

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 756 (Substitute S-1 as reported)
Sponsor: Senator Bill Bullard, Jr.
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to revise requirements that various health professionals report to police when a person seeks treatment for a wound or injury inflicted by means of violence or a deadly weapon. Currently, a report must be made to the police chief or county sheriff in the location where the reporting hospital or pharmacy is located. Under the bill, a report also could be made to the local law enforcement agency with jurisdiction where the injury occurred, or to the State Police.

Specifically, the Penal Code provides that it is the duty of every person, firm, or corporation conducting any hospital or pharmacy, or the person managing or in charge of a hospital or pharmacy or any ward or part of any hospital or pharmacy, to report immediately to the chief of police other head of a local police force of the city or village where the hospital or pharmacy is located, or the county sheriff if the hospital or pharmacy is outside of a city or village, whenever a person suffering from a wound or other injury inflicted by means of a knife, gun, pistol, or other deadly weapon, or by other means of violence, comes or is brought to the hospital or pharmacy. The report must state the name and residence of the person, if known, the person's whereabouts, and the character and extent of the injuries. A physician or surgeon, who has under his or her care or charge a person suffering from any similar wound or injury, must make a like report to the appropriate law enforcement officer. The bill would delete and replace these provisions.

Under the bill, if a person suffering from an injury inflicted by a firearm, knife, or other deadly weapon, or by other violent means, presented for treatment at a hospital, a private practice office of a physician, or a pharmacy, the physician or a health professional or other individual employed by or under contract to the physician or hospital, including but not limited to an officer of the hospital, or the pharmacist or another individual employed by or under contract to the pharmacy, immediately would have to report that fact to the local law enforcement agency with jurisdiction over the place where the injury occurred; the local law enforcement agency with jurisdiction where the hospital, private practice office, or pharmacy was located; or the State Police.

A report required under the bill would have to be made both orally and in writing and contain, at a minimum, the name and address of the injured person, if known, and the nature and extent of the injury.

As currently provided, a violation of the reporting requirement would be a misdemeanor.

MCL 750.411

Legislative Analyst: P. Affholter

FISCAL IMPACT

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

Date Completed: 11-4-99

Fiscal Analyst: M. Tyszkiewicz