

HOUSE BILL No. 4797

June 17, 1999, Introduced by Reps. Baird, LaSata, Mans, Woodward, LaForge, Gielegem, Dennis, Jacobs, Hale, Schermesser, DeHart, Martinez, Scott, Bovin, Switalski, Daniels, Lemmons, Quarles, Kelly and Scranton and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 16241a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 16241A. (1) THE DEPARTMENT SHALL ESTABLISH AN ELEC-
2 TRONIC DATABASE ACCESSIBLE BY COMPUTER AND TOLL-FREE TELEPHONE
3 LINE TO DISSEMINATE THE INFORMATION DESCRIBED IN SUBSECTIONS (2)
4 AND (3). THE DEPARTMENT SHALL MAKE THE ELECTRONIC DATABASE
5 ACCESSIBLE AS DESCRIBED IN THIS SUBSECTION 24 HOURS A DAY, 7 DAYS
6 A WEEK.

7 (2) SUBJECT TO SUBSECTION (3), THE DEPARTMENT SHALL INCLUDE
8 IN THE ELECTRONIC DATABASE REQUIRED UNDER SUBSECTION (1) ALL OF
9 THE FOLLOWING INFORMATION REGARDING A PARTICULAR LICENSEE OR
10 REGISTRANT:

1 (A) EACH FINAL DISCIPLINARY ACTION TAKEN AGAINST THE
2 LICENSEE OR REGISTRANT BY THE DEPARTMENT UNDER THIS ARTICLE OR,
3 IF THE DEPARTMENT HAS ACCESS TO THE INFORMATION, EACH FINAL
4 ADMINISTRATIVE DISCIPLINARY ACTION TAKEN AGAINST THE LICENSEE OR
5 REGISTRANT BY A PROFESSIONAL REGULATORY AGENCY OF ANOTHER STATE
6 OR COUNTRY, THE FEDERAL GOVERNMENT, OR THE UNITED STATES MILITARY
7 SINCE THE LICENSEE OR REGISTRANT RECEIVED HIS OR HER INITIAL
8 HEALTH PROFESSIONAL LICENSE OR REGISTRATION.

9 (B) EACH CRIMINAL CONVICTION AGAINST THE LICENSEE OR REGIS-
10 TRANT SINCE THE LICENSEE OR REGISTRANT RECEIVED HIS OR HER INI-
11 TIAL HEALTH PROFESSIONAL LICENSE OR REGISTRATION.

12 (C) EACH JUDGMENT AGAINST THE LICENSEE OR REGISTRANT FINDING
13 THE LICENSEE OR REGISTRANT NEGLIGENT IN AN ACTION FOR MALPRACTICE
14 SINCE THE LICENSEE OR REGISTRANT RECEIVED HIS OR HER INITIAL
15 HEALTH PROFESSIONAL LICENSE OR REGISTRATION.

16 (D) ANY LOSS OF HOSPITAL PRIVILEGES.

17 (3) THE INFORMATION DESCRIBED IN SUBSECTION (2) CONSISTS OF
18 ALL OF THE FOLLOWING REPORTED TO OR OBTAINED BY THE DEPARTMENT
19 UNDER THIS ARTICLE:

20 (A) THE INFORMATION ON CRIMINAL CONVICTIONS AND ADMINISTRA-
21 TIVE DISCIPLINARY LICENSING AND REGISTRATION ACTIONS WITHIN THE
22 PAST 10 YEARS THAT ARE REQUIRED TO BE REPORTED UNDER SECTION
23 16222(3).

24 (B) THE INFORMATION ON LICENSURE AND REGISTRATION REVOCA-
25 TIONS, SUSPENSIONS, REPRIMANDS, FINES, RESTITUTIONS, AND PROBA-
26 TIONS WITHIN THE PAST 10 YEARS THAT ARE REQUIRED TO BE REPORTED
27 UNDER SECTION 16241(6) AND (7).

1 (C) THE INFORMATION ON MALPRACTICE JUDGMENTS WITHIN THE PAST
2 10 YEARS THAT ARE REQUIRED TO BE REPORTED UNDER
3 SECTION 16243(2). THE DEPARTMENT SHALL INCLUDE A STATEMENT WITH
4 EACH ENTRY DESCRIBED IN THIS SUBDIVISION THAT INDICATES THAT THE
5 SETTLEMENT OF A CLAIM MAY OCCUR FOR A VARIETY OF REASONS, WHICH
6 REASONS DO NOT NECESSARILY REFLECT NEGATIVELY ON PROFESSIONAL
7 COMPETENCE OR CONDUCT, AND THAT PAYMENT IN SETTLEMENT OF A MAL-
8 PRACTICE CLAIM SHOULD NOT BE CONSTRUED AS CREATING A PRESUMPTION
9 THAT MALPRACTICE HAS OCCURRED. THE DEPARTMENT SHALL NOT LIST OR
10 DISCLOSE PENDING MALPRACTICE CLAIMS.

11 (D) NAMES OF MEDICAL OR OTHER HEALTH PROFESSIONAL SCHOOLS
12 AND DATES OF GRADUATION.

13 (E) GRADUATE MEDICAL OR OTHER HEALTH PROFESSIONAL
14 EDUCATION.

15 (F) SPECIALTY CERTIFICATION.

16 (G) NUMBER OF YEARS OF PRACTICE.

17 (H) NAMES OF HOSPITALS WHERE THE LICENSEE OR REGISTRANT HAS
18 PRIVILEGES OR IS ADMITTED TO PRACTICE.

19 (I) APPOINTMENTS TO MEDICAL SCHOOL OR OTHER HEALTH PROFES-
20 SIONAL SCHOOL FACULTIES AND INDICATION AS TO WHETHER THE LICENSEE
21 HAD A RESPONSIBILITY FOR MEDICAL EDUCATION WITHIN THE PAST 10
22 YEARS.

23 (J) INFORMATION REGARDING PUBLICATIONS IN PEER-REVIEWED MED-
24 ICAL OR OTHER HEALTH PROFESSIONAL LITERATURE WITHIN THE PAST 10
25 YEARS.

26 (K) INFORMATION REGARDING PROFESSIONAL OR COMMUNITY SERVICE
27 ACTIVITIES AND AWARDS.

1 (1) THE LOCATION OF THE LICENSEE'S OR REGISTRANT'S PRIMARY
2 PRACTICE SETTING.

3 (M) THE IDENTIFICATION OF ANY TRANSLATING SERVICES THAT MAY
4 BE AVAILABLE AT THE LICENSEE'S OR REGISTRANT'S PRIMARY PRACTICE
5 LOCATION.

6 (N) AN INDICATION OF WHETHER THE LICENSEE OR REGISTRANT PAR-
7 TICIPATES IN THE PROGRAM FOR MEDICAL ASSISTANCE ADMINISTERED BY
8 THE DEPARTMENT OF COMMUNITY HEALTH UNDER THE SOCIAL WELFARE ACT,
9 1939 PA 280, MCL 400.1 TO 400.119B, COMMONLY KNOWN AS THE MEDI-
10 CAID PROGRAM.