
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 502 (as introduced 5-13-97)
Sponsor: Senator Philip E. Hoffman
Committee: Judiciary

Date Completed: 10-23-97

CONTENT

The bill would amend the Revised Judicature Act to prohibit a person who was incarcerated in a "correctional facility" from bringing an action for medical malpractice for medical treatment or care provided during his or her period of incarceration, if the care or treatment were not paid for by the incarcerated individual or his or her health insurer.

"Correctional facility" would mean that term as defined in the Correctional Officers' Training Act (MCL 791.502): either a facility or institution that houses an inmate population under the jurisdiction of the Department of Corrections (DOC); or a municipal or county jail, work camp, lockup, holding center, halfway house, community corrections center, or any other facility maintained by a municipality or county that houses adult prisoners.

MCL 600.2912a

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 502 would have an indeterminate fiscal impact on State and local government. From litigation statistics provided by the Department of Corrections, lawsuits involving medical issues filed by DOC inmates have averaged about 70-90 per year from 1993 to 1996. The number of these that alleged medical malpractice is not known. Also, the Department reports that there are two or three settlements or judgments of this type of lawsuit per year, averaging \$175,000 per case. Information about local government costs is unavailable at this time.

Fiscal Analyst: K. Firestone

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