

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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House Bill 4403 (as reported without amendment)  
Sponsor: Representative Michael J. Bennane  
House Committee: Public Health  
Senate Committee: Human Resources and Senior Citizens

Date Completed: 4-26-89

**RATIONALE**

When Public Act 332 of 1985 revised the Public Health Code's provisions concerning the State's certificate of need (CON) program, the Act did not include language prohibiting health facilities applying for a certificate of need from discriminating against certain people in the areas of employment, patient admission, and training programs--a prohibition that was contained in the Code originally. Reportedly, some podiatrists are having problems obtaining hospital privileges at some hospitals because the hospitals are requiring education and training beyond that required by the podiatrists' licensure requirements. It has been suggested that adding to the Code the prohibition against discrimination would help eliminate difficulties caused by discrepancies in licensure requirements and employment requirements.

**CONTENT**

The bill would amend the Public Health Code to prohibit hospitals from discriminating against certain people in the operation of the hospital (including employment, patient admission and care, room assignment, and training programs) and in the selection and appointment of physicians to the hospital's staff or training programs.

More specifically, the bill would prohibit hospitals from discriminating:

- In their operation, against individuals on the basis of race, religion, color, national origin, age, or sex.

- In the selection and appointment of their physician staff or training programs, against individual physicians on the basis of licensure or registration or professional education as doctors of medicine, osteopathic medicine and surgery, or podiatry.

The bill would take effect December 31, 1989.

MCL 333.21513

**FISCAL IMPACT**

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

**ARGUMENTS****Supporting Argument**

By reinstating repealed discrimination language and placing it in the hospital licensure section of the Public Health Code, the bill would ensure that properly licensed physicians could not be denied hospital privileges solely on the grounds of their licensure or professional education, as well as generally protect basic civil rights.

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**H8990/S4403A**

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.