

HOUSE BILL No. 4426

March 1, 2005, Introduced by Reps. Kolb, Leland, Alma Smith, Lipsey, Bieda, Donigan and Tobocman and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 5717 and 5721 (MCL 333.5717 and 333.5721),
section 5717 as added by 1987 PA 48 and section 5721 as amended by
1988 PA 236.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5717. The department shall establish a birth defects
2 registry for all of the following purposes:

3 (a) To provide information on the incidence, **PREVALENCE**, and
4 trends of birth defects, **FETAL DEATHS, AND MISCARRIAGES** among
5 Vietnam-era veterans, ~~and~~ their families, and ~~among~~ the general
6 population.

7 (b) To provide information to determine whether environmental

1 hazards, ~~such as~~ **INCLUDING, BUT NOT LIMITED TO,** exposure to agent
2 orange, **PESTICIDES,** or chemical agents **AND LOCATION IN CLOSE**
3 **PROXIMITY TO AN INDUSTRIAL OR MANUFACTURING FACILITY,** are
4 associated with birth defects, ~~and to~~ **FETAL DEATHS, AND**
5 **MISCARRIAGES AMONG VIETNAM-ERA VETERANS, THEIR FAMILIES, AND THE**
6 **GENERAL POPULATION.**

7 (C) TO provide information as to other possible causes of
8 birth defects, **FETAL DEATHS, AND MISCARRIAGES** among Vietnam-era
9 veterans, **THEIR FAMILIES,** and ~~among~~ the general population.

10 (D) ~~(e)~~ To develop prevention strategies, **INCLUDING, BUT**
11 **NOT LIMITED TO, EDUCATION AND OUTREACH,** for reducing the incidence
12 of birth defects, **FETAL DEATHS, AND MISCARRIAGES** among Vietnam-era
13 veterans, ~~and~~ their families, and ~~among~~ the general population.

14 Sec. 5721. (1) Each diagnosed incidence of a birth defect,
15 including a congenital or structural malformation, or a biochemical
16 or genetic disease, and any **OTHER** information relevant to incidents
17 of birth defects, shall be reported to the department **WITHIN 30**
18 **DAYS OF THE DIAGNOSIS.** ~~The reporting shall begin not later than~~
19 ~~the next calendar year after June 11, 1987.~~

20 (2) **EACH FETAL DEATH AND MISCARRIAGE AND ANY OTHER INFORMATION**
21 **RELEVANT TO THE FETAL DEATH OR MISCARRIAGE, INCLUDING, BUT NOT**
22 **LIMITED TO, THE MEDICAL RECORDS OF THE MOTHER, SHALL BE REPORTED TO**
23 **THE DEPARTMENT WITHIN 30 DAYS OF THE INCIDENT.**

24 (3) ~~(2)~~ The department shall maintain comprehensive
25 statewide records of all information reported to the birth defects
26 registry. The information reported ~~shall be~~ **IS CONFIDENTIAL AND**
27 subject to the same requirements ~~of confidentiality as~~ provided

1 ~~in~~ UNDER section 2631 for data or records concerning medical
2 research projects.

3 (4) ~~(3)~~ The director shall promulgate rules ~~which~~ **THAT**
4 provide for all of the following:

5 (a) A list of birth defects, including, but not limited to,
6 congenital and structural malformations, and biochemical or genetic
7 diseases, and other relevant information to be reported.

8 (b) The quality, ~~and~~ manner, ~~in which the incidents of~~
9 ~~birth defects~~ **AND FORM FOR REPORTING EACH BIRTH DEFECT, FETAL**
10 **DEATH, MISCARRIAGE,** and other information ~~is to be reported~~ **TO**
11 **THE DEPARTMENT.**

12 (c) The terms and conditions under which records maintained
13 under this section, including any records containing the name and
14 medical condition of a specific individual, may be released by the
15 department.

16 (5) ~~(4)~~ This section does not compel an individual to submit
17 to medical examination or supervision by the department or
18 otherwise.

19 (6) ~~(5)~~ The department may ~~contract~~ **DO 1 OR MORE OF THE**
20 **FOLLOWING:**

21 (A) **CONTRACT** for the collection and analysis of, and research
22 related to, the data required under this section.

23 (B) **CONTRACT FOR THE STUDY OF ENVIRONMENTAL HAZARDS IN THIS**
24 **STATE AND THEIR RELATION TO BIRTH DEFECTS, FETAL DEATHS, AND**
25 **MISCARRIAGES.**

26 (C) **CONTRACT FOR THE MONITORING OF THE BIRTH REGISTRY PROGRAM**
27 **AND EVALUATING COMPLIANCE WITH THE PROGRAM.**

1 (7) ~~-(6) Within 2 years after June 11, 1987, the~~ **THE**
2 department shall ~~begin evaluating~~ **EVALUATE** the information
3 reported to the birth defects registry. The department shall
4 publish and make available to the public **ANNUAL** reports summarizing
5 the information collected. ~~The first summary report shall be~~
6 ~~published not later than 180 days after the end of the first 2 full~~
7 ~~calendar years after June 11, 1987. Subsequent annual~~ **ANNUAL**
8 summary reports shall be made on a full calendar year basis and
9 published not later than 180 days after the end of each calendar
10 year.