

SUBSTITUTE FOR
SENATE BILL NO. 756

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 411 (MCL 750.411).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 411. ~~Reporting personal injuries by hospitals, phar-~~
2 ~~macies and physicians--It shall be the duty of every person, firm~~
3 ~~or corporation conducting any hospital or pharmacy in this state,~~
4 ~~or the person managing or in charge of such hospital or pharmacy,~~
5 ~~or in charge of any ward or part of such hospital, to which any~~
6 ~~person or persons suffering from any wound or other injury~~
7 ~~inflicted by means of a knife, gun, pistol or other deadly~~
8 ~~weapon, or by other means of violence shall come or be brought,~~
9 ~~to report the same immediately, both by telephone and in writing,~~
10 ~~to the chief of police or other head of the police force of the~~
11 ~~village or city in which such hospital or pharmacy is located, or~~

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1 ~~to the sheriff of the county, if such hospital or pharmacy is~~
2 ~~located outside the incorporated limits of a village or city.~~
3 ~~Such report shall state the name and residence of such person, if~~
4 ~~known, his whereabouts and the character and extent of such~~
5 ~~injuries. It shall also be the duty of every physician, or sur-~~
6 ~~geon, who has under his charge or care any person suffering from~~
7 ~~any wound or injury, inflicted in the manner above mentioned, to~~
8 ~~make a like report to the appropriate officers hereinabove~~
9 ~~named.~~

10 ~~Any person, firm or corporation violating any provision of~~
11 ~~this section shall be guilty of a misdemeanor.~~

12 (1) IF AN INDIVIDUAL SUFFERING FROM AN INJURY INFLICTED BY A
13 FIREARM, KNIFE, OR OTHER DEADLY WEAPON OR BY OTHER VIOLENT MEANS
14 PRESENTS FOR TREATMENT AT A HOSPITAL, AT THE PRIVATE PRACTICE
15 OFFICE OF A PHYSICIAN, OR AT A PHARMACY, THE PHYSICIAN OR A
16 HEALTH PROFESSIONAL OR OTHER INDIVIDUAL EMPLOYED BY OR UNDER CON-
17 TRACT TO THE PHYSICIAN OR THE HOSPITAL, INCLUDING BUT NOT LIMITED
18 TO AN OFFICER OF THE HOSPITAL, OR THE PHARMACIST OR ANOTHER INDI-
19 VIDUAL EMPLOYED BY OR UNDER CONTRACT TO THE PHARMACY SHALL IMME-
20 DIATELY REPORT THAT FACT TO THE LOCAL LAW ENFORCEMENT AGENCY WITH
21 JURISDICTION OVER THE PLACE WHERE THE INJURY OCCURRED, TO THE
22 LOCAL LAW ENFORCEMENT AGENCY WITH JURISDICTION OVER THE LOCAL
23 GOVERNMENTAL UNIT IN WHICH THE HOSPITAL, PRIVATE PRACTICE OFFICE,
24 OR PHARMACY IS LOCATED, OR TO THE STATE POLICE.

25 (2) THE REPORT REQUIRED UNDER SUBSECTION (1) SHALL BE MADE
26 BOTH ORALLY AND IN WRITING AND SHALL CONTAIN AT A MINIMUM THE

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1 NAME AND ADDRESS OF THE INJURED INDIVIDUAL, IF KNOWN, AND THE
2 NATURE AND EXTENT OF THE INJURY.

3 (3) AN INDIVIDUAL WHO VIOLATES SUBSECTION (1) IS GUILTY OF A
4 MISDEMEANOR.

5 (4) AS USED IN THIS SECTION:

6 (A) "HOSPITAL" MEANS A HOSPITAL LICENSED UNDER ARTICLE 17 OF
7 THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.20101 TO 333.22260.

8 (B) "PHARMACIST" MEANS AN INDIVIDUAL LICENSED TO ENGAGE IN
9 THE PRACTICE OF PHARMACY UNDER ARTICLE 15 OF THE PUBLIC HEALTH
10 CODE, 1978 PA 368, MCL 333.16101 TO 333.18838.

11 (C) "PHARMACY" MEANS A BUILDING OR PART OF A BUILDING IN
12 WHICH THE PRACTICE OF PHARMACY IS CONDUCTED AND THAT IS LICENSED
13 UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL
14 333.16101 TO 333.18838.

15 (D) "PHYSICIAN" MEANS AN INDIVIDUAL LICENSED TO PRACTICE
16 MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY UNDER ARTICLE 15 OF
17 THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16101 TO 333.18838.