

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 31

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 5474d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 5474d. (1) Beginning January 1, 2024, a physician
2 treating a patient who is a minor shall do both of the following:
3 (a) Test the minor for lead poisoning, or order the test for
4 the minor, at the intervals and using the methods specified by the
5 department by rule.
6 (b) If the physician performs the test described in
7 subdivision (a), make an entry of the testing on the minor's
8 certificate of immunization.
9 (2) The department shall promulgate rules to implement this

1 section. The rules must include, but are not limited to, all of the
2 following:

3 (a) Subject to subsection (3), a requirement that a minor
4 residing in this state is tested at the following ages:

5 (i) 12 months of age and 24 months of age.

6 (ii) If the minor has no previous record of the test required
7 under this section, between 24 months of age and 72 months of age.

8 (b) The identification of geographic areas in this state that
9 pose a high risk for childhood lead poisoning and a requirement
10 that a minor who is 4 years of age be tested if the minor resides
11 in an area described in this subdivision.

12 (c) Factors to identify a minor who is at high risk for lead
13 poisoning. The factors must include, but are not limited to,
14 residing in a home where other minors have been diagnosed with lead
15 poisoning and residing in a home that was built before 1978.

16 (d) A requirement that a minor is tested at intervals
17 determined by the department if a physician determines that the
18 minor is at high risk for lead poisoning by applying the factors
19 described in subdivision (c), through a parent's attestation, or
20 through the physician's own independent medical judgment.

21 (e) Procedures for entering the information described in
22 subsection (1)(b) on the minor's certificate of immunization,
23 including, but not limited to, procedures for entering the
24 information if the testing is performed by a person other than a
25 physician.

26 (3) The department may, by rule, adjust the age requirements
27 described in subsection (2)(a) or eliminate the testing requirement
28 in subsection (2)(a) if, after collecting and reviewing data on
29 lead poisoning in this state for 5 years, the department determines

1 that testing minors at the ages described in subsection (2) (a) is
2 no longer necessary or appropriate to maintain the health and
3 safety of minors who reside in this state. If the department
4 adjusts the ages or eliminates the requirement described in
5 subsection (2) (a) under this subsection, the department shall
6 submit a report to the legislature detailing the department's
7 rationale.

8 (4) This section does not apply to a minor whose parent,
9 guardian, or person in loco parentis objects to testing.

10 (5) As used in this section, "certificate of immunization"
11 means the certificate described in section 9206.

12 Enacting section 1. This amendatory act does not take effect
13 unless House Bill No. 4200 of the 102nd Legislature is enacted into
14 law.