

HOUSE BILL NO. 6201

June 09, 2022, Introduced by Reps. Griffin, Steven Johnson, Tisdell, Bollin, Beeler, Meerman, Calley, Rendon, Bellino, Lightner, Clements, Eisen, Allor, Outman and Alexander and referred to the Committee on Oversight.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 7314 (MCL 333.7314), as amended by 1993 PA 80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7314. (1) Before the disciplinary subcommittee suspends
2 or revokes or limits a license or denies an application or a
3 renewal of a license, the disciplinary subcommittee shall serve on
4 the applicant or licensee an order to show cause why the
5 application or license should not be denied, limited, revoked, or

1 suspended, or why the renewal should not be denied. The order to
2 show cause ~~shall~~**must** contain a statement of the basis for the
3 order and ~~shall~~ call upon the applicant or licensee to appear
4 before the disciplinary subcommittee or a hearings examiner at a
5 time and place not less than 30 days after the date of service of
6 the order. A show cause order for a denial of renewal of a license
7 ~~shall~~**must** be served not later than 30 days before **the** expiration
8 of the license. The proceedings described in this subsection ~~shall~~
9 **must** be conducted without regard to any criminal prosecution or
10 other proceeding. A proceeding to deny renewal of a license does
11 not abate the existing license, which remains in effect pending the
12 outcome of the administrative hearing.

13 (2) Pursuant to procedural guidelines adopted by the
14 department, the department may suspend a license, without an order
15 to show cause, simultaneously with the institution of proceedings
16 under section 7311 or if renewal of licensure is refused, if the
17 department finds that there is an imminent danger to the public
18 health or safety that warrants this action. The suspension ~~shall~~
19 **must** continue in effect until conclusion of the proceedings,
20 including judicial review, unless sooner withdrawn by a hearings
21 examiner or dissolved by a court of competent jurisdiction. **If the**
22 **department suspends a license under this subsection, the department**
23 **shall provide notice of the suspension to all of the following**
24 **within 24 hours:**

25 (a) **The senate majority leader and the speaker of the house of**
26 **representatives.**

27 (b) **Standing committees in the senate and house of**
28 **representatives that deal primarily with oversight.**

29 (c) **Any other standing committee in the senate and house of**

1 **representatives that the department considers necessary or**
2 **appropriate.**

3 (3) Subsection (1) does not apply to the suspension or
4 revocation of a license by the administrator ~~pursuant to~~**under**
5 section 7311(6).