

# Legislative Analysis

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## **MIOSHA REPORTING REQUIREMENT**

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**Senate Bill 213 (as reported from House Committee)**

**Sponsor: Sen. Tonya Schuitmaker**

**House Committee: Commerce and Trade**

**Senate Committee: Commerce**

**Complete to 10-29-15**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 199 of 2015)*

## **SUMMARY:**

The Michigan Occupational Safety and Health Act requires an employer to make, keep, and preserve accurate and timely records and reports of workplace illnesses and injuries, and to report that information to the appropriate department for the purpose of developing information regarding the causes and prevention of occupational illnesses and injuries. (Reports are made to the Michigan Occupational Safety and Health Administration (MIOSHA) in LARA.)

According to testimony in the Senate, federal regulations require a state operating its own plan to adopt injury reporting requirements substantially similar to federal requirements. Senate Bill 213 would strike some specific reporting requirements in statute, and instead employers would follow administrative rules, which are updated regularly to comport with federal regulations. Eliminating detailed requirements in statute and relying on rules will obviate the necessity of amending state statute when federal regulations change.

The language in the MIOSHA Act being struck requires an employer to notify the Department of Licensing and Regulatory Affairs (LARA) within eight hours of a fatality or hospitalization of three or more employees resulting from the same accident or illness. This requirement, and recent additional federal reporting requirements, are contained in MIOSHA rules.

The bill would take effect 90 days after its enactment.

MCL 408.1061

## **FISCAL IMPACT:**

The bill would not have a significant fiscal impact.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.