

# SENATE BILL NO. 573

October 10, 2019, Introduced by Senators HERTEL, THEIS, JOHNSON, BARRETT, LASATA, BULLOCK, VICTORY, MCMORROW, MACDONALD, RUNESTAD and DALEY and referred to the Committee on Insurance and Banking.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 16226 (MCL 333.16226), as amended by 2018 PA  
463.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 16226. (1) After finding the existence of 1 or more of  
2           the grounds for disciplinary subcommittee action listed in section  
3           16221, a disciplinary subcommittee shall impose 1 or more of the

following sanctions for each violation:

<u>Violations of Section 16221</u>	<u>Sanctions</u>
Subdivision (a), (b) (i), (b) (ii), (b) (iii), (b) (iv), (b) (v), (b) (vi), (b) (vii), (b) (ix), (b) (x), (b) (xi), or (b) (xii)	Probation, limitation, denial, suspension, revocation, permanent revocation, restitution, or fine.
Subdivision (b) (viii)	Revocation, permanent revocation, or denial.
Subdivision (b) (xiii)	Permanent revocation for a violation described in subsection (5); otherwise, probation, limitation, denial, suspension, revocation, restitution, or fine.
Subdivision (b) (xiv)	Permanent revocation.
Subdivision (c) (i)	Denial, revocation, suspension, probation, limitation, or fine.
Subdivision (c) (ii)	Denial, suspension, revocation, restitution, or fine.
Subdivision (c) (iii)	Probation, denial, suspension, revocation, restitution, or fine.

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2	Subdivision (c) (iv)	Fine, probation, denial,
3	or (d) (iii)	suspension, revocation, permanent
4		revocation, or restitution.
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6	Subdivision (d) (i)	Reprimand, fine, probation,
7	or (d) (ii)	denial, or restitution.
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9	Subdivision (e) (i),	Reprimand, fine, probation,
10	(e) (iii), (e) (iv), (e) (v),	limitation, suspension,
11	(h), or (s)	revocation, permanent revocation,
12		denial, or restitution.
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14	Subdivision (e) (ii)	Reprimand, probation, suspension,
15	or <del>(i)</del> (i)	revocation, permanent
16		revocation, restitution,
17		denial, or fine.
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19	Subdivision (e) (vi),	Probation, suspension, revocation
20	(e) (vii), or (e) (viii)	limitation, denial,
21		restitution, or fine.
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23	Subdivision (f)	Reprimand, denial, limitation,
24		probation, or fine.
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26	Subdivision (g)	Reprimand or fine.
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28	Subdivision (j)	Suspension or fine.

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2	Subdivision (k), (p),	Reprimand, probation, suspension,
3	or (r)	revocation, permanent revocation,
4		or fine.
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6	Subdivision (l)	Reprimand, denial, or
7		limitation.
8		
9	Subdivision (m) or (o)	Denial, revocation, restitution,
10		probation, suspension,
11		limitation, reprimand, or fine.
12		
13	Subdivision (n)	Revocation or denial.
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15	Subdivision (q)	Revocation.
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17	Subdivision (t)	Revocation, permanent revocation,
18		fine, or restitution.
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20	Subdivision (u)	Denial, revocation, probation,
21		suspension, limitation,
22		reprimand,
23		or fine.
24		
25	Subdivision (v) or (x)	Probation, limitation, denial,
26		fine, suspension, revocation, or
27		permanent revocation.
28		
29	Subdivision (w)	Denial, fine, reprimand,

Subdivision (y) Fine.

(3) A disciplinary subcommittee may impose a fine in an amount that does not exceed \$250,000.00 for a violation of section 16221(a) or (b). A disciplinary subcommittee shall impose a fine of at least \$25,000.00 if the violation of section 16221(a) or (b) results in the death of 1 or more patients.

(5) A disciplinary subcommittee shall impose the sanction of

1 permanent revocation for a violation of section 16221(b) (xiii) if the  
2 violation occurred while the licensee or registrant was acting  
3 within the health profession for which he or she was licensed or  
4 registered.

5 (6) Except as otherwise provided in subsection (5) and this  
6 subsection, a disciplinary subcommittee shall not impose the  
7 sanction of permanent revocation under this section without a  
8 finding that the licensee or registrant engaged in a pattern of  
9 intentional acts of fraud or deceit resulting in personal financial  
10 gain to the licensee or registrant and harm to the health of  
11 patients under the licensee's or registrant's care. This subsection  
12 does not apply if a disciplinary subcommittee finds that a licensee  
13 or registrant has violated section 16221(b) (xiv) .

14 Enacting section 1. This amendatory act does not take effect  
15 unless all of the following bills of the 100th Legislature are  
16 enacted into law:

17 (a) House Bill No. 4459.

18 (b) House Bill No. 4460.

19 (c) Senate Bill No. 571.

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