

This table represents a subject matter overview of State Laws (click on the citations in the column on the right to be redirected to the link) related to Health Information Exchange. Please note that the laws listed in relation to the subject matter are not exhaustive. (This listing is not meant to serve as a substitute for the legal guidance of a licensed attorney.)

Subject Matter	Michigan Laws
<b>Purposes of HIE</b>	
Treatment	<a href="#"><u>MCL 333.20201 (patient rights and responsibilities)</u></a> <a href="#"><u>MCL 333.20201</u></a> <a href="#"><u>MCL 333.16648 (information relative to dental care)</u></a> <a href="#"><u>MCL 600.2157 (physician-patient privilege)</u></a> <a href="#"><u>MCL 330.1746 (mental health records)</u></a>
Public health	<a href="#"><u>MCIR rules R 325.161 et seq.</u></a> <a href="#"><u>(Proposed revision 6/27/07)</u></a> <a href="#"><u>Cancer Reporting R 325.971</u></a> <a href="#"><u>MCL 333.2221 (public health programs)</u></a> <a href="#"><u>MCL 333.2611 (Confidentiality policies); 333.2631 et seq.; 333.2821 (vital records);</u></a> <a href="#"><u>MCL 333.5111 (prevention and control of disease)</u></a> <a href="#"><u>MCL 333.5721 (reporting birth defects)</u></a>
Research	<a href="#"><u>MCL 333.2631 et seq. (department's use of data for research purposes)</u></a>
Law enforcement and bioterrorism	<a href="#"><u>MCL 750.411 (injury reporting)</u></a> <a href="#"><u>MCL 28.258 (Law Enforcement Information Network)</u></a> <a href="#"><u>MCL 257.625a (driving while intoxicated)</u></a> <a href="#"><u>MCL 333.2844a (dental records for missing persons)</u></a>
<b>Special Access Limitation</b>	
Reproductive health issues	<a href="#"><u>MCL 333.17015 (informed consent for abortion)</u></a> <a href="#"><u>MCL 333.2834 (fetal death)</u></a> <a href="#"><u>MCL 333.2835; 333.2837 (abortion reporting)</u></a> <a href="#"><u>MCL 333.9132 (minor capacity to consent)</u></a>
Abuse and neglect issues	<a href="#"><u>MCL 722.623 (child abuse)</u></a> <a href="#"><u>MCL 333.2640 (provision of medical records)</u></a> <a href="#"><u>MCL 330.1748a (mental health)</u></a> <a href="#"><u>MCL 330.1723 (obligation to report)</u></a>

Consent by minors to treatment without disclosure to parents	<a href="#"><u>MCL 330.1707 (mental health services)</u></a> <a href="#"><u>MCL 333.5127 (HIV, STD)</u></a> <a href="#"><u>MCL 333.6121 (substance abuse)</u></a>
HIV status	<a href="#"><u>MCL 333.5114; 333.16267 (test results)</u></a> <a href="#"><u>MCL 333.5114a (partner notification)</u></a> <a href="#"><u>MCL 333.5131 (confidentiality)</u></a>
Genetics	<a href="#"><u>MCL 500.3407b (non-discrimination based on testing)</u></a> <a href="#"><u>MCL 333.17020 (informed consent)</u></a> <a href="#"><u>MCL 333.17520 (informed consent)</u></a> <a href="#"><u>MCL 550.1401(3)(e) (nondisclosure of genetic test results)</u></a>
Mental health and substance abuse	<a href="#"><u>MCL 330.1748 (confidentiality)</u></a> <a href="#"><u>MCL 333.6521 (confidentiality)</u></a> <a href="#"><u>MCL 330.1946 (duty to warn)</u></a> <a href="#"><u>MCL 333.6111 (records of substance abuse treatment)</u></a> <a href="#"><u>MCL 333.6112; 333.6113 (disclosures of substance abuse records)</u></a>
<b>HIE Participants/Access</b>	
HIE Participants/Access	<a href="#"><u>MCL 15.243 (Michigan's FOIA exempts from disclosure privileged information, medical information w/ identifiers)</u></a> <a href="#"><u>MCL 333.20175 (facility records)</u></a> <a href="#"><u>MRAA, MCL 333.26261 et seq.</u></a> <a href="#"><u>MCL 333.16648 (dental records)</u></a> <a href="#"><u>MCL 333.16213 (practitioner records)</u></a> <a href="#"><u>MCL 333.17752 (prescription drug records)</u></a>
Payors	<a href="#"><u>MCL 550.1406; 550.1604 (confidentiality obligations)</u></a>
Consumers Government	<a href="#"><u>MRAA, MCL 333.26261 et seq.</u></a> <a href="#"><u>MCL 722.30 (parents' right to information)</u></a> <a href="#"><u>MCL 333.16238 (confidentiality of information obtained in disciplinary investigation)</u></a> <a href="#"><u>MCL 333.16243 (information for disciplinary investigation)</u></a>
Data Security	<a href="#"><u>Michigan's Identity Theft Protection Act (MCL 445.61 et seq.)</u></a>
Record Retention Requirements	<a href="#"><u>MCL 333.16213; 333.20175 (record retention, confidentiality)</u></a> <a href="#"><u>MCL 333.16644 (dental records)</u></a> <a href="#"><u>MCL 400.111b (medical assistance programs)</u></a>
Pharmacy Issues	<a href="#"><u>MCL 333.17753 (prescription processing)</u></a> <a href="#"><u>R 338.471a et seq. (Board of Pharmacy rules)</u></a>

<b>Liability Issues</b>	
Limit liability	<a href="#"><i>MCL 333.21773 (involuntary transfers from nursing homes)</i></a> <a href="#"><i>MCL 333.20201 (patient rights and responsibilities)</i></a>
<b>Donated Technology</b>	
Donation of technology, ongoing support	<a href="#"><i>MCL 333.16221 (investigation of licensee)</i></a>
Update of Michigan disciplinary law re Stark II	<a href="#"><i>MCL 333.16221</i></a>
<b>Discovery &amp; Evidentiary</b>	
Record retention	<a href="#"><i>MCR 2.314; 2.506 (court rules on subpoenas, discovery)</i></a> <a href="#"><i>Michigan peer review laws (MCL 331.531)</i></a> <a href="#"><i>Public Health Code (e.g., records retention under MCL 333.16213; 333.20175)</i></a>
E-Sign issues	<a href="#"><i>MCL 333.17753 (prescription processing)</i></a> <a href="#"><i>R 338.471a et seq. (Board of Pharmacy rules)</i></a> <a href="#"><i>MCL 450.831 et seq. (Uniform Electronic Transactions Act)</i></a>