



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 578 (Substitute S-2 as reported)
Sponsor: Senator Rick Jones
Committee: Reforms, Restructuring and Reinventing

CONTENT

The bill would amend the Public Health Code to establish when a decision of a disciplinary subcommittee of a board or task force within the Department of Licensing and Regulatory Affairs (LARA) would become a final decision and subject to judicial review.

Specifically, the following provisions would apply for purposes of determining when a disciplinary subcommittee's decision that Article 7 (Controlled Substances) or Article 15 (occupations) was violated, or when a decision made to impose a sanction, became a final decision of that subcommittee and subject to judicial review.

First, the disciplinary subcommittee would have to inform LARA of the decision, and LARA would have to review the decision within 30 days. If LARA determined that the decision did not protect public health, safety, and welfare, it could, within the 30-day period, request the appropriate board or task force to review the decision. If LARA did not request a review, the subcommittee's decision would become final at the end of the 30-day period.

If a board or task force received a request for review of a decision within the 30-day period, it would have to review the decision within 30 days after receiving the request. If the board or task force agreed with the decisions, it would have to notify LARA and the subcommittee, and the decision would become final at the time the subcommittee received the notice. If the board or task force disagreed with the decision, it would have to notify the subcommittee: 1) that it disagreed; 2) the reason or reasons it disagreed; and 3) what decision it recommended. The subcommittee would have to review the notification, and after considering the recommendation, make its decision, which would become a final decision at that time.

Beginning July 1, 2014, LARA would have to include on its public website each final decision regarding disciplinary action against a licensee, including the reason for and description of the action.

MCL 333.16216

Legislative Analyst: Glenn Steffens

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 11-5-13

Fiscal Analyst: Josh Sefton