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BILL ANALYSIS

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Senate Bill 234 (Substitute S-1 as reported)  
Senate Bills 235 and 236 (as reported without amendment)  
Sponsor: Senator Rick Jones  
Committee: Judiciary

### **CONTENT**

Senate Bill 234 (S-1) would amend the Public Health Code to allow the permanent revocation of the license or registration of an individual who was convicted of first-, second-, or third-degree criminal sexual conduct (CSC) that occurred while the individual was acting within the health profession for which he or she was licensed or registered.

Currently, if a licensed or registered health professional is convicted of first-, second-, third- or fourth-degree CSC or assault with intent to commit CSC, a health profession disciplinary subcommittee must impose one or more of the following sanctions: probation; limitation, denial, suspension, or revocation of a license or registration; restitution; community service; and/or a fine. Under the bill, if a licensee or registrant were convicted of first-, second-, or third degree CSC, the available sanctions also would include permanent revocation of a license or registration, as described above.

Senate Bill 235 would amend the Public Health Code to categorize a conviction for first-, second-, or third-degree CSC separately from a conviction of fourth-degree CSC or assault with intent to commit CSC, in the list of grounds for sanctions. Currently, all of the CSC offenses are grouped together.

Senate Bill 236 would amend the Public Health Code to do the following:

- Specify that a health professional whose license or registration was revoked for a first-, second-, or third-degree CSC conviction would be ineligible for reinstatement of his or her license or registration.
- Require the Department of Licensing and Regulatory Affairs (LARA) to return an application for license or registration reinstatement if the applicant were ineligible for reinstatement.
- Specify that LARA would not have to give an ineligible applicant for reinstatement an opportunity for a hearing before final rejection.

MCL 333.16226 (S.B. 234)  
333.16221 (S.B. 235)  
333.16245 (S.B. 236)

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

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

Date Completed: 5-19-11

Fiscal Analyst: Josh Sefton

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Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.