

# Legislative Analysis

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## TESTING BREAST MILK FOR HIV

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4728 as introduced**  
**Sponsor: Rep. Julie M. Rogers**  
**Committee: Health Policy**  
**Complete to 10-18-23**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4728 would amend the Public Health Code to change HIV testing requirements for breast milk. Under the code, a person who obtains *self-replicating body fluids* to introduce into a human body must test each donor for HIV or an HIV antibody, and the donor's fluids cannot be used if the test results are positive. The code requires testing of each potential donor. A regular donor must be tested at least every three months. The bill would eliminate the requirement that regular donors be tested quarterly.

*Self-replicating body fluids* means bodily fluids that are reproduced by the body, such as breast milk, but specifically excluding blood and sperm.

MCL 333.9123

### FISCAL IMPACT:

House Bill 4728 would have a negligible fiscal impact on state expenditures to the Department of Health and Human Services (DHHS) or local units of government. The fiscal impact of the bill would be dependent on any laboratory savings associated with a decrease in required HIV testing of frequent donor samples.

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