

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.5474d Testing of minors for lead poisoning; rules; exception.

Sec. 5474d.

(1) Beginning January 1, 2024, a physician treating a patient who is a minor shall do both of the following:

(a) Test the minor for lead poisoning, or order the test for the minor, at the intervals and using the methods specified by the department by rule.

(b) If the physician performs the test described in subdivision (a), make an entry of the testing on the minor's certificate of immunization.

(2) The department shall promulgate rules to implement this section. The rules must include, but are not limited to, all of the following:

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

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

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

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

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

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

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

(3) The department may, by rule, adjust the age requirements described in subsection (2)(a) or eliminate the testing requirement in subsection (2)(a) if, after collecting and reviewing data on lead poisoning in this state for 5 years, the department determines that testing minors at the ages described in subsection (2)(a) is no longer necessary or appropriate to maintain the health and safety of minors who reside in this state. If the department adjusts the ages or eliminates the requirement described in subsection (2)(a) under this subsection, the department shall submit a report to the legislature detailing the department's rationale.

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

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

History: Add. 2023, Act 146, Imd. Eff. Oct. 3, 2023

Popular Name: Act 368