



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 575 (Substitute S-1 as reported)  
Sponsor: Senator Tonya Schuitmaker  
Committee: Reforms, Restructuring and Reinventing

### **CONTENT**

The bill would amend Article 15 of the Public Health Code to do the following:

- Prohibit a member of a disciplinary subcommittee who had a conflict of interest from participating in a decision regarding an investigation of, or imposing sanctions on, a licensee, registrant, or applicant.
- Require a member of a disciplinary subcommittee to disclose potential conflicts of interest before the subcommittee took action on a matter.
- Revise procedures for an investigation of an alleged violation of Article 15 or 7, or a rule promulgated under either article.
- Delete a requirement that the Department of Licensing and Regulatory Affairs (LARA) provide an opportunity for a hearing in connection with a proceeding to order community service.

(Article 15 of the Code governs occupations. Article 7 governs controlled substances.)

"Conflict of interest" would mean any of the following: 1) has a personal or financial interest in the outcome of the investigation of or the imposition of disciplinary sanctions; 2) had a past or has a present business or professional relationship with an individual who is subject to investigation or potential sanctions; 3) has given expert testimony in a medical malpractice action against or on behalf of an individual who is subject to investigation or potential sanctions; or 4) has any other interest or relationship designated as a conflict.

Currently, if LARA determines there is a reasonable basis to believe that there was a violation of Article 7 or 15, and the chair of the board or task force authorizes an investigation, LARA must investigate. If the chair fails to grant or deny authorization within seven days of a request, LARA must investigate. Under the bill, LARA would have to seek authorization from a panel that included the chair and at least two other members of the board or task force. If the panel failed to grant or deny authorization within seven days, LARA would have to investigate.

MCL 333.16231 et al.

Legislative Analyst: Glenn Steffens

### **FISCAL IMPACT**

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

Date Completed: 11-5-13

Fiscal Analyst: Josh Sefton