

Act No. 95  
Public Acts of 2021  
Approved by the Governor  
October 29, 2021  
Filed with the Secretary of State  
October 29, 2021  
EFFECTIVE DATE: Sine Die

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

Introduced by Reps. Yaroch, Roth, O'Malley, Wozniak, Bezotte and Stone

## **ENROLLED HOUSE BILL No. 4087**

AN ACT to amend 1976 PA 390, entitled "An act to provide for planning, mitigation, response, and recovery from natural and human-made disaster within and outside this state; to create the Michigan emergency management advisory council and prescribe its powers and duties; to prescribe the powers and duties of certain state and local agencies and officials; to prescribe immunities and liabilities; to provide for the acceptance of gifts; and to repeal acts and parts of acts," (MCL 30.401 to 30.421) by adding section 7b.

*The People of the State of Michigan enact:*

Sec. 7b. (1) Beginning on the effective date of the amendatory act that added this section, the department of health and human services shall, subject to annual appropriation, stockpile medical supplies that are necessary to respond to a state of disaster or a state of emergency within this state.

(2) The department of health and human services shall do all of the following, subject to annual appropriation:

(a) Coordinate and maintain medical supplies that may be necessary to respond to a state of disaster or a state of emergency. The department of health and human services shall use its discretion in implementing this section and shall work with other state departments to maintain the stockpiled medical supplies.

(b) Rotate the stockpiled medical supplies to avoid continued stockpiling of expired medical supplies.

(c) Sell the rotated medical supplies before their expiration date or donate the rotated expired medical supplies to a nonprofit organization, a public safety agency, a long-term care facility or other congregate living health facility, a public health laboratory, or an educational program.

(3) The medical supplies stockpiled by the department of health and human services under subsection (1) must be enough to respond to a state of disaster or a state of emergency for not more than 2 months.

(4) The emergency management division established under section 7a shall assist the department of health and human services with the coordination and distribution of the medical supplies stockpiled under subsection (1) during a state of disaster or a state of emergency within this state.

(5) The department of health and human services shall display a list of the medical supplies inventory, including quantities and expiration dates, on a website that is fully accessible to the public at no cost. The department of health and human services shall maintain the list required under this subsection regardless of whether money is appropriated under this section.

(6) The list of the medical supplies inventory stockpiled under subsection (1) is subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(7) Money appropriated to implement this section must not be used to purchase foreign goods or services if competitively priced and comparable quality American goods or services are available. Preference must first be

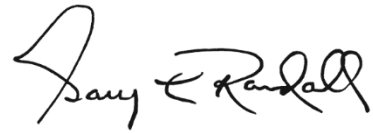
given to goods or services manufactured or provided by Michigan businesses that are owned and operated by veterans or goods or services that are manufactured or provided by Michigan businesses, if the goods or services are competitively priced and of comparable quality.

(8) As used in this section:

(a) "Medical personnel" means a health professional, hospital staff, a first responder, or a mortuary science professional, or an individual who works in a medical laboratory or mortuary or provides pathology, histology, necropsy, or autopsy services.

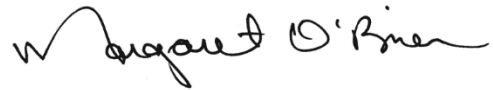
(b) "Medical supplies" means equipment or supplies necessary for the proper and timely implementation of universal or standard precautions by medical personnel in response to the specific medical situation presented in that setting.

(c) "Public safety agency" means a functional division of this state, a public agency, or a county that provides fire fighting, law enforcement, ambulance, medical, or other emergency services.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved \_\_\_\_\_

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Governor