



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 812 (as introduced 1-12-22)  
Sponsor: Senator Curtis S. VanderWall  
Committee: Health Policy and Human Services

Date Completed: 5-11-22

### **CONTENT**

**The bill would add Part 216A (Specialized Laboratories) to the Public Health Code to require a person that established or operated a specialized laboratory to register it with the Department of Licensing and Regulatory Affairs (LARA), and prescribe penalties for a violation of Part 216A.**

Specifically, under the bill, beginning 180 days after its effective date, a person that established or operated a specialized laboratory would have to register the specialized laboratory with LARA on a form and in a manner required by the Department. A registration would be valid for one year and could be renewed on application.

"Specialized laboratory" would mean a cardiac catheterization laboratory, kidney dialysis laboratory, pain management laboratory, or vascular laboratory. "Cardiac catheterization laboratory" would mean a facility, other than a hospital or freestanding surgical outpatient facility, in which diagnostic and therapeutic procedures are performed on patients with cardiovascular disease. "Kidney dialysis laboratory" would mean a facility, other than a hospital or freestanding surgical outpatient facility, in which diagnostic and therapeutic procedures are performed on patients with kidney disease or cardiovascular disease. "Pain management laboratory" would a facility, other than a hospital or freestanding surgical outpatient facility, in which the following are performed on patients:

- Diagnostic and therapeutic procedures to ease pain and provide symptom management.
- Procedures related to cardiovascular disease.

"Vascular laboratory" would mean a facility, other than a hospital or freestanding surgical outpatient facility, in which diagnostic and therapeutic procedures are performed on patients with vascular disease.

Both of the following would apply to a person that violated Part 216A:

- The person would be guilty of a misdemeanor punishable by a maximum fine of \$5,000.
- The person would be subject to a \$100 administrative fine for each day that the violation continued.

The Department would have to provide notice and an opportunity for a hearing in the same manner as provided in Section 20166. (That section requires notice of intent to deny, limit, suspend, or revoke a license or certification to be given by certified mail or personal service, to set forth the particular reasons for the proposed action, and to fix a date on which the applicant or licensee must be given an opportunity for a hearing.)

**FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government.

Under the bill, LARA would have to develop a registration form for a specialized laboratory. The bill does not specify a registration fee. The cost of developing a form and processing a registration likely would be covered by existing appropriations; however, the administrative costs associated with the bill cannot be estimated at this time, as it is unknown how many laboratories would be registered on an annual basis.

A person who failed to register a specialized laboratory would be guilty of a misdemeanor and would be subject to a \$5,000 fine. New misdemeanor convictions could increase resource demands on law enforcement and court systems. However, it is unknown how many people would be prosecuted under the bill's provisions. Any additional revenue from imposed fines would go to local libraries. In addition, a person who violated the bill would be subject to an administrative fine of \$100 per diem for the violation period.

Fiscal Analyst: Joe Carrasco, Jr.  
Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.