

# HOUSE BILL No. 5868

September 11, 2012, Introduced by Reps. Stallworth, Howze, Rutledge, Liss, Olumba, Townsend, Irwin, Stanley, Poleski, Durhal and Talabi and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 5474d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 5474D. (1) A HEALTH PROFESSIONAL WHO PROVIDES PRIMARY  
2 CARE SERVICES TO A PATIENT WHO IS 12 TO 24 MONTHS OLD SHALL COMPLY  
3 WITH THIS SECTION. THIS SECTION DOES NOT APPLY TO A HEALTH  
4 PROFESSIONAL WHO PROVIDES EMERGENCY OR NONPRIMARY CARE SERVICES TO  
5 A PATIENT DESCRIBED IN THIS SUBSECTION.

6           (2) A HEALTH PROFESSIONAL WHO IS SUBJECT TO THIS SECTION SHALL  
7 ORDER LEAD EXPOSURE SCREENING OF A PATIENT DESCRIBED IN SUBSECTION  
8 (1). THE SCREENING REQUIRED UNDER THIS SUBSECTION SHALL SEEK TO  
9 DETERMINE IF ANY OF THE FOLLOWING LEAD EXPOSURE CRITERIA APPLY TO

1 THE PATIENT:

2 (A) THE PATIENT LIVES IN 1 OF THIS STATE'S TARGET COMMUNITIES.  
3 AS USED IN THIS SUBDIVISION, "TARGET COMMUNITIES" INCLUDES BATTLE  
4 CREEK, BENTON HARBOR, DEARBORN, DETROIT, FLINT, GRAND RAPIDS,  
5 HAMTRAMCK, HIGHLAND PARK, JACKSON, KALAMAZOO, LANSING, MUSKEGON,  
6 MUSKEGON HEIGHTS, PONTIAC, AND SAGINAW. BY ORDER, THE DEPARTMENT  
7 MAY REVISE THE LIST OF TARGET COMMUNITIES IN THIS STATE BASED UPON  
8 INFORMATION AVAILABLE TO THE DEPARTMENT UNDER THIS PART OR OTHER  
9 RELIABLE SOURCES.

10 (B) THE PATIENT IS NOT ENROLLED IN MEDICAID; IS NOT A  
11 PARTICIPANT IN THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN,  
12 INFANTS, AND CHILDREN; AND IS NOT ENROLLED IN ANY OTHER GOVERNMENT-  
13 SPONSORED HEALTH CARE PROGRAM UNDER WHICH LEAD EXPOSURE SCREENING  
14 IS PROVIDED AND, BASED UPON THE ANSWERS TO QUESTIONS POSED BY THE  
15 HEALTH PROFESSIONAL, THE PARENT, GUARDIAN, OR PERSON IN LOCO  
16 PARENTIS OF THE PATIENT INDICATES THAT THE PATIENT COULD HAVE BEEN  
17 EXPOSED TO LEAD OR DOES NOT KNOW WHETHER THE PATIENT HAS BEEN  
18 EXPOSED TO LEAD. A HEALTH PROFESSIONAL SHALL USE THE STATEWIDE LEAD  
19 TESTING/LEAD SCREENING PLAN PUBLISHED BY THE DEPARTMENT OF  
20 COMMUNITY HEALTH'S MICHIGAN CHILDHOOD LEAD POISONING PREVENTION  
21 PROGRAM AS THE BASIS FOR THE QUESTIONS ASKED UNDER THIS  
22 SUBDIVISION.

23 (C) THE PATIENT IS A NEWLY ARRIVED REFUGEE OR AN  
24 INTERNATIONALLY ADOPTED CHILD.

25 (3) A HEALTH PROFESSIONAL WHO DETERMINES THAT 1 OR MORE OF THE  
26 CRITERIA LISTED IN SUBSECTION (2) APPLY TO THE PATIENT SHALL ORDER  
27 BLOOD LEAD DIAGNOSTIC TESTING FOR THAT PATIENT. A HEALTH

1 PROFESSIONAL SHALL FOLLOW THE PROVIDER GUIDELINES PUBLISHED BY THE  
2 DEPARTMENT OF COMMUNITY HEALTH'S MICHIGAN CHILDHOOD LEAD POISONING  
3 PREVENTION PROGRAM IN ORDERING BLOOD LEAD DIAGNOSTIC TESTING UNDER  
4 THIS SUBSECTION.

5 (4) THE PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS OF A  
6 PATIENT FOR WHOM BLOOD LEAD DIAGNOSTIC TESTING IS ORDERED UNDER  
7 SUBSECTION (3) SHALL PROVIDE FOR THE CHILD'S BLOOD LEAD DIAGNOSTIC  
8 TESTING BY AN AUTHORIZED HEALTH PROFESSIONAL, PHYSICIAN, LOCAL  
9 HEALTH DEPARTMENT, CLINIC, OR OTHER AGENCY OFFERING BLOOD LEAD  
10 DIAGNOSTIC TESTING. THIS SECTION DOES NOT REQUIRE ANY CHILD TO  
11 UNDERGO BLOOD LEAD DIAGNOSTIC TESTING WHOSE PARENT OR GUARDIAN  
12 OBJECTS ON THE GROUNDS THAT BLOOD LEAD DIAGNOSTIC TESTING CONFLICTS  
13 WITH THE PARENT'S OR GUARDIAN'S RELIGIOUS BELIEFS.