

# HOUSE BILL No. 4656

May 7, 2003, Introduced by Reps. Newell, Vander Veen, Stakoe, Taub, Kooiman, Paletko, Caswell, Ehardt, Emmons, Sak, Shaffer, Rivet, Farhat, Nofs, Hummel, Palsrok, Sheen, Hart, Stahl, Ward, Robertson, Hune, Rocca, Pappageorge, Lipsey, Howell, Adamini, Woronchak, Gillard, O'Neil and Clack and referred to the Committee on Health Policy.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 430 (MCL 750.430), as amended by 2002  
PA 672.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 430. (1) ~~Any physician or other person who, while in~~  
2 ~~a state of intoxication, prescribes a poison, drug, or medicine~~  
3 ~~to another person~~ A licensed health care professional who  
4 engages in the practice of his or her health profession with a  
5 bodily alcohol content of .08 or more grams per 100 milliliters  
6 of blood, per 210 liters of breath, or per 67 milliliters of  
7 urine is guilty of a misdemeanor punishable by imprisonment for  
8 not more than 1 year or a fine of not more than \$1,000.00.

9       (2) As used in this section, "licensed health care  
10 professional" means an individual licensed or registered under

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1 article 15 of the public health code, 1978 PA 368, MCL 333.16101  
2 to 333.18838.

3 Enacting section 1. This amendatory act does not take  
4 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4655  
5 (request no. 02759'03) of the 92nd Legislature is enacted into  
6 law.