

Legislative Analysis



TESTING BREAST MILK FOR HIV

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

House Bill 4728 as reported from committee

Sponsor: Rep. Julie M. Rogers

Committee: Health Policy

Complete to 6-26-24

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 also must be tested at least every three months. The bill would eliminate the requirement for quarterly testing of regular donors.

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.

POSITIONS:

The following entities indicated support for the bill:

- Department of Health and Human Services (10-19-23)
- Michigan Council for Maternal and Child Health (10-19-23)
- Michigan Health and Hospital Association (10-19-23)
- HIV/AIDS Alliance of Michigan (10-19-23)
- Michigan Nurses Association (10-26-23)

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