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House Bill 4893 (Substitute H-1 as passed by the House)
Sponsor: Representative Mike Callton
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 11-2-11

CONTENT

The bill would amend the Public Health Code to allow a retired optometrist to obtain a special volunteer license for the care and treatment of indigent and needy individuals or individuals in medically underserved areas.

Under the Code, an individual who is retired from the active practice of medicine, osteopathic medicine and surgery, podiatric medicine and surgery, or dentistry, and who wishes to donate his or her expertise for the care and treatment of indigent and needy individuals or individuals in medically underserved areas of the State, may obtain a special volunteer license to practice. The bill would extend this to an individual who was retired from the active practice of optometry.

A physician or dentist who provides medical care under a special volunteer license is not liable in a civil action for personal injury or death proximately caused by the professional negligence or malpractice in providing the care, if both of the following apply:

- The care is provided at a health facility or agency that provides at least 75% of its care annually to medically indigent individuals.
- The physician or dentist does not receive and does not intend to receive compensation for providing the care.

The immunity from liability does not apply if the physician's or dentist's negligent conduct or malpractice was gross negligence.

The bill would extend these provisions to an optometrist who provided care under a special volunteer license.

Also, under the bill, an individual who was granted a special volunteer license could engage in activities only within the scope of practice of the profession for which he or she was licensed before retirement.

MCL 333.16184 & 333.16185

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

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

Fiscal Analyst: Josh Sefton

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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.