



GRETCHEN WHITMER
GOVERNOR


STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
EXECUTIVE OFFICE



PHILLIP D. ROOS
DIRECTOR

VIA EMAIL

TO: Governor Gretchen Whitmer
Senate Health Policy Committee Members
Senate Energy and Environment Committee Members
Senate Natural Resources and Agriculture Committee Members
House Health Policy Committee Members
House Natural Resources, Environment, Tourism and Outdoor Recreation
Committee Members
Elizabeth Hertel, Director, Department of Health and Human Services

FROM: Phillip D. Roos, Director 

DATE: December 26, 2024

SUBJECT: Report on the Fiscal Year 2024 Medical Waste Regulatory Program

In accordance with Section 13827(3)(b) of the Medical Waste Regulatory Act (MWRA), Part 138 of the Public Health Code, 1978 PA 368, as amended, attached is the Department of Environment, Great Lakes, and Energy's (EGLE) report on the Medical Waste Regulatory Program for fiscal year 2024.

Various types of facilities in Michigan, including hospitals, dental and doctors' offices, funeral homes, and body art facilities, generate regulated medical waste. The primary function of the MWRA and the program is to safeguard public health and the environment from exposure to potential hazards resulting from the improper handling, storage, treatment, and/or disposal of regulated medical waste. In addition to an introduction and brief history of the MWRA and the program, this annual report includes information regarding funding and operation of the program, current initiatives, program developments, incident summaries, and registrant statistics.

If you need further information, please contact Elizabeth M. Browne, Director, Materials Management Division, at 517-242-2746 or BrowneE@Michigan.gov; or you may contact me at 517-614-6873.

Attachment

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cc/att: Kathryn Summers, Director, Senate Fiscal Agency
Mary Ann Cleary, Director, House Fiscal Agency
Jennifer Flood, Director, State Budget Office
JoAnne Huls, Chief of Staff, Governor's Office
Patti Tremblay, Director of Legislative Affairs, Governor's Office
Zoe Ahlstrom, Interim Policy Director, Governor's Office
Jonah Houtz, Senate Fiscal Agency
Austin Scott, House Fiscal Agency
Jacques McNeely, State Budget Office
Zach Hendrix, State Budget Office
Aaron B. Keatley, Chief Deputy Director, EGLE
Travis Boeskool, Deputy Director, EGLE
Sydney Hart, Legislative Liaison, EGLE
Paul McDonald, EGLE
Dale Shaw, EGLE
Elizabeth M. Browne, EGLE
Tracy Kecskemeti, EGLE
Rhonda S. Oyer, EGLE
Andrew Shannon, EGLE



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Legislative Report

MEDICAL WASTE REGULATORY PROGRAM REPORT

**Report Period:
Fiscal Year 2024**

**Authority:
Medical Waste Regulatory Act, Part 138 of the
Public Health Code, 1978 PA 368, as Amended**

If you need this information in an alternate format, contact EGLE-Accessibility@Michigan.gov or call 800-662-9278.

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This document and its contents are subject to the Freedom of Information Act and may be released to the public.

INTRODUCTION

The Medical Waste Regulatory Act (MWRA), Part 138, of the Public Health Code, 1978 PA 368, as amended, was enacted in 1990, in response to incidents of medical waste washing ashore on the beaches of Lake Erie and Lake Michigan. Administrative rules were adopted in 2000. The MWRA authorizes State regulatory oversight of medical waste producing facilities, including the identification and registration of these facilities, investigations of reported violations of the MWRA, and enforcement of the statute.

Section 13827(3)(b) of the MWRA requires that an annual report be submitted to the Governor, the standing committees in the Senate and the House of Representatives with jurisdiction over public health matters, and the Department of Health and Human Services. This report is for the period of October 1, 2023, to September 30, 2024, fiscal year (FY) 2024.¹

The purpose of the MWRA is to safeguard public health by preventing human exposure to physical injury or contraction of communicable diseases that may result from the improper management of potentially infectious medical waste. The regulations also serve to protect Michigan's environment and natural resources

PROGRAM FUNDING

The Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division, administers the Medical Waste Regulatory Program, using registration fees collected from medical waste producing facilities (see Table 1, Active Registrants by Facility Type). Registration fees are set in statute, vary by facility type, and range from \$50 to \$150. Registrations are valid for a three-year period and are renewable under the same fee structure. Registration fees over the last three-year period generated an average of \$357,000 in annual revenue. This level of funding limits the program to processing registrations, responding to complaints, database maintenance, administering small grants to local health departments (LHDs) to perform facility inspections, and providing technical assistance to the regulated community and public.

Funds received are deposited into the Medical Waste Emergency Response Fund. The statute allows for the use of these funds for program administration and response activities. Administrative functions include database maintenance, processing registrations, providing compliance assistance, grants to LHDs for conducting inspections, and investigating complaints. Response activities include remediation actions to have improperly disposed medical waste removed, treated, and managed properly.

PROGRAM IMPLEMENTATION and EFFECTIVENESS

From 2015-2023, grants were issued annually to a small number of LHDs to conduct facility inspections. These grants were not offered during FY 2024 due to the expenses associated with database upgrades in 2022-2023.

¹ The Interdepartmental Medical Waste Advisory Council, as described in Section 13827, was eliminated by Executive Order No. 2009-28, effective July 31, 2009. Responsibility for the completion and submission of annual reports, as required under the MWRA, was assigned to Medical Waste Regulatory Program staff by the former Michigan Department of Environmental Quality, Executive Office.

Since resources were not available to provide grants to LHDs to conduct inspections in FY 2024, EGLE staff conducted a limited number of inspections. These inspections were focused on areas of the state that had not previously been inspected by LHDs. A total of 21 inspections were conducted in 5 counties. Based on these inspections, EGLE staff concluded that there is an ongoing need for compliance oversight at medical waste producing facilities. It is anticipated that grants will be offered to LHDs again in FY 2025 to conduct inspections.

The Office of the Auditor General audited the program in 2012-2015 and found that the current registration fees are not adequate to support regular inspection of nearly 12,000 registered medical waste producers. Statutory changes would be needed to increase regulatory oversight of these facilities.

In 2024 the Michigan Legislature amended the MWRA to allow for longer storage periods for sharps (needles, lancets, etc.) at regulated medical waste producing facilities. This amendment provides greater flexibility to regulated facilities.

SUMMARY OF MEDICAL WASTE MANAGEMENT INCIDENT REPORTS

No significant complaints of improper medical waste disposal were received in FY 2024.

ACTIVE REGISTRANTS BY FACILITY TYPE (TABLE 1)

Facility Type	Active Registrants
Private Practice Medical, Dental, and Veterinary Facilities	7,007
Clinics (e.g., LHDs and Universities)	526
Funeral Homes/Mortuaries	646
Nursing Homes, Hospices, County Medical Care Facilities, and Health Maintenance Organizations	624
Clinical, Analytical, and Research Laboratories	112
Hospitals	146
Freestanding Surgical Outpatient Facilities	122
Mental Health Facilities	106
Ambulance/Paramedic/Fire Departments	221
Animal Control Shelters	5
Pharmacies	1,233
Other (e.g., Dialysis, Blood Collection, Medical Education, and Body Art)	1,108
State Facilities	36
Current Active Registrations	11,892

Source of Information: Medical Waste Program, MiEnviro Report, November 2024