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House Bill 6194 (Substitute H-1 as passed by the House)
Sponsor: Representative Bronna Kahle
House Committee: Oversight
Senate Committee: Oversight

Date Completed: 9-21-22

CONTENT

The bill would amend the Public Health Code to specify that an order issued by the Director of the Department of Health and Human Services (DHHS) to avoid, correct, or remove an imminent danger to health or lives would be valid for up to 28 days provisions that allow the Director of the Department of Health and Human Services (DHHS) to issue an order upon the determination that an imminent danger to the health or lives of individuals exists in the State. The bill would limit the effectiveness of such orders to 28 days. After 28 days, such an order would not be valid unless a request from the Director to extend the order for a specific number of days was approved by resolution of both houses of the Legislature.

Currently, upon a determination that an imminent danger to the health or lives of individuals exists in the State, the Director of the DHHS must immediately inform the individuals affected by the imminent danger. The Director also must issue an order to be delivered to a person authorized to avoid, correct, or remove the imminent danger or be posted at or near the imminent danger. The order must incorporate the Director's findings and require immediate action necessary to avoid, correct, or remove the imminent danger. In addition, the order may specify action to be taken or may prohibit the presence of individuals in locations or under conditions where the danger exists.

Under the bill, an order issued under Section 2251(1) would be valid for the time period specified in the order or for 28 days, whichever was less. After 28 days, the order would not be valid unless a request from the Director to extend the order for a specific number of days was approved by resolution of both houses of the Legislature.

House Bill 6194 (H-1) is tie-barred to House Bill 6195, which would limit, to 28 days, the time period the Director could take full charge of the administration of applicable State and local health laws, rules, and ordinances to address a menace to public health unless an extension was approved by the Legislature.

Proposed MCL 333.2251a

Legislative Analyst: Olivia Ponte

FISCAL IMPACT

The bill would have a minor negative fiscal impact on the DHHS and no fiscal impact on local units of government. Increased costs for the Department would stem from an increase in administrative responsibilities and data reporting requirements.

Fiscal Analyst: Elynn 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.