



**House
Legislative
Analysis
Section**

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**HEALTH OCCUPATIONS
SANCTIONS**

House Bill 5091

Sponsor: Rep. Gerald Law

First Committee: Regulatory Affairs

Second Committee: Health Policy

Complete to 10-4-95

A REVISED SUMMARY OF HOUSE BILL 5091 AS INTRODUCED 9-20-95

House Bill 5091 would amend sections of the Public Health Code governing disciplinary sanctions for health care workers. Under the code, and in accordance with the Administrative Procedures Act (MCL 24.292), the Michigan Department of Commerce (specifically, the Bureau of Occupational & Professional Regulation) may suspend licenses or registrations of health care workers if the public health, safety, or welfare is deemed to require emergency action. The department is required to suspend the license or registration of a person convicted of a felony or certain misdemeanors, and for a misdemeanor involving the illegal delivery, possession, or use of alcohol or a controlled substance. House Bill 5091 would amend the code by deleting the reference to alcohol for automatic license suspension and would instead provide that if a licensee or registrant was convicted of a misdemeanor involving the delivery, possession, or use of alcohol that adversely affected "the licensee's ability to practice in a safe and competent manner", the department could find that the public health, safety, or welfare required emergency action and therefore could suspend the person's license or registration.

In addition, the bill would delete a misdemeanor conviction involving the illegal delivery, possession, or use of alcohol from the criteria requiring disciplinary action by an appropriate disciplinary subcommittee. (Conviction of a misdemeanor involving the illegal possession, delivery, or use of a controlled substance would still be subject to sanctions by a disciplinary subcommittee and license or registration suspension by the department.)

MCL 333.16221 and 333.16233

House Bill 5091 (10-4-95)