

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 578**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16216 (MCL 333.16216), as amended by 2013 PA
268.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16216. (1) The chair of each board or task force shall
2 appoint 1 or more disciplinary subcommittees for that board or task
3 force. A disciplinary subcommittee for a board or task force shall
4 consist of 2 public members and 3 professional members from the
5 board or task force. The chair of a board or task force shall not
6 serve as a member of a disciplinary subcommittee.

7 (2) A final decision of the disciplinary subcommittee finding
8 a violation of this article, article 7, or article 8 shall be by a
9 majority vote of the members appointed and serving on the

1 disciplinary subcommittee.

2 (3) A final decision of the disciplinary subcommittee imposing
3 a sanction under this article, article 7, or article 8 or a final
4 decision of the disciplinary subcommittee other than a final
5 decision described in subsection (2) requires a majority vote of
6 the members appointed and serving on the disciplinary subcommittee
7 with an affirmative vote by at least 1 public member.

8 (4) The chairperson of each disciplinary subcommittee shall be
9 a public member and shall be appointed by the chair of the board or
10 task force.

11 (5) THE DEPARTMENT MAY REVIEW A FINAL DECISION OF THE
12 DISCIPLINARY SUBCOMMITTEE WITHIN 30 DAYS AFTER THE DATE OF THE
13 DISCIPLINARY SUBCOMMITTEE'S DECISION. IF THE DEPARTMENT DETERMINES
14 THAT THE ACTION TAKEN BY THE DISCIPLINARY SUBCOMMITTEE DOES NOT
15 PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC, THE
16 DEPARTMENT, WITH THE APPROVAL OF THE BOARD CHAIR, MAY SET ASIDE THE
17 DECISION OF THE DISCIPLINARY SUBCOMMITTEE AND ISSUE A DIFFERENT
18 FINAL ACTION. THE FINAL ACTION OF THE DEPARTMENT SHALL SERVE AS THE
19 FINAL ACTION ON THE MATTER AND IS SUBJECT TO JUDICIAL REVIEW IN THE
20 SAME MANNER AS THE FINAL DECISION OF THE DISCIPLINARY SUBCOMMITTEE.

21 (6) BEGINNING JANUARY 1, 2015, THE DEPARTMENT SHALL INCLUDE ON
22 ITS PUBLIC LICENSING AND REGISTRATION WEBSITE EACH FINAL DECISION
23 WHERE DISCIPLINARY ACTION IS TAKEN AGAINST A LICENSEE, INCLUDING
24 THE REASON FOR AND DESCRIPTION OF THAT DISCIPLINARY ACTION.

25 Enacting section 1. This amendatory act takes effect July 1,
26 2014.