

Legislative Analysis



HEALTH PROFESSIONALS: REQUIRE TO DISCLOSE PROBATIONARY STATUS TO PATIENTS

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House Bill 4384 as introduced
Sponsor: Rep. LaTanya Garrett
Committee: Judiciary
Complete to 4-29-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4384 would apply the same notification requirements to a person placed on probation that currently pertain to administrative disciplinary action that results in the revocation or suspension of a license or registration issued under the Public Health Code.

The Public Health Code requires a licensee or registrant¹ whose license or registration has been revoked or suspended to give notice to each patient or client who contacts him or her for professional services during the period of the revocation or suspension. If the suspension or revocation period is for more than 60 days, the licensee or registrant must notify in writing each patient or client to whom he or she had rendered professional services during the 120 days prior to the imposition of the suspension or revocation and also to those scheduled for services within the first 120 days of the suspension or revocation. The licensee or registrant is also required to provide notice to his or her employer, if any, and to each hospital, if any, in which he or she is admitted to practice.

House Bill 4384 would require a licensee or registrant who is placed on probation to notify patients and clients, employers, and hospitals of the disciplinary action in the same manner as required for those whose license or registration has been revoked or suspended.

[In addition to the notification requirements discussed above, the Public Health Code also requires the Department of Licensing and Regulatory Affairs (LARA) to publish a list of the names and addresses of individuals licensed or registered under the Code for whom any administrative disciplinary action has been taken. The list must be reported to various state and federal agencies, transmitted to the Library of Michigan for distribution to each depository library in the state, and reported to the appropriate licensed health facilities and agencies.]

The bill would take effect 90 days after it is enacted.

MCL 333.16241

¹ Currently, the following health care professions are licensed or registered under Article 15 of the Public Health Code: acupuncturists, athletic trainers, audiologists, behavior analysts, chiropractors, counselors, dental assistants, dental hygienists, dentists, dietitians and nutritionists, marriage and family therapists, massage therapists, midwives, nurses, nursing home administrators, occupational therapists and occupational therapy assistants, optometrists, pharmacists, physical therapists and physical therapy assistants, physician's assistants, physicians (M.D.s and D.O.s), podiatrists, psychologists, respiratory therapists, sanitarians, social workers and social service technicians, speech-language pathologists, and veterinarians and veterinarian technicians.

FISCAL IMPACT:

House Bill 4384 would have no fiscal implications for state or local governments.

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