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## IMPERSONATING A PHYSICIAN

**House Bills 4352 and 4354**

**Sponsor: Rep. Robert Gosselin**

**Committee: Criminal Law and  
Corrections**

**Complete to 3-10-99**

### **A SUMMARY OF HOUSE BILLS 4352 AND 4354 AS INTRODUCED 3-2-99**

House Bill 4354 would amend the Penal Code (MCL 750.217d) to make it a felony for an individual to falsely claim to be a physician. Any individual who was not a physician and intentionally and falsely claimed to be one, or practiced or offer to practice as a physician, would be guilty of a felony. The felony would be punishable by imprisonment for up to 15 years, a fine of up to \$10,000, or both. The bill would define a physician as any person who met all of the requirements under law to engage in the practice of medicine (allopathic, osteopathic, or any other practice of medicine on humans that was authorized by law). The bill would define allopathic medicine as the diagnosis, treatment, prevention, cure, or relieving of human disease, ailment, defect, complaint, or other physical or mental condition by attendance, advice, device, diagnostic test or other means. Osteopathic medicine would mean a separate, complete, and independent school of medicine and surgery utilizing full methods of diagnosis and treatment in physical and mental health and disease, including the prescription of drugs and biologicals, operative surgery, obstetrics, radiological and other electromagnetic emissions, and placing special emphasis on the interrelationship of the musculo-skeletal system to other body systems.

House Bill 4352 would amend the Code of Criminal Procedure (MCL 777.16l) to include the crime of false representation or practice as a physician in the statutory sentencing guidelines. The crime would have a 15 year maximum sentence and would be categorized as a Class C crime against public safety. (The bill would also make technical amendments to the descriptions of two telecommunications fraud crimes to make the descriptions comport with recent changes to the law.) House Bill 4352 could not be enacted unless House Bill 4354 was also enacted.

Analyst: W. Flory

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.