

# HOUSE BILL No. 5321

October 23, 2001, Introduced by Reps. Raczkowski and Sanborn and referred to the Committee on Insurance and Financial Services.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 16243 (MCL 333.16243), as amended by 1993  
PA 79.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 16243. (1) The department or a disciplinary subcommit-  
2       tee appointed under section 16216 may request and shall receive  
3       the following reports:

4       (a) Information from a licensed health care facility as to  
5       disciplinary action taken by it pursuant to section 20175.

6       (b) Information from an insurer providing professional  
7       liability insurance as to claims or actions for damages against a  
8       licensee; settlements in any amount; final disposition not  
9       resulting in payment on behalf of the insured; and a personal  
10      injury claimed to have been caused by an error, omission, or

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1 negligence in the performance of the insured professional  
2 services. An insurer that receives a request under this subdivi-  
3 sion shall submit the information requested directly to the  
4 department.

5 (c) Information from a court in this state as to a felony or  
6 misdemeanor conviction or a judgment against a licensee or regis-  
7 trant finding the licensee or registrant negligent in an action  
8 for malpractice, whether or not the judgment is appealed.

9 (d) A report by a licensee or registrant under  
10 section 16222.

11 (e) Information provided by the ~~insurance bureau under sec-~~  
12 ~~tions 2477, 2477b, and 2477c of the insurance code, Act No. 218~~  
13 ~~of the Public Acts of 1956, being sections 500.2477, 500.2477b,~~  
14 ~~and 500.2477c of the Michigan Compiled Laws, information provided~~  
15 ~~by the~~ national practitioner data bank ~~—,~~ and reports from the  
16 Michigan health care arbitration program.

17 (f) Reports from any other appropriate source necessary for  
18 determination of the competency and safety of the practice of a  
19 licensee. Appropriate sources include, but are not limited to,  
20 appointed public and private professional review entities and  
21 public and private health insurance programs.

22 (2) Within 10 days after the entry of a judgment against a  
23 licensee finding the licensee negligent in an action for malprac-  
24 tice or the approval by a court of a settlement in an action for  
25 malpractice, the clerk of the court in which the judgment was  
26 entered or the settlement approved shall prepare and immediately  
27 forward to the department on a form prescribed by the department

1 a report setting forth the name of the licensee and the amount of  
2 damages awarded or the amount of the approved settlement.