
Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 593 (Substitute S-4 as reported)
Sponsor: Senator Mike Goschka
Committee: Health Policy

CONTENT

The bill would amend the Public Health Code to provide that, beginning six months after the bill's effective date, a physician could not order a genetic test without first obtaining the written, informed consent of the test subject. This provision also would apply to an individual to whom a physician had delegated authority to perform a selected act, task, or function.

Written, informed consent would consist of a signed writing executed by the test subject, or the legally authorized representative of the test subject, that included at least all of the following:

- The nature and purpose of the genetic test.
- The effectiveness and limitations of the genetic test.
- The implications of taking the genetic test, including the medical risks and benefits.
- The future uses of the sample taken from the test subject in order to conduct the genetic test and the information obtained from the genetic test.
- The meaning of the genetic test results and the procedure for providing notice of the results to the test subject.
- Who would have access to the sample taken from the test subject and the information obtained from it, and the test subject's right to confidential treatment of the sample and the information.

Within six months after the bill took effect, the Department of Community Health (DCH), in consultation with the Michigan Board of Medicine, the Michigan Board of Osteopathic Medicine and Surgery, at least one physician certified by the American Board of Medical Genetics, and appropriate professional organizations, would have to develop and distribute a model informed consent form that practitioners could adopt.

MCL 333.16221 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. The DCH could experience nominal costs in developing, printing, and distributing the consent forms.

Date Completed: 10-22-99

Fiscal Analyst: J. Walker