

SENATE BILL No. 502

September 24, 1991, Introduced by Senators EHLERS,
SCHWARZ, GAST, MC MANUS and CONROY and referred to
the Committee on Appropriations.

A bill to amend section 5431 of Act No. 368 of the Public
Acts of 1978, entitled as amended

"Public health code,"

as amended by Act No. 264 of the Public Acts of 1988, being
section 333.5431 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5431 of Act No. 368 of the Public Acts
2 of 1978, as amended by Act No. 264 of the Public Acts of 1988,
3 being section 333.5431 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 5431. (1) A health professional in charge of the care
6 of a newborn infant or, if none, the health professional in
7 charge at the birth of an infant shall administer or cause to be
8 administered to the infant a test for phenylketonuria, ~~and,~~
9 ~~beginning July 1, 1987, shall administer or cause to be~~

1 administered to the infant a test for galactosemia,
2 hypothyroidism, maple syrup urine disease, biotinidase deficien-
3 cy, sickle cell anemia, CONGENITAL ADRENAL HYPERPLASIA, and other
4 treatable but otherwise handicapping conditions as designated by
5 the department. The test shall be administered and reported
6 within a time and under conditions prescribed by the department.
7 ~~In addition, the~~ THE department may require that the test be
8 performed by the department. ~~Within 30 days after the effective~~
9 ~~date of this amendatory act, the department shall submit for~~
10 ~~promulgation under section 48 of the administrative procedures~~
11 ~~act of 1969, Act No. 306 of the Public Acts of 1969, being sec-~~
12 ~~tion 24.248 of the Michigan Compiled Laws, rules that define a~~
13 ~~good faith effort to report positive test results, as required~~
14 ~~under subsection (2).~~

15 (2) If the results of a test administered under subsection
16 (1) are positive, the results shall be reported to the infant's
17 parents, guardian, or person in loco parentis. A person is in
18 compliance with this subsection if the person makes a good faith
19 effort to report the positive test results to the infant's
20 parent, guardian, or person in loco parentis. ~~as defined by rule~~
21 ~~promulgated under subsection (1).~~ THE DEPARTMENT SHALL PROMUL-
22 GATE RULES THAT DEFINE A GOOD FAITH EFFORT TO REPORT POSITIVE
23 TEST RESULTS FOR PURPOSES OF THIS SUBSECTION.

24 (3) If the department performs a test required under
25 subsection (1), the department may charge a fee for the test of
26 not more than ~~\$18.00~~ \$25.00. The amount stated in this
27 subsection shall be adjusted annually by an amount determined by

1 the state treasurer to reflect the cumulative annual percentage
2 change in the Detroit consumer price index. As used in this sub-
3 section, "Detroit consumer price index" means the most comprehen-
4 sive index of consumer prices available for the Detroit area from
5 the bureau of labor statistics of the United States department of
6 labor.

7 (4) A person who violates this section or a rule promulgated
8 under this part is guilty of a misdemeanor.

9 (5) The department shall provide for a hardship waiver of
10 the fee authorized under subsection (3) under circumstances found
11 appropriate by the department.