

HOUSE BILL NO. 5493

February 22, 2024, Introduced by Rep. Schriver and referred to the Committee on Government Operations.

A bill to amend 2014 PA 345, entitled
"Right to try act,"
by amending section 5 (MCL 333.26455).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. A licensing board or disciplinary subcommittee shall
2 not revoke, fail to renew, suspend, or take any action against a
3 health care provider's license issued under article 15 or 17 of the
4 public health code, 1978 PA 368, MCL 333.16101 to 333.18838 and
5 333.20101 to ~~333.22260~~, **333.22121**, based solely on the health care

1 provider's recommendations to an eligible patient regarding access
2 to or treatment with an investigational drug, **a** biological product,
3 or **a** device. An entity responsible for ~~medicare~~**Medicare**
4 certification shall not take action against a health care
5 provider's ~~medicare~~**Medicare** certification based solely on the
6 health care provider's recommendation that a patient have access to
7 an investigational drug, **a** biological product, or **a** device.

8 Enacting section 1. This amendatory act does not take effect
9 unless Senate Bill No. ____ or House Bill No. 5477 (request no.
10 01038'23) of the 102nd Legislature is enacted into law.