

HOUSE BILL No. 4666

June 2, 2015, Introduced by Rep. Derek Miller and referred to the Committee on Insurance.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16243 (MCL 333.16243), as amended by 1993 PA
79.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16243. (1) The department or a disciplinary subcommittee
2 appointed under section 16216 may request and shall receive the
3 following reports:

4 (a) Information from a licensed health care facility as to
5 disciplinary action taken by it ~~pursuant to~~ **UNDER** section 20175.

6 (b) Information from an insurer providing professional
7 liability insurance as to claims or actions for damages against a
8 licensee; settlements in any amount; **A** final disposition not
9 resulting in payment on behalf of the insured; ~~and~~ **OR** a personal

1 injury claimed to have been caused by an error, omission, or
2 negligence in the performance of the insured professional services.
3 An insurer that receives a request under this subdivision shall
4 submit the information requested directly to the department.

5 (c) Information from a court in this state as to a felony or
6 misdemeanor conviction **OF A LICENSEE OR REGISTRANT** or a judgment
7 against a licensee or registrant finding the licensee or registrant
8 negligent in an action for malpractice, whether or not the judgment
9 is appealed.

10 (d) A report by a licensee or registrant under section 16222.

11 (e) Information provided by the ~~insurance bureau under~~
12 ~~sections 2477, 2477b, and 2477c of the insurance code, Act No. 218~~
13 ~~of the Public Acts of 1956, being sections 500.2477, 500.2477b, and~~
14 ~~500.2477c of the Michigan Compiled Laws, information provided by~~
15 ~~the national practitioner data bank, **NATIONAL PRACTITIONER DATA**~~
16 **BANK**, and reports from the Michigan health care arbitration
17 program.

18 (f) Reports from any other appropriate source necessary for
19 determination of the competency and safety of the practice of a
20 licensee. Appropriate sources include, but are not limited to,
21 appointed public and private professional review entities and
22 public and private health insurance programs.

23 (2) Within 10 days after the entry of a judgment against a
24 licensee finding the licensee negligent in an action for
25 malpractice or the approval by a court of a settlement in an action
26 for malpractice, the clerk of the court in which the judgment was
27 entered or the settlement approved shall prepare and immediately

1 forward to the department on a form prescribed by the department a
2 report setting forth the name of the licensee and the amount of
3 damages awarded or the amount of the approved settlement.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless Senate Bill No.____ or House Bill No. 4665 (request no.
8 01783'15) of the 98th Legislature is enacted into law.