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## PSYCHIATRIC REFERRALS

House Bill 4033

Sponsor: Rep. David M. Gubow

House Bill 4328

Sponsor: Rep. H. Lynn Jondahl

Committee: Mental Health

Complete to 2-9-94

### A SUMMARY OF HOUSE BILL 4033 AS INTRODUCED 2-2-93 AND HOUSE BILL 4328 AS INTRODUCED 2-23-94

The bills would amend the Mental Health Code and the Public Health Code to prohibit licensees (both facilities and practitioners) from taking money for psychiatric or mental health referrals.

House Bill 4033 would amend the Mental Health Code (MCL 330.1143b) to prohibit licensees under the code (namely, mental hospitals, psychiatric hospitals, and psychiatric units) from paying someone in return for patient referrals. The bill would impose an administrative fine for first offenses that equaled three times the amount paid for the referral. Failure to pay the fine or subsequent violations would result in a one-month license suspension.

House Bill 4328 would amend the Public Health Code (MCL 333.16221 and 333.16226) to add taking payment or "kickbacks" for psychiatric or mental health services referrals to the grounds for which a health professional board could take action against a licensed or registered health professional. The bill would add license suspension or revocation to the allowable sanctions for such violations of the health code (in addition to the existing reprimand, fine, probation, or restitution). (Note: The bill was introduced before the passage of the so-called health professionals disciplinary package of legislation which transferred the disciplining of health professionals who violate the health code from the health professional boards to disciplinary subcommittees appointed by the relevant board.)

House Bills 4033 and 4328 (2-9-94)