IS RELEASED ON PAROLE OR
2 DISCHARGED WITHOUT BEING PAROLED, THE DEPARTMENT SHALL REQUIRE THE
3 PRISONER TO UNDERGO A TEST FOR HIV OR AN ANTIBODY TO HIV. THE TEST
4 SHALL OCCUR NOT EARLIER THAN 60 DAYS BEFORE THE PRISONER IS PAROLED
5 OR DISCHARGED.

6 (2) IF A PRISONER RECEIVES A POSITIVE TEST RESULT FOR HIV OR
7 AN ANTIBODY TO HIV, BOTH OF THE FOLLOWING APPLY:

8 (A) THE DEPARTMENT SHALL REPORT THE POSITIVE TEST RESULT TO
9 THE DEPARTMENT OF COMMUNITY HEALTH, IN COMPLIANCE WITH SECTION 5114
10 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.5114.

1 (B) THE DEPARTMENT SHALL PROVIDE THE PRISONER WITH COUNSELING
2 REGARDING TREATMENT OPTIONS FOR HIV.

3 (3) AS USED IN THIS SECTION, "HIV" AND "POSITIVE TEST RESULT"
4 MEAN THOSE TERMS AS DEFINED IN SECTION 67.