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BILL ANALYSIS

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House Bill 4552 (Substitute H-6 as reported without amendment)

Sponsor: Representative Kenneth Kurtz

House Committee: Commerce

Senate Committee: Reforms, Restructuring and Reinventing

CONTENT

The bill would amend the Worker's Disability Compensation Act to require an individual to be considered a State employee if he or she were registered with the State's verification system of health professional volunteers, when performing services or duties as a registrant or training to provide those services or duties, unless another employer provided coverage for that individual specifically for duties and services arising from registration with this State.

The bill refers to an individual registered with the State of Michigan verification system described in 42 USC 247d-7b. (That law pertains to a system for the advance registration of health care professionals who volunteer to provide health services during a public health emergency; and provides for a single national network of state systems that verify the credentials and licenses of volunteers.)

For purposes of calculating the weekly rate of compensation provided under the Act, the individual would be considered to be receiving the State average weekly wage at the time of injury or death from the State. If the individual's average weekly wage were greater than the State average weekly wage at the time of injury or death, however, his or her weekly rate of compensation would have to be determined based on the individual's weekly average wage. The State would have to exercise all of the rights and obligations of an employer and carrier as provided for under the Act.

The Act's requirements for the apportionment of weekly benefits among multiple employers would not apply to individuals entitled to benefits under the bill.

MCL 418.161 et al.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have a small but negative impact on State finances, and no fiscal impact on local units of government. Since volunteer health professionals would be considered State employees only while they were serving during a declared emergency, for claims under the bill to occur, volunteers would have to be injured or killed while they were performing their duties as volunteers. It is unknown how many volunteers are injured or killed each year, but under the bill, they would be entitled to worker's compensation as though they were receiving the State average weekly wage.

Date Completed: 3-28-12

Fiscal Analyst: Josh Sefton

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Bill Analysis @ www.senate.michigan.gov/sfa

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