

SUBSTITUTE FOR  
HOUSE BILL NO. 4468

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 16226 (MCL 333.16226), as amended by 2004 PA  
214.

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

1       Sec. 16226. (1) After finding the existence of 1 or more of  
2 the grounds for disciplinary subcommittee action listed in  
3 section 16221, a disciplinary subcommittee shall impose 1 or more  
4 of the following sanctions for each violation:

5	<u>Violations of Section 16221</u>	<u>Sanctions</u>
6	Subdivision (a), (b) (ii),	Probation, limitation, denial,
7	(b) (iv), (b) (vi), or	suspension, revocation,
8	(b) (vii)	restitution, community service,

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1 or fine.

2 Subdivision Revocation or denial.

3 (b) (viii)

4 Subdivision (b) (i), Limitation, suspension,

5 (b) (iii), (b) (v), revocation, denial,

6 (b) (ix), (b) (x), probation, restitution,

7 (b) (xi), or (b) (xii) community service, or fine.

8 **SUBDIVISION (B) (xiii) PROBATION, LIMITATION, DENIAL,**

9 **SUSPENSION, REVOCATION,**

10 **RESTITUTION, COMMUNITY SERVICE,**

11 **FINE, [OR] PERMANENT REVOCATION [**

12 **].**

13 Subdivision (c) (i) Denial, revocation, suspension,

14 probation, limitation, community

15 service, or fine.

16 Subdivision (c) (ii) Denial, suspension, revocation,

17 restitution, community service,

18 or fine.

19 Subdivision (c) (iii) Probation, denial, suspension,

20 revocation, restitution,

21 community service, or fine.

22 Subdivision (c) (iv) Fine, probation, denial,

23 or (d) (iii) suspension, revocation, community

24 service, or restitution.

25 Subdivision (d) (i) Reprimand, fine, probation,

26 or (d) (ii) community service, denial,

27 or restitution.

28 Subdivision (e) (i) Reprimand, fine, probation,

29 limitation, suspension, community

30 service, denial, or restitution.

31 Subdivision (e) (ii) Reprimand, probation,

1	or (i)	suspension, restitution,
2		community service, denial, or
3		fine.
4	Subdivision (e) (iii),	Reprimand, fine, probation,
5	(e) (iv), or (e) (v)	suspension, revocation,
6		limitation, community service,
7		denial, or restitution.
8	Subdivision (g)	Reprimand or fine.
9	Subdivision (h) or	Reprimand, probation, denial,
10	(s)	suspension, revocation,
11		limitation, restitution,
12		community service, or fine.
13	Subdivision (j)	Suspension or fine.
14	Subdivision (k), (p), or	Reprimand or fine.
	(r)	
15	Subdivision (l)	Reprimand, denial, or
16		limitation.
17	Subdivision (m) or	Denial, revocation, restitution,
18	(o)	probation, suspension,
19		limitation, reprimand, or fine.
20	Subdivision (n)	Revocation or denial.
21	Subdivision (q)	Revocation.
22	Subdivision (t)	Revocation, fine, and
23		restitution.

24           (2) Determination of sanctions for violations under this  
25 section shall be made by a disciplinary subcommittee. If, during  
26 judicial review, the court of appeals determines that a final  
27 decision or order of a disciplinary subcommittee prejudices  
28 substantial rights of the petitioner for 1 or more of the grounds  
29 listed in section 106 of the administrative procedures act of

1 1969, 1969 PA 306, MCL 24.306, and holds that the final decision  
2 or order is unlawful and is to be set aside, the court shall  
3 state on the record the reasons for the holding and may remand  
4 the case to the disciplinary subcommittee for further  
5 consideration.

6 (3) A disciplinary subcommittee may impose a fine of up to,  
7 but not exceeding, \$250,000.00 for a violation of section  
8 16221(a) or (b).

9 (4) A disciplinary subcommittee may require a licensee or  
10 registrant or an applicant for licensure or registration who has  
11 violated this article or article 7 or a rule promulgated under  
12 this article or article 7 to satisfactorily complete an  
13 educational program, a training program, or a treatment program,  
14 a mental, physical, or professional competence examination, or a  
15 combination of those programs and examinations.

16 Enacting section 1. This amendatory act does not take effect  
17 unless all of the following bills of the 95th Legislature are  
18 enacted into law:

19 (a) House Bill No. 4469.

20 (b) House Bill No. 5043.