



Senate Fiscal Agency
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House Bill 4049 (Substitute H-1 as passed by the Senate)
Sponsor: Representative Pamela Hornberger
House Committee: Appropriations
Senate Committee: Appropriations (discharged)

Date Completed: 3-4-21

CONTENT

The bill would amend the Public Health Code to prohibit the Director of the Department of Health and Human Services from issuing an emergency order that did either of the following during an epidemic involving coronavirus: a) closed a school to in-person instruction or b) prohibited a qualified sporting event. "Coronavirus" would mean severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). "Qualified sporting event" would mean one or more of the following: a) a sporting event carried on between two or more schools, b) a collegiate sporting event sanctioned by a nationally recognized body, c) a sporting event recognized by a local organization that is engaged in the development and active promotion of an athletic activity, or d) a practice held for a sporting event described in a), b), or c).

The bill also would allow a local health officer to issue an emergency order that closed a school located in the area served by the local health department to in-person instruction or prohibited a qualified sporting event occurring in the area served by the local health department, if the local health officer determined that control of an epidemic related to coronavirus were necessary to protect the public health and that all of the following were met:

- The number of confirmed cases of coronavirus within the area served by the local health department was above 55 per 1,000,000 within a 14-day period.
- The percentage of positive tests for coronavirus within the area served by the local health department was above 10% within a 14-day period.
- Each health facility located in the area served by the local health department maintained a surge capacity below 20% in admissions or patient transfers.
- Hospitalizations for coronavirus within the area served by the local health department had increased by 25% or more within a 14-day period.

A calculation performed to determine whether the above criteria were satisfied could not include individuals who were housed in any of the following: a) a State or Federal correctional facility, b) a county jail, or c) a congregate care setting. If an area served by a local health department included more than one county, the calculations would have to be performed for each county separately.

MCL 333.2253 et al.

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on the Department of Health and Human Services and an indeterminate fiscal impact on local units of government. To the extent that the bill would expand coronavirus monitoring responsibilities for local health departments beyond what is currently required for contact tracing, vaccination distribution, and other response activities,

the bill would result in an increase in costs for local health departments. The increase in costs could be partially or completely offset by the availability of Federal, State, and local funds to support activities related to coronavirus response measures.

Fiscal Analyst: Ellyn Ackerman

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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.