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## CPA: PRIVILEGED INFO

House Bill 4315 with committee  
amendment  
First Analysis (8-17-93)

Sponsor: Rep. Barbara Dobb  
Committee: State Affairs

### ***THE APPARENT PROBLEM:***

In general, professionals are concerned that information obtained in peer and quality reviews not become public information, usually out of fear of civil suits. Under the Occupational Code, information held for clients by certified public accounts is confidential but once released to a state board it becomes public (and thus accessible for civil suits). The Michigan Association of Certified Public Accountants has requested legislation that would protect information released for peer and quality reviews.

### ***THE CONTENT OF THE BILL:***

The bill would amend the Occupational Code (Public Act 299 of 1980) to allow confidential client information to be disclosed in the course of practice monitoring programs and ethical investigations conducted by certified public accountants, but would keep such information confidential and privileged.

MCL 339.713

### ***FISCAL IMPLICATIONS:***

Fiscal information is not available at present. (8-5-93)

### ***ARGUMENTS:***

#### ***For:***

Many professionals, whether under the Occupational Code or under the Public Health Code, are protected from civil malpractice suits to the extent that confidential information revealed in the course of a peer review remains confidential. This protection currently is not afforded to certified public accountants in Michigan, although reportedly 46 other states have such protective legislation. It is time for Michigan to afford CPAs such protection also.

### ***POSITIONS:***

The Michigan Association of Certified Public Accountants supports the bill. (8-5-93)

The Bureau of Occupational and Professional Regulation in the Department of Commerce has no position on the bill. (8-13-93)

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