



STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

GRETCHEN WHITMER  
GOVERNOR

GARLIN GILCHRIST II  
LT. GOVERNOR

September 29, 2021

Michigan Legislature  
State Capitol  
Lansing, MI 48909

SENATE ENROLLING  
SEP 29 '21 PM 12:02

Senators and Representatives,

Today I was proud to sign Enrolled Senate Bill 82 and Enrolled House Bill 4400, which together form the Fiscal Year 2022 state budget. These bipartisan budgets put Michiganders first, making historic investments to help Michiganders get ahead. When we work together, we can deliver on the kitchen-table priorities that matter most – growing the middle class, supporting our small businesses, and investing in our communities.

We have proven that together, following the guidance of doctors and public health officials, we can keep families and kids safe, businesses thriving, and classrooms open for in-person learning. That means masking up in school because kids can't get vaccinated yet. And it means getting the safe, effective vaccine so that we're protected from hospitalization and death.

The Public Health Code gives health officials the tools they need to protect people from epidemic diseases like COVID-19. The legislature cannot unwind the Public Health Code in a budget bill or un-appropriate funds because they take issue with the actions of local health departments. Budget boilerplate that purports to prohibit state or local health officials from issuing mask and quarantine orders or to penalize local health departments for using their powers under the Public Health Code violates the Michigan Constitution. Consistent with my duty to uphold the constitution, I will not allow unconstitutional budget language to take effect.

I'm grateful that this legislation preserves the ability of state and local governments to protect their employees from COVID-19. Section 222 of Article 1 – a version of which recurs in each department's budget – provides a roadmap for public employers to ensure their employees either receive the safe and effective COVID-19 vaccine or undergo regular testing to keep their co-workers safe. It also avoids any conflict with federal law, recognizing that federal authorities may issue vaccination requirements.

Finally, I am using my veto pen to nix seven anti-choice line items. These line items would create a gag rule preventing reproductive health service providers from even mentioning abortion and otherwise make it hard for women to get the healthcare they need. Even as the U.S. Supreme Court allows Texas's extreme anti-choice law to take effect, abortion is still safe and legal in Michigan. I will continue to stand in the way of any efforts to strip away fundamental rights from women or get in the way of doctors' ability to do their jobs.

In addition, I note the following boilerplate provisions that violate the Michigan Constitution and will therefore not take effect:

1. Article 3, section 2 of the Michigan Constitution provides: “The powers of government are divided into three branches: legislative, executive and judicial. No person exercising powers of one branch shall exercise powers properly belonging to another branch except as expressly provided in this constitution.” Core executive branch functions include management of department operations; hiring, discipline, and management of personnel; and deliberative decision-making, among others. Boilerplate that attempts to insert the legislature into core executive functions violates the constitutional separation of powers. Accordingly, each of the following provisions is unenforceable:

- Certain boilerplate provisions that appear in multiple articles, such as Department of Agriculture and Rural Development, Article 1, sections 215, 217, and 218.
- Department of Corrections, Article 2, sections 304, 316, and 942.
- General Government, Article 5, sections 229, 314(3), 714, 718, 816, 836, 863, 947.
- Department of Health and Human Services, Article 6, sections 225, 229, 517, 518, 595, 1222(4), and 1508. Section 514 is also unenforceable to the extent that it requires the Department to comply with recommendations in an Office of Auditor General report.
- Department of Military and Veterans Affairs, Article 10, sections 409 and 453. Section 224 is also unenforceable to the extent that it bars the department from taking an action otherwise permitted by law.
- Department of Natural Resources, Article 11, section 602.
- Department of State Police, Article 12, sections 226, 233, 234, 601(2), 602(2)-(5), 603(3), 604(2), 701(3)-(4), 702(2)-(8), and 704(8)-(9). Section 225 is also unenforceable to the extent that it bars the department from taking an action otherwise permitted by law.
- Department of Transportation, Article 13, sections 353 and 357

2. Article 4, section 22 of the Michigan Constitution provides: “All legislation shall be by bill and may originate in either house.” Moreover, article 4, section 33 of the Michigan Constitution provides, in part: “Every bill passed by the legislature shall be presented to the governor before it becomes law . . .” Boilerplate that purports to authorize legislation other than by bill, such as section 218 of Article 1, impermissibly skirts the bill requirement of section 22 and the presentment requirement of section 33 and is therefore unenforceable.

3. Article 4, section 24 of the Michigan Constitution provides, in part: “No law shall embrace more than one object, which shall be expressed in its title.” Accordingly, because each introduces a second object into SB 82, the following provisions are unenforceable:

- General Government, Article 5, section 836.
- Department of Health and Human Services, Article 6, section 518.
- Department of Transportation, Article 13, sections 601 and 660(2).

4. Article 4, section 25 of the Michigan Constitution provides: “No law shall be revised, altered or amended by reference to its title only. The section or sections of the act altered or amended shall be re-enacted and published at length.” Boilerplate that alters statutory requirements with reenactment and publication is therefore unconstitutional and void. Accordingly, each of the following provisions is unenforceable:

- Department of Environment, Great Lakes, and Energy, Article 4, sections 225 and 237.
- General Government, Article 5, sections 229, 624, 625, 718, 983, 1009 and 1056.

- Department of Health and Human Services, Article 6, sections 218, 250, 518, 595, 1222(4), 1305, and 1347.
  - Department of Licensing and Regulatory Affairs, Article 9, sections 510 and 803.
  - Department of Natural Resources, Article 11, section 602.
  - Department of Transportation, Article 13, section 302 and 382.
5. Article 4, section 53 of the Michigan Constitution provides: “[The Auditor General] shall be assigned no duties other than those specified in this section.” Any provision that assigns the Legislative Auditor General powers and duties other than those provided for in that section is therefore unconstitutional.
  6. Article 5, section 28 of the Michigan Constitution provides, in part: “There is hereby established a state transportation commission, which shall establish policy for the state transportation department transportation programs and facilities, and such other public works of the state, as provided by law.” Any provision that dictates spending priorities reserved to the State Transportation Commission is therefore unconstitutional.
  7. Article 8, sections 5 and 6 of the Michigan Constitution grant each board of an institution of higher education in this state “general supervision of its institution and the control and direction of all expenditures from the institution’s funds.” Any provision that deprives an institution of higher education with the supervisory control and budgetary independence provided by those sections is therefore unconstitutional.
  8. Article 11, section 5 of the Michigan Constitution vests the power to “regulate all conditions of employment in the classified service” in the Civil Service Commission. Any provision that abrogates that exclusive grant of authority is therefore unconstitutional.

Thank you for your attention to these matters.

Sincerely,



Gretchen Whitmer  
Governor

cc: Michigan Senate  
The Honorable Jocelyn Benson

**STATE OF MICHIGAN  
101ST LEGISLATURE  
REGULAR SESSION OF 2021**

Introduced by Senator Victory

**ENROLLED SENATE BILL No. 82**

AN ACT to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2021 and September 30, 2022; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

*The People of the State of Michigan enact:*

ARTICLE 1

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of agriculture and rural development for the fiscal year ending September 30, 2022, from the following funds:

**DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**

<b>APPROPRIATION SUMMARY</b>		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	521.0	
<b>GROSS APPROPRIATION</b>	\$	<b>155,560,300</b>
Total interdepartmental grants and intradepartmental transfers		320,000
<b>ADJUSTED GROSS APPROPRIATIONS</b>	\$	<b>155,240,300</b>
Federal revenues:		
Total federal revenues		13,599,800
Special revenue funds:		
Total local revenues		0
Total private revenues		71,300
Total other state restricted revenues		44,202,300
<b>State general fund/general purpose</b>	\$	<b>97,866,900</b>

For Fiscal Year  
Ending Sept. 30,  
2022

Sexually transmitted disease control program—FTEs	20.0	\$	6,418,200
Smoking prevention program—FTEs	15.0		3,851,100
Violence prevention—FTEs	6.9		12,699,000
<b>GROSS APPROPRIATION</b>		\$	<b>233,993,600</b>
Appropriated from:			
Federal revenues:			
Total other federal revenues			87,162,700
Special revenue funds:			
Total local revenues			5,150,000
Total private revenues			73,540,400
Total other state restricted revenues			10,061,200
State general fund/general purpose		\$	58,079,300
<b>Sec. 116. FAMILY HEALTH SERVICES</b>			
Full-time equated classified positions	136.1		
Child and adolescent health care and centers		\$	11,242,700
Dental programs—FTEs	5.3		6,723,900
Drinking water declaration of emergency			4,621,000
Family, maternal, and child health administration—FTEs	55.0		10,261,200
Family planning local agreements			8,810,700
Immunization program—FTEs	15.8		19,142,200
Local MCH services			7,018,100
Maternal navigator pilot program			<del>3,000,000</del>
Pregnancy prevention program			1,464,600
<del>Pregnancy resource centers</del>			<del>1,500,000</del>
Prenatal care and premature birth avoidance grant			1,000,000
Prenatal care outreach and service delivery support—FTEs	15.0		37,518,200
Special projects			6,289,100
Sudden and unexpected infant death and suffocation prevention program			321,300
Women, infants, and children program administration and special projects—FTEs	45.0		18,520,600
Women, infants, and children program local agreements and food costs			231,285,000
<b>GROSS APPROPRIATION</b>		\$	<b>368,718,600</b>
Appropriated from:			
Federal revenues:			
Social security act, temporary assistance for needy families			700,000
Total other federal revenues			247,433,700
Special revenue funds:			
Total local revenues			12,817,700
Total private revenues			63,902,400
Total other state restricted revenues			4,046,200
State general fund/general purpose		\$	39,818,600
<b>Sec. 117. CHILDREN'S SPECIAL HEALTH CARE SERVICES</b>			
Full-time equated classified positions	48.8		
Bequests for care and services—FTEs	2.8	\$	1,837,100
Children's special health care services administration—FTEs	46.0		8,946,300
Medical care and treatment			292,750,900
Nonemergency medical transportation			801,200
Outreach and advocacy			5,510,000
<b>GROSS APPROPRIATION</b>		\$	<b>309,845,500</b>
Appropriated from:			
Federal revenues:			
Total other federal revenues			173,840,900

(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state.

Sec. 239. For behavioral and physical health services provided through managed care or the fee-for-service program, the department shall require, for the nonfacility component of the reimbursement rate, at least the same reimbursement for that service, if that service is provided through telemedicine, as if the service involved face-to-face contact between the health care professional and the patient.

Sec. 240. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 241. By March 1 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget director on total actual expenditures in the previous fiscal year for advertising and media outreach, including the purpose and amount by program or appropriation line-item.

Sec. 242. From the funds appropriated in part 1 for departmental administration and management, \$100,000.00 is allocated to produce a description of programs report for the current fiscal year by March 1 of the current fiscal year. The report shall be submitted to the senate and house appropriations committees, the senate and house fiscal agencies, and the senate and house policy offices. The report shall include the appropriation unit, the line-item name and number, the appropriation history, the program name, the program overview, the financing detail, and where applicable, the legal basis for the program and program effectiveness and outcomes.

~~Sec. 243. From the funds appropriated in part 1, the department shall allocate \$50,000.00 to provide notice and information to health care providers and the public that the department shall not use state restricted funds or state general funds, or allow grantees or subcontractors to use those funds, appropriated in part 1 to fund any elective abortion. As used in this section, "elective abortion" means the intentional use of an instrument, drug, or other substance or device to terminate a woman's pregnancy for a purpose other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a fetus that has died as a result of natural causes, accidental trauma, or a criminal assault on the pregnant woman. Elective abortion does not include any of the following:~~

- ~~(a) The use or prescription of a drug or device intended as a contraceptive.~~
- ~~(b) The intentional use of an instrument, drug, or other substance or device by a physician to terminate a woman's pregnancy if the woman's physical condition, in the physician's reasonable medical judgment, necessitates the termination of the woman's pregnancy to avert her death.~~
- ~~(c) Treatment upon a pregnant woman who is experiencing a miscarriage or has been diagnosed with an ectopic pregnancy.~~

Sec. 244. On a monthly basis, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office on any line-item appropriation for which the department estimates total annual expenditures would exceed the funds appropriated for that line-item appropriation by 5% or more. The department shall provide a detailed explanation for any relevant line-item appropriation exceedance and shall identify the corrective actions undertaken to mitigate line-item appropriation expenditures from exceeding the funds appropriated for that line-item appropriation by a greater amount. This section does not apply for line-item appropriations that are part of the May revenue estimating conference caseload and expenditure estimates.

Sec. 250. The director or a local health officer shall not issue or enforce any orders or other directives that require an individual in this state who is under the age of 18 to wear a face mask or face covering.

Sec. 251. From the funds appropriated in part 1 for departmental administration and support, the department must develop reports related to emergency orders involving an epidemic issued during the fiscal year ending on September 30, 2022. Within 7 days after the issuance of any emergency order involving an epidemic, a report under this section must be provided to the senate and house appropriations committees and the senate and house fiscal agencies, and posted publicly on the department's website. A report under this section must contain the following:

- (a) An explanation of the nature and scope of the epidemic that the emergency order is intended to address.
- (b) A description of each area of the state that the department has determined is threatened by the epidemic.
- (c) If applicable, an explanation that contains the evidence relied upon to determine that a procedure established in the emergency order ensures the continuation of essential public health services or the enforcement of health laws.

(2) On a semiannual basis, the department shall provide a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office that includes the number of youths who received scholarships under this section and the amount of each scholarship, and the total amount of funds spent or encumbered in the current fiscal year.

Sec. 523. (1) By February 15 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a report on the families first, family reunification, and families together building solutions family preservation programs. The report shall provide population and outcome data based on contractually required follow-up evaluations for families that may increase child safety and risk reduction. and shall include information for each program on any innovations that may increase child safety and risk reduction.

(2) From the funds appropriated in part 1 for runaway and homeless youth grants and domestic violence prevention and treatment, the department is authorized to make allocations of TANF revenue only to agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements.

(3) By October 1 of the current fiscal year, from the funds appropriated in part 1 for family preservation services, the department shall retain the rates established by the increase provided in section 523(3) of article 6 of 2020 PA 166.

Sec. 524. As a condition of receiving funds appropriated in part 1 for strong families/safe children, counties must submit the service spending plan to the department by October 1 of the current fiscal year for approval. The department shall approve the service spending plan within 30 calendar days after receipt of a properly completed service spending plan.


Sec. 525. The department shall implement the same on-site evaluation processes for privately operated child welfare and juvenile justice residential facilities as is used to evaluate state-operated facilities. Penalties for noncompliance shall be the same for privately operated child welfare and juvenile justice residential facilities and state-operated facilities.

Sec. 526. From the funds appropriated in part 1 for court-appointed special advocates, the department shall allocate \$1,000,000.00 to fund a project with a nonprofit, community-based organization organized under the laws of this state that are exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, located in a charter township with a population of between 16,000 and 17,000 according to the 2010 federal decennial census that is located in a county with a population of between 600,000 and 605,000 according to the 2010 federal decennial census. The nonprofit organization recipient shall have an existing network of affiliate programs operating in at least 25 counties in this state. The nonprofit organization shall use the funds to recruit, screen, train, and supervise volunteers who provide advocacy services on behalf of abused and neglected children.

Sec. 527. With the approval of the settlement monitor, for the purposes of calculating adoption worker caseloads for private child placing agencies, the department shall exclude the following case types:

(a) Cases in which there are multiple applicants as that term is defined in section 22(e) of chapter X of the probate code of 1939, 1939 PA 288, MCL 710.22, also known as a competing party case, in which the case has a consent motion pending from Michigan's children's institute or the court for more than 30 days.

(b) Cases in which a birth parent has an order or motion for a rehearing or an appeal as of right that has been pending for more than 15 days.

 ~~Sec. 528. From the funds appropriated in part 1 for adoption support services, the department shall allocate \$10,000,000.00 to fund marketing programs that promote the adoption of infants and to develop factual educational information materials on adoption as an alternative to abortion including the ability of the birth mother to establish a pre-birth plan. The department shall issue a request for proposal for a contract for the development of marketing programs and information materials. The department shall notify the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices on vendors submitting bids for the contract, vendors receiving the contract, the evaluation process, and criteria used by the department to award the contract for marketing programs.~~

Sec. 529. From the funds appropriated in part 1 for family preservation programs, the department shall maintain the total combined funding levels of the families first, family reunification, and families together building solutions family preservation programs as of September 30, 2021. For the current fiscal year as the department moves towards implementation of the federal Family First Prevention Services Act, Public Law 115-123, the funding available to serve families through the existing family preservation programs shall not be reduced.

(d) Nursing services, breastfeeding education, evidence-based home visiting programs, intensive services, and outreach for children exposed to lead coordinated through local community mental health organizations.

(e) Department field operations costs.

(f) Lead poisoning surveillance, investigations, treatment, and abatement.

(g) Nutritional incentives provided to local residents through the double up food bucks expansion program.

(h) Genesee County health department food inspectors to perform water testing at local food service establishments.


(i) Transportation related to health care delivery.

(j) Senior initiatives.

(k) Lead abatement contractor workforce development.

(2) From the funds appropriated in part 1 for the drinking water declaration of emergency, the department shall allocate \$300,000.00 for Revive Community Health Center for health support services as the center pursues certification as a federally qualified health center.

(3) From the funds appropriated in part 1 for the drinking water declaration of emergency, the department shall allocate \$500,000.00 for rides to wellness through the Flint mass transportation authority.

 Sec. 1307. From the funds appropriated in part 1 for prenatal care outreach and service delivery support, \$700,000.00 of TANF revenue shall be allocated for a pregnancy and parenting support services program which must promote childbirth, alternatives to abortion, and grief counseling. The department shall establish a program with a qualified contractor that will contract with qualified service providers to provide free counseling, support, and referral services to eligible women during pregnancy through 12 months after birth. As appropriate, the goals for client outcomes shall include an increase in client support, an increase in childbirth choice, an increase in adoption knowledge, an improvement in parenting skills, and improved reproductive health through abstinence education. The contractor of the program shall provide for program training, client educational material, program marketing, and annual service provider site monitoring. The department shall submit a report to the house and senate appropriations subcommittees on the department budget and the house and senate fiscal agencies by April 1 of the current fiscal year on the number of clients served.

Sec. 1308. From the funds appropriated in part 1 for prenatal care outreach and service delivery support, not less than \$500,000.00 of funding shall be allocated for evidence-based programs to reduce infant mortality including nurse family partnership programs. The funds shall be used for enhanced support and education to nursing teams or other teams of qualified health professionals, client recruitment in areas designated as underserved for obstetrical and gynecological services and other high-need communities, strategic planning to expand and sustain programs, and marketing and communications of programs to raise awareness, engage stakeholders, and recruit nurses.

Sec. 1309. Funds appropriated for educational and other programs and services primarily pertaining to family planning or reproductive health services, or both, in any line item in section 116 of part 1 for family health services, shall be allocated by the department according to section 1 of 2002 PA 360, MCL 333.1091.

Sec. 1310. Each family planning program receiving federal title X family planning funds under 42 USC 300 to 300a-8 must be in compliance with all title X rules established by the Office of Population Affairs within the United States Department of Health and Human Services. The department shall monitor all title X family planning programs to ensure compliance with all federal title X rules. An agency not in compliance with the rules shall not receive supplemental or reallocated funds.

Sec. 1311. From the funds appropriated in part 1 for prenatal care outreach and service delivery support, not less than \$2,750,000.00 state general fund/general purpose funds shall be allocated for a rural home visit program. Equal consideration shall be given to all eligible evidence-based providers in all regions in contracting for rural home visitation services.

Sec. 1312. From the funds appropriated in part 1 for prenatal care and premature birth avoidance grant, the department shall allocate \$1,000,000.00 as a grant to help fulfill contract obligations between the department and a federal Healthy Start Program located in a county with a population between 600,000 and 610,000 according to the 2010 federal decennial census. To be eligible to receive funding, the organization must be a partnership between various health agencies, and utilize a social impact bonding strategy approved by the department to enhance support to underserved populations for prenatal care and premature birth avoidance.

Sec. 1313. (1) The department shall continue developing an outreach program on fetal alcohol syndrome services, targeting health promotion, prevention, and intervention.



Sec. 1321. From the funds appropriated in part 1 for the Michigan model for health comprehensive health education curriculum in the family, maternal, and child health administration line item, the department may, in consultation with the department of education, the Michigan domestic and sexual violence prevention and treatment board, and the Michigan Coalition to End Domestic and Sexual Violence, redraft the curriculum for the "Growing Up & Staying Healthy" and "Healthy & Responsible Relationships" modules to include age-appropriate information about the importance of consent, setting and respecting personal boundaries, and the prevention of child sexual abuse as outlined in section 1505 of the revised school code, 1976 PA 451, MCL 380.1505, and consistent with the recommendations and guidelines set by the task force on the prevention of sexual abuse of children created under section 12b of the child protection law, 1975 PA 238, MCL 722.632b, and the prevention of sexual assault and dating violence.

Sec. 1322. (1) The department shall provide a report by April 15 of the current fiscal year to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on state immunization policy and practices. The report shall include all of the following items:

- (a) A list of recommended vaccinations.
- (b) The basis and rationale for inclusion of each listed item.
- (c) The indicators, measures, and performance outcomes that document improvement in human health for each listed item.

(2) From the funds appropriated in part 1 for immunization program, \$50,000.00 shall be allocated for the purpose of publishing and printing the report described in subsection (1) in a summary format to be made available to the public as an informational brochure, provided free of charge through the department's health promotions clearinghouse to providers, groups, or individuals for free distribution.

Sec. 1341. The department shall utilize income eligibility and verification guidelines established by the Food and Nutrition Service agency of the United States Department of Agriculture in determining eligibility of individuals for the special supplemental nutrition program for women, infants, and children (WIC) as stated in current WIC policy.

Sec. 1342. From the funds appropriated in part 1 for family, maternal, and child health administration, \$500,000.00 shall be allocated for a school children's healthy exercise program to promote and advance physical health for school children in kindergarten through grade 8. The department shall recommend model programs for sites to implement that incorporate evidence-based best practices. The department shall grant the funds appropriated in part 1 for before- and after-school programs. The department shall establish guidelines for program sites, which may include schools, community-based organizations, private facilities, recreation centers, or other similar sites. The program format shall encourage local determination of site activities and shall encourage local inclusion of youth in the decision-making regarding site activities. Program goals shall include children experiencing improved physical health and access to physical activity opportunities, the reduction of obesity, providing a safe place to play and exercise, and nutrition education. To be eligible to participate, program sites shall provide a 20% match to the state funding, which may be provided in full, or in part, by a corporation, foundation, or private partner. The department shall seek financial support from corporate, foundation, or other private partners for the program or for individual program sites.

Sec. 1343. From the funds appropriated in part 1 for dental programs, the department shall allocate \$1,760,000.00 of state and local funds plus any private contributions received to support the program to establish and maintain a dental oral assessment program to provide assessments to school children as provided in section 9316 of the public health code, 1978 PA 368, MCL 333.9316.

~~Sec. 1345. From the funds appropriated in part 1 for maternal navigator pilot program, the department must establish not less than 2 geographically diverse maternal navigator pilot programs. Eligible maternal navigator pilot program grantees must be a nonprofit counseling or other similar nonprofit service organization that promotes childbirth and alternatives to abortion. The services provided by the maternal navigator pilot programs must include, but are not limited to, all of the following:~~

~~(a) Referral services, and partial or full reimbursement, for counseling for victims of rape and other forms of abuse and violence that result in pregnancy.~~

~~(b) Referral services, and partial or full reimbursement, for specialized substance use disorder services, including residential services.~~

~~(c) Referral services, and partial or full reimbursement, to a hospital or health system for information and services for women of childbearing age who are seeking nutritional, prenatal, childbirth, and postnatal care and who are also in need of assistance with understanding recent advances in prenatal and postnatal medicines.~~

~~(d) Referral services, and partial or full reimbursement, for counseling, emotional support services, genetic counseling, and other services to individuals and couples experiencing difficulties or having genetic concerns related to pregnancy or parenting.~~

~~Sec. 1346. (1) From the funds appropriated in part 1 for pregnancy resource centers, the department shall allocate \$1,500,000.00 as grants to pregnancy resource centers operating in the state. The department shall accept applications from pregnancy resource centers through December 31 of the current fiscal year and distribute the grant funds equally to each eligible pregnancy resource center applicant.~~

~~(2) As used in this section, "pregnancy resource centers" means private nonprofit organizations that promote childbirth and alternatives to abortion, provide referrals and information, and may also provide other services related to pregnancy or post-pregnancy.~~

Sec. 1347. The department shall not use state restricted funds or state general funds appropriated in part 1, or allow grantees or subcontractors to use those funds, for abortion counseling, referrals, or services, or for any activities regarding human cloning or research in which a human embryo or embryos are destroyed or discarded.

Sec. 1348. From the funds appropriated in part 1, the department shall submit a report by January 1 of the current fiscal year to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices on any request for proposals issued by this state for the healthy moms healthy babies program and on any healthy moms healthy babies programs that are established.

#### CHILDREN'S SPECIAL HEALTH CARE SERVICES

Sec. 1360. The department may do 1 or more of the following:

- (a) Provide special formulas for eligible clients with specified metabolic and allergic disorders.
- (b) Provide medical care and treatment to eligible patients with cystic fibrosis who are 21 years of age or older.
- (c) Provide medical care and treatment to eligible patients with hereditary coagulation defects, commonly known as hemophilia, who are 21 years of age or older.
- (d) Provide human growth hormone to eligible patients.
- (e) Provide mental health care for mental health needs that result from, or are a symptom of, the individual's qualifying medical condition.
- (f) Provide medical care and treatment to eligible patients with sickle cell disease who are 21 years of age or older.

Sec. 1361. From the funds appropriated in part 1 for medical care and treatment, the department may spend those funds for the continued development and expansion of telemedicine capacity to allow families with children in the children's special health care services program to access specialty providers more readily and in a more timely manner. The department may spend funds to support chronic complex care management of children enrolled in the children's special health care services program to minimize hospitalizations and reduce costs to the program while improving outcomes and quality of life.

Sec. 1363. From the funds appropriated in part 1 for children's special health care services administration, the department shall allocate \$1,000,000.00 as a grant to an independent biomedical research and science education organization in a county with a population between 600,000 and 610,000 and in a city with a population over 185,000 according to the 2010 federal decennial census to be used for matching federal funds, private and nonprofit grants, and private contributions.

#### AGING AND ADULT SERVICES AGENCY

Sec. 1402. The department may encourage the Food Bank Council of Michigan to collaborate directly with each area agency on aging and any other organizations that provide senior nutrition services to secure the food access of older adults.

Sec. 1403. (1) By February 1 of the current fiscal year, the aging and adult services agency shall require each region to report to the aging and adult services agency and to the legislature home-delivered meals waiting lists based upon standard criteria. Determining criteria shall include all of the following:

- (a) The recipient's degree of frailty.