

SUBSTITUTE FOR  
HOUSE BILL NO. 5574

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 13815 (MCL 333.13815), as added by 1990 PA 21.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 13815. ~~A producing facility shall submit the following~~  
2 ~~registration fee with the registration form required under section~~  
3 ~~13813.~~  
4       ~~— (a) For a producing facility that is a health facility or~~  
5 ~~agency other than a hospital described in subdivision (b) and for a~~  
6 ~~producing facility that is not a health facility or agency, a~~  
7 ~~registration fee of \$75.00.~~

1  ~~(b) For a producing facility that is a health facility or~~  
2  ~~agency that is a hospital with 150 or more licensed beds or a~~  
3  ~~clinical laboratory, a registration fee of \$150.00.~~

4 (1) SUBJECT TO SUBSECTION (2), A PERSON SHALL NOT OPERATE AS A  
5 TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER UNLESS THE PERSON IS  
6 REGISTERED UNDER THIS SECTION. A PERSON SHALL APPLY FOR  
7 REGISTRATION ON FORMS AND IN THE MANNER PRESCRIBED BY THE  
8 DEPARTMENT.

9 (2) A PERSON OPERATING AS A TRAUMA SCENE WASTE MANAGEMENT  
10 PRACTITIONER IMMEDIATELY BEFORE THE EFFECTIVE DATE OF THE  
11 AMENDATORY ACT THAT ADDED THIS SUBSECTION MAY CONTINUE TO OPERATE  
12 AS A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER, SUBJECT TO THE  
13 FOLLOWING:

14 (A) WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY  
15 ACT THAT ADDED THIS SUBSECTION, THE PERSON SHALL NOTIFY THE  
16 DEPARTMENT THAT THE PERSON IS OPERATING AND INTENDS TO CONTINUE TO  
17 OPERATE AS A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER.

18 (B) BY THE DATE AND IN THE MANNER PRESCRIBED BY THE  
19 DEPARTMENT, THE PERSON SHALL SUBMIT TO THE DEPARTMENT AN  
20 APPLICATION FOR REGISTRATION. UPON RECEIPT OF THE APPLICATION, THE  
21 DEPARTMENT SHALL PROCEED IN THE MANNER PRESCRIBED IN SUBSECTION  
22 (4).

23 (C) THE PERSON SHALL IMMEDIATELY CEASE OPERATION AS A TRAUMA  
24 SCENE WASTE MANAGEMENT PRACTITIONER UPON RECEIPT OF A NOTICE THAT  
25 ITS APPLICATION FOR REGISTRATION UNDER SUBDIVISION (B) HAS BEEN  
26 DENIED. A PERSON WHO RECEIVES A NOTICE THAT ITS APPLICATION FOR  
27 REGISTRATION HAS BEEN DENIED MAY REAPPLY, AND THE DEPARTMENT SHALL

1 PROCEED IN THE MANNER PRESCRIBED IN SUBSECTION (4).

2 (3) A PERSON THAT APPLIES OR REAPPLIES FOR REGISTRATION UNDER  
3 THIS SECTION, INCLUDING A PERSON THAT APPLIES FOR REGISTRATION  
4 RENEWAL UNDER SUBSECTION (5), SHALL SUBMIT ALL OF THE FOLLOWING  
5 WITH THE APPLICATION:

6 (A) A REGISTRATION FEE OF \$75.00.

7 (B) A WRITTEN TRAUMA SCENE WASTE MANAGEMENT PLAN THAT MEETS  
8 THE REQUIREMENTS OF SUBSECTION (8).

9 (C) PROOF OF FINANCIAL RESPONSIBILITY FOR BODILY INJURY,  
10 PROPERTY DAMAGE, OR ENVIRONMENTAL DAMAGE TO THIRD PARTIES CAUSED BY  
11 ACCIDENTAL OCCURRENCES ARISING FROM THE TRAUMA SCENE WASTE CLEANUP  
12 AND TRANSPORT ACTIVITIES OF THE TRAUMA SCENE WASTE MANAGEMENT  
13 PRACTITIONER.

14 (D) SUBJECT TO SUBSECTION (5), A FEE PRESCRIBED BY THE  
15 DEPARTMENT TO COVER THE EXPENSE OF THE BACKGROUND CHECK REQUIRED  
16 UNDER SUBSECTION (4).

17 (4) UPON RECEIPT OF A COMPLETE APPLICATION FOR REGISTRATION  
18 UNDER THIS SECTION AND THE APPLICABLE FEE OR FEES, AND SUBJECT TO  
19 SUBSECTION (5), THE DEPARTMENT SHALL CAUSE TO BE CONDUCTED A  
20 BACKGROUND CHECK OF ALL INDIVIDUALS LISTED IN THE APPLICATION AS  
21 BEING THE OWNERS, OFFICERS, DIRECTORS, PARTNERS, OR OTHER KEY  
22 EMPLOYEES OF THE TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER. THE  
23 DEPARTMENT SHALL DETERMINE WHETHER ANY INFORMATION RECEIVED AS A  
24 RESULT OF THE BACKGROUND CHECK MAKES THE TRAUMA SCENE WASTE  
25 MANAGEMENT PRACTITIONER INELIGIBLE TO BE REGISTERED UNDER THIS  
26 SECTION AND, IF SO, SHALL NOT REGISTER THE PERSON. THE DEPARTMENT  
27 SHALL NOTIFY THE PERSON THAT ITS APPLICATION FOR REGISTRATION HAS

1 BEEN DENIED UNDER THIS SECTION AND INCLUDE THE REASONS FOR THE  
2 DENIAL. A PERSON WHO RECEIVES A NOTICE THAT ITS APPLICATION FOR  
3 REGISTRATION HAS BEEN DENIED UNDER THIS SUBSECTION MAY REAPPLY IN  
4 THE MANNER PRESCRIBED IN SUBSECTION (3), AND THE DEPARTMENT SHALL  
5 PROCEED IN THE MANNER PRESCRIBED IN THIS SUBSECTION ON THE  
6 APPLICATION AS IF IT WERE A NEW APPLICATION. IF THE DEPARTMENT  
7 DETERMINES THAT THE APPLICANT IS ABLE TO ENGAGE IN THE CLEANUP,  
8 HANDLING, AND TRANSPORT OF TRAUMA SCENE WASTE IN A MANNER THAT WILL  
9 PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE AND THE ENVIRONMENT,  
10 THE DEPARTMENT SHALL ISSUE A CERTIFICATION OF REGISTRATION TO THE  
11 APPLICANT UNDER THIS SECTION.

12 (5) A CERTIFICATE OF REGISTRATION ISSUED UNDER THIS SECTION IS  
13 VALID FOR 3 YEARS FROM THE DATE OF ISSUANCE. A TRAUMA SCENE WASTE  
14 MANAGEMENT PRACTITIONER SHALL COMPLY WITH SUBSECTION (2) AND ANY  
15 RULES PROMULGATED BY THE DEPARTMENT TO OBTAIN A RENEWAL  
16 REGISTRATION UNDER THIS SECTION. THE DEPARTMENT SHALL ACT ON A  
17 RENEWAL REGISTRATION APPLICATION IN THE SAME MANNER AS A NEW  
18 APPLICATION UNDER SUBSECTION (4). HOWEVER, THE DEPARTMENT IS NOT  
19 REQUIRED TO CONDUCT A BACKGROUND CHECK ANNUALLY, BUT SHALL CONDUCT  
20 A BACKGROUND CHECK OF A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER  
21 FOR A RENEWAL REGISTRATION APPLICATION AT LEAST ONCE EVERY 3 YEARS.

22 (6) FEES COLLECTED PURSUANT TO THIS SECTION SHALL BE FORWARDED  
23 TO THE STATE TREASURER AND DEPOSITED IN THE FUND.

24 (7) WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY  
25 ACT THAT ADDED THIS SUBSECTION AND ON A CONTINUING BASIS, THE  
26 DEPARTMENT, IN CONSULTATION WITH THE TRAUMA SCENE WASTE MANAGEMENT  
27 INDUSTRY AND THE HEALTH CARE INDUSTRY, SHALL ESTABLISH THE

1 FOLLOWING STANDARDS:

2 (A) DOCUMENTATION OF PERSONAL PROTECTION REQUIRED TO BE  
3 PROVIDED FOR AND USED BY EMPLOYEES OF TRAUMA SCENE WASTE MANAGEMENT  
4 PRACTITIONERS.

5 (B) TECHNOLOGIES, CHEMICALS, AND PROCEDURES APPROPRIATE FOR  
6 CLEANING AND DISINFECTING A TRAUMA SCENE.

7 (C) PROCEDURES AND EQUIPMENT APPROPRIATE FOR REMOVING,  
8 STORING, TRANSPORTING, AND DISPOSING OF TRAUMA SCENE WASTE.

9 (D) OTHER STANDARDS AS NECESSARY.

10 (8) A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL DEVELOP  
11 A TRAUMA SCENE WASTE MANAGEMENT PLAN. THE TRAUMA SCENE WASTE  
12 MANAGEMENT PLAN SHALL DESCRIBE ALL OF THE FOLLOWING CONSISTENT WITH  
13 THE STANDARDS UNDER SUBSECTION (7):

14 (A) THE PERSONAL PROTECTION TO BE PROVIDED TO EMPLOYEES OF THE  
15 TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER TO MINIMIZE EXPOSURE TO  
16 INFECTIOUS AGENTS THROUGHOUT THE PROCESS OF HANDLING AND  
17 TRANSPORTING TRAUMA SCENE WASTE.

18 (B) THE TECHNOLOGIES, CHEMICALS, AND PROCEDURES TO BE USED FOR  
19 CLEANING AND DISINFECTING THE TRAUMA SCENE.

20 (C) PROCEDURES AND EQUIPMENT TO BE USED FOR REMOVING, STORING,  
21 TRANSPORTING, AND DISPOSING OF TRAUMA SCENE WASTE.

22 (D) ANY OTHER INFORMATION THAT THE DEPARTMENT DETERMINES IS  
23 NECESSARY UNDER SUBSECTION (7).

24 (9) A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL UPDATE  
25 ITS TRAUMA SCENE WASTE MANAGEMENT PLAN EVERY YEAR OR WITHIN 30 DAYS  
26 OF A CHANGE IN ANY OF THE FOLLOWING:

27 (A) A PERSON OR SITE NAMED IN THE PLAN.

1 (B) THE TYPES OF TRAUMA SCENE WASTE HANDLED OR THE METHODS OF  
2 HANDLING TRAUMA SCENE WASTE.

3 (10) A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL COMPLY  
4 WITH ITS TRAUMA SCENE WASTE MANAGEMENT PLAN AND SHALL TRANSPORT  
5 TRAUMA SCENE WASTE TO A PRODUCING FACILITY THAT DECONTAMINATES OR  
6 INCINERATES MEDICAL WASTE FOR TREATMENT OR DISPOSAL. A TRAUMA SCENE  
7 WASTE MANAGEMENT PRACTITIONER SHALL NOT STORE TRAUMA SCENE WASTE ON  
8 ITS PREMISES FOR MORE THAN 7 DAYS. A TRAUMA SCENE WASTE MANAGEMENT  
9 PRACTITIONER SHALL PACKAGE MEDICAL WASTE IN THE MANNER PRESCRIBED  
10 IN SECTION 13821 AND AS OTHERWISE PRESCRIBED BY THE DEPARTMENT.

11 (11) THE DEPARTMENT MAY INSPECT A TRAUMA SCENE WASTE  
12 MANAGEMENT PRACTITIONER IN EITHER A ROUTINE OR UNANNOUNCED MANNER  
13 IN ORDER TO DETERMINE WHETHER THE TRAUMA SCENE WASTE MANAGEMENT  
14 PRACTITIONER SHOULD BE REGISTERED OR TO INVESTIGATE A COMPLAINT.  
15 THE DEPARTMENT MAY DENY, SUSPEND, OR REVOKE REGISTRATION IF THE  
16 DEPARTMENT DETERMINES THAT THE TRAUMA SCENE WASTE MANAGEMENT  
17 PRACTITIONER IS NOT ABLE TO ENGAGE IN THE CLEANUP, HANDLING, AND  
18 TRANSPORT OF TRAUMA SCENE WASTE IN A MANNER THAT WILL PROTECT THE  
19 PUBLIC HEALTH, SAFETY, AND WELFARE AND THE ENVIRONMENT. THE  
20 DEPARTMENT SHALL PROVIDE NOTICE UNDER SECTION 92 OF THE  
21 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.292, AND  
22 AN OPPORTUNITY FOR A CONTESTED CASE HEARING UNDER CHAPTER 4 OF THE  
23 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.271 TO  
24 24.287, BEFORE SUSPENDING OR REVOKING A REGISTRATION UNDER THIS  
25 SUBSECTION.

26 (12) SECTION 13813 AND, EXCEPT AS PROVIDED IN THIS SUBSECTION,  
27 SECTION 13817 DO NOT APPLY TO A TRAUMA SCENE WASTE MANAGEMENT

1 PRACTITIONER. A TRAUMA SCENE WASTE MANAGEMENT PRACTITIONER SHALL  
2 MAKE ITS TRAUMA SCENE WASTE MANAGEMENT PLAN AVAILABLE TO THE  
3 DEPARTMENT IN THE SAME MANNER AS REQUIRED FOR A MEDICAL WASTE  
4 MANAGEMENT PLAN UNDER SECTION 13817(4) AND (5).

5 (13) THE DEPARTMENT SHALL POST AND MAINTAIN ON ITS WEBSITE A  
6 CURRENT LIST OF REGISTERED TRAUMA SCENE WASTE MANAGEMENT  
7 PRACTITIONERS. UPON REQUEST, THE DEPARTMENT SHALL SUBMIT A CURRENT  
8 LIST OF REGISTERED TRAUMA SCENE WASTE MANAGEMENT PRACTITIONERS TO  
9 OTHER PUBLIC AGENCIES AND TO THE GENERAL PUBLIC.

10 Enacting section 1. This amendatory act does not take effect  
11 unless House Bill No. 5575 of the 94th Legislature is enacted into  
12 law.