



Senate Fiscal Agency
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Senate Bill 482 (as enacted)
Sponsor: Senator Kristen McDonald Rivet
Senate Committee: Health Policy
House Committee: Health Policy

PUBLIC ACT 105 of 2024

Date Completed: 10-22-24

RATIONALE

Sharps are a type of medical waste and generally include needles, syringes, and scalpels. Updating Michigan's statute concerning the disposal of sharps containers would generate less medical waste from producing facilities. According to testimony before the Senate Committee on Health Policy, Federal standards say that sharps containers should be replaced at 75% capacity, but State statute requires medical waste to be discarded every 90 days. This generates excess waste in producing facilities that do not fill up a sharps container to 75% capacity every 90 days, particularly those in rural areas, and so the codification of Federal standards was suggested.

CONTENT

The bill amended Part 138 (Medical Waste) of the Public Health Code to allow facilities that produce medical waste (producing facilities) to store sharps in a sharps container for up to 18 months from the date the first sharps is deposited if the sharps container is not filled to more than 75% capacity.

The bill took effect July 23, 2024.

Under the Code, "medical waste" generally means cultures and stocks of infectious agents, liquid human waste, human organs and tissues, and sharps. "Sharps" means needles, syringes, scalpels, and intravenous tubing with needles attached.

Part 138 governs the disposal of medical waste. If the medical waste is sharps, a producing facility must store and dispose of the sharps in the following manner:

- By placement in rigid, puncture-resistant containers that are appropriately labeled and transported to a sanitary landfill in a manner that retains the integrity of the container.
- By incineration or decontamination and grinding that renders the objects unrecognizable.

The Code prohibits a producing facility from storing any medical waste on the premises for more than 90 days, regardless of whether the producing facility incinerates its medical waste on site.

Under the bill, sharps may be stored on a producing facility's premises in a sharps container for up to 18 months from the date the first sharps is deposited if the sharps container is not filled to more than 75% capacity.

MCL 333.13809 & 333.13810

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

According to testimony before the House Committee on Health Policy, increased demand for sharps containers and supply chain issues with sharps containers make obtaining sharps containers difficult. Decreasing demand on sharps containers from producing facilities that use fewer sharps, such as many facilities in rural areas, will ease supply issues for producing facilities that require more sharps containers. In addition, purchasing fewer sharps containers will reduce expenses for producing facilities that disposed of empty or mostly empty sharps containers because of the previous 90-day requirement.

Legislative Analyst: Alex Krabill

FISCAL IMPACT

The bill will have no fiscal impact on the Department of Health and Human Services or local units of government.

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.