

# HOUSE BILL NO. 5828

June 20, 2024, Introduced by Reps. Young, Pohutsky, Rogers, MacDonell, Brabec, Wilson, Brenda Carter, Edwards, Dievendorf, McKinney, Grant, Hope, Arbit, Rheingans, Scott and Aiyash and referred to the Committee on Criminal Justice.

A bill to amend 1953 PA 232, entitled  
"Corrections code of 1953,"  
(MCL 791.201 to 791.285) by adding section 64a.

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

1           **Sec. 64a. (1) The department shall provide each prisoner when**  
2 **the prisoner is received in a correctional facility a medical**  
3 **information release form, an emergency contact form, and the**  
4 **brochure developed under subsection (7). The department shall also**  
5 **provide each prisoner already in the custody of the department on**

1 the effective date of the amendatory act that added this section a  
2 medical information release form and emergency contact form to be  
3 used as provided in this section.

4 (2) A medical information release form and emergency contact  
5 form executed by a prisoner under this section must be signed by  
6 the prisoner.

7 (3) If a prisoner executes a medical information release form  
8 under this section, the prisoner shall provide the full name and  
9 contact information for each individual the prisoner wishes to  
10 designate as an authorized recipient. A prisoner shall provide on  
11 an emergency contact form the full name and contact information for  
12 each individual the prisoner designates as an emergency contact.

13 (4) The department shall instruct each prisoner that it is the  
14 prisoner's responsibility to ensure that the contact information  
15 for each individual the prisoner includes on the prisoner's medical  
16 information release form and emergency contact form is and remains  
17 accurate. The department shall instruct each prisoner that the  
18 prisoner may request to amend the prisoner's medical information  
19 release form or emergency contact form if the prisoner becomes  
20 aware that the contact information for an individual listed on a  
21 form has changed or for any other reason.

22 (5) If a prisoner in the custody of the department experiences  
23 a critical medical emergency, the department shall immediately  
24 provide notice of that critical medical emergency to 1 individual  
25 designated as an emergency contact on the prisoner's emergency  
26 contact form. In providing the notice under this subsection, the  
27 department may disclose the location at which the prisoner is  
28 receiving medical treatment for the critical medical emergency only  
29 if the department determines the disclosure is necessary. If the

1 department, in consultation with the prisoner's treating physician,  
2 determines the critical medical emergency necessitates the prisoner  
3 having a visit in the hospital, the department may arrange for  
4 approved visitors to visit with the prisoner in the hospital in  
5 accordance with the policies of the department. The department may  
6 deny a visit by an approved visitor under this subsection only if  
7 the department determines the visit may raise a safety concern.

8 (6) The department shall provide a prisoner's qualified  
9 medical information to the prisoner's authorized recipient if the  
10 authorized recipient contacts the department and requests the  
11 prisoner's qualified medical information from the department.

12 (7) Not later than 90 days after the effective date of the  
13 amendatory act that added this section, the department shall  
14 develop a form to be used as a medical information release form and  
15 a form to be used as an emergency contact form as provided in this  
16 section. Not later than 60 days after the effective date of the  
17 amendatory act that added this section, the department shall create  
18 a brochure that contains the information described under subsection  
19 (4) and that explains the designation of an individual as an  
20 authorized recipient compared to the designation of an individual  
21 as an emergency contact. The department shall make the brochure  
22 under this subsection available on its website, to a prisoner as  
23 described under subsection (1), and to a prisoner at each annual  
24 health examination.

25 (8) As used in this section:

26 (a) "Approved visitors" means the department-approved  
27 immediate family members of a prisoner and the department-approved  
28 clergy members of the prisoner's designated religion.

29 (b) "Authorized recipient" means the individual a prisoner

1 designates on the prisoner's medical information release form as  
2 having permission to receive the prisoner's qualified medical  
3 information.

4 (c) "Critical medical emergency" means a medical emergency  
5 experienced by a prisoner that will require the prisoner to receive  
6 inpatient health care at a hospital.

7 (d) "Emergency contact" means the individual a prisoner  
8 designates on the prisoner's emergency contact form as being the  
9 individual the prisoner elects the department to contact in a  
10 critical medical emergency.

11 (e) "Medical information" means information regarding an  
12 individual's medical history, mental or physical condition, or  
13 medical treatment or diagnosis by a health care professional.  
14 Medical information does not include the location in which a  
15 prisoner is receiving medical treatment from a health care  
16 professional.

17 (f) "Qualified medical information" means the medical  
18 information a prisoner selects to release to an authorized  
19 recipient on the prisoner's medical information release form.