



**House  
Legislative  
Analysis  
Section**

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**WORKERS COMP: NO PAY FOR  
INJURIES WHEN INTOXICATED**

**House Bill 4230**

**Sponsor: Rep. Joe Hune**

**Committee: Employment Relations,  
Training and Safety**

**Complete to 4-11-03**

**A SUMMARY OF HOUSE BILL 4230 AS INTRODUCED 2-13-03**

The bill would add a new section to the Worker’s Disability Compensation Act to prohibit a claim for injuries incurred from an employee’s impaired ability to perform his or her job due to the voluntary consumption of alcohol, controlled substances that were not prescribed by a physician, or a combination of both. The bill would not apply to a police officer, firefighter, or other emergency personnel required to respond to an emergency while off duty.

The phrase “impaired ability to perform his or her job due to the voluntary consumption of intoxicating liquor or a controlled substance not prescribed by a physician” would be defined to mean that, as a result of the employee’s use of the substance, his or her senses were impaired to the point that the ability to perform his or her normal employment duties would be diminished from what they would normally be had the employee not consumed the intoxicating liquor or a controlled substance. An individual would be presumed to have impaired ability to perform his or her job due to the use of the prohibited substances if, under a standard prescribed by Section 625a of the Michigan Vehicle Code, a presumption would have arisen that the individual’s ability to operate a vehicle had been impaired.

MCL 418.306

**House Bill 4230 (4-11-03)**

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.