

Senate Fiscal Agency
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SFA

BILL ANALYSIS

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Senate Bill 1228 (Substitute S-1 as reported)
Sponsor: Senator Leon Stille
Committee: Health Policy and Senior Citizens

CONTENT

The bill would amend the Public Health Code to provide that the surgical removal of a human organ for transplantation, implantation, infusion, injection, or any other medical or scientific purpose could be performed only by the following persons:

- A physician.
- A licensed health professional, medical student, or student in an approved physician's assistance training program, acting under the delegatory authority and supervision of a physician.
- An individual employed by and acting under the direction of a Federally designated organ procurement organization, or a tissue bank or eye bank registered with the Federal Food and Drug Administration in the course of his or her employment.

Further, a person certified by a State medical school as qualified to perform eye removal, could surgically remove a human eye or physical part of an eye.

A health professional whose license had been suspended would be prohibited from surgically removing a human organ for transplantation, implantation, infusion, injection, or any other medical or scientific purpose.

A person who violated the bill's provisions would be guilty of a felony.

MCL 333.10204

Legislative Analyst: G. Towne

FISCAL IMPACT

Senate Bill 1228 (S-1) would create a felony punishable by up to four years in prison and/or a fine of \$1,000. Although there are no data available to indicate how many people may be convicted of surgically removing human organs or eyes without proper credentials, for each person convicted of this crime, the State would incur additional costs for incarceration and/or additional fine revenue. As an example, assuming that an offender serves 2.6 years at an average annual cost of \$18,000, the State would incur \$47,520 to incarcerate an offender convicted of this crime.

Date Completed: 9-23-98

Fiscal Analyst: K. Firestone