



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4411 (Substitute S-1 as reported)
House Bill 4412 (Substitute S-1 as reported)
Sponsor: Representative Gail Haines (H.B. 4411)
Representative Matt Huuki (H.B. 4412)
House Committee: Health Policy
Senate Committee: Judiciary

CONTENT

House Bill 4411 (S-1) would amend the Public Health Code to allow the permanent revocation of the license or registration of an individual who was convicted of first-, second-, or third-degree criminal sexual conduct (CSC) that occurred while the individual was acting within the health profession for which he or she was licensed or registered.

Currently, if a licensed or registered health professional is convicted of first-, second-, third- or fourth-degree CSC or assault with intent to commit CSC, one or more of the following sanctions may be imposed: probation; limitation, denial, suspension, or revocation of a license or registration; restitution; community service; and/or a fine. Under the bill, if a licensee or registrant were convicted of first-, second-, or third degree CSC, the sanctions also would include permanent revocation of a license or registration, as described above.

House Bill 4412 (S-1) would amend the Public Health Code to do the following:

- Specify that a health professional whose license or registration was revoked for a first-, second-, or third-degree CSC conviction would be ineligible for reinstatement of his or her license or registration.
- Require the Department of Licensing and Regulatory Affairs (LARA) to return an application for license or registration reinstatement if the applicant were ineligible for reinstatement.
- Specify that LARA would not have to give an ineligible applicant for reinstatement an opportunity for a hearing before final rejection.

Both bills are tie-barred to Senate Bill 235, which would amend the Code to categorize a conviction for first-, second-, or third-degree CSC separately from a conviction of fourth-degree CSC or assault with intent to commit CSC, in the list of grounds for sanctions.

MCL 333.16226 (H.B. 4411)
333.16245 (H.B. 4412)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 6-8-11

Fiscal Analyst: Josh Sefton