



# HOUSE BILL No. 5083

October 7, 1993, Introduced by Reps. Goschka, Weeks, McNutt, LeTarte, Martin, Voorhees, McManus, Middleton, McBryde, Stille, Hill and Vorva and referred to the Committee on Judiciary.

A bill to amend section 411 of Act No. 328 of the Public Acts of 1931, entitled as amended  
"The Michigan penal code,"  
being section 750.411 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 411 of Act No. 328 of the Public Acts of  
2 1931, being section 750.411 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 411. ~~Reporting personal injuries by hospitals, phar-~~  
5 ~~macies and physicians It shall be the duty of every person, firm~~  
6 ~~or corporation conducting any hospital or pharmacy in this state,~~  
7 ~~or the person managing or in charge of such hospital or pharmacy,~~  
8 ~~or in charge of any ward or part of such hospital, to which any~~  
9 ~~person or persons suffering from any wound or other injury~~  
10 ~~inflicted by means of a knife, gun, pistol or other deadly~~

~~1 weapon, or by other means of violence shall come or be brought,~~  
~~2 to report the same immediately, both by telephone and in writing,~~  
~~3 to the chief of police or other head of the police force of the~~  
~~4 village or city in which such hospital or pharmacy is located, or~~  
~~5 to the sheriff of the county, if such hospital or pharmacy is~~  
~~6 located outside the incorporated limits of a village or city.~~  
~~7 Such report shall state the name and residence of such person, if~~  
~~8 known, his whereabouts and the character and extent of such~~  
~~9 injuries. It shall also be the duty of every physician, or sur-~~  
~~10 geon, who has under his charge or care any person suffering from~~  
~~11 any wound or injury, inflicted in the manner above mentioned, to~~  
~~12 make a like report to the appropriate officers hereinabove~~  
~~13 named.~~

~~14 Any person, firm or corporation violating any provision of~~  
~~15 this section shall be guilty of a misdemeanor. (1) A MEDICAL~~  
16 SERVICES PROVIDER WHO IS ASKED TO PROVIDE A MEDICAL OR PHARMACEU-  
17 TICAL SERVICE TO AN INDIVIDUAL WHO THE MEDICAL SERVICE PROVIDER  
18 DETERMINES WAS INJURED BY A KNIFE, GUN, OR OTHER DEADLY WEAPON,  
19 FIRE, OR AN ACT OF VIOLENCE SHALL FILE A REPORT OF THE INJURY IN  
20 THE MANNER PRESCRIBED IN SUBSECTION (2).

21 (2) A PERSON REQUIRED TO MAKE A REPORT UNDER SUBSECTION (1)  
22 SHALL CONVEY A REPORT CONTAINING ALL OF THE FOLLOWING TO A LAW  
23 ENFORCEMENT OFFICER BY TELEPHONE AND IN WRITING IMMEDIATELY AFTER  
24 DETERMINING THE EXISTENCE OF THE INJURY:

25 (A) THE NAME AND ADDRESS OF THE INJURED PERSON, IF KNOWN.

26 (B) THE LOCATION OF THE INJURED PERSON.

1 (C) A DESCRIPTION OF THE INJURY AND CONDITION OF THE INJURED  
2 PERSON.

3 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDE-  
4 MEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR A  
5 FINE OF NOT MORE THAN \$100.00, OR BOTH.

6 (4) AS USED IN THIS SECTION:

7 (A) "LAW ENFORCEMENT OFFICER" MEANS THE DIRECTOR OR CHIEF,  
8 OR A REPRESENTATIVE OF THE DIRECTOR OR CHIEF, OF THE LAW ENFORCE-  
9 MENT AGENCY FOR THAT LOCAL UNIT OF GOVERNMENT WITHIN WHICH AN  
10 INDIVIDUAL HAS SOUGHT TREATMENT FOR AN INJURY DESCRIBED IN SUB-  
11 SECTION (1).

12 (B) "MEDICAL SERVICES PROVIDER" MEANS A PERSON LICENSED OR  
13 CERTIFIED UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, ACT NO. 368  
14 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS 333.16101 TO 333.18838  
15 OF THE MICHIGAN COMPILED LAWS, OR THE OWNER OR OPERATOR OF A  
16 HEALTH FACILITY OR AGENCY AS THAT TERM IS DEFINED IN SECTION  
17 20106 OF ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTION  
18 333.20106 OF THE MICHIGAN COMPILED LAWS.