

House Bill 4720

(as amended October 14, 1999)

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding sections 16290 and 20175a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 16290. [(1)] IF A LICENSEE OR REGISTRANT HAS TREATED A  
2 PATIENT WHO IS A MINOR AND IS THE HOLDER OF MEDICAL RECORDS OR  
3 OTHER HEALTH CARE INFORMATION PERTAINING TO THE MINOR, IF A  
4 PARENT OF THE MINOR PATIENT IS PROHIBITED BY A PERSONAL PROTEC-  
5 TION ORDER ISSUED UNDER SECTION 2950 OR 2950A OF THE REVISED  
6 JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2950 AND 600.2950A,  
7 FROM HAVING ACCESS TO INFORMATION IN RECORDS CONCERNING THE MINOR  
8 THAT WILL INFORM THE PARENT ABOUT THE MINOR'S OR OTHER PARENT'S  
9 ADDRESS OR TELEPHONE NUMBER OR THE OTHER PARENT'S EMPLOYMENT  
10 ADDRESS, AND IF THE LICENSEE OR REGISTRANT HAS RECEIVED A COPY OF  
11 THE PERSONAL PROTECTION ORDER, THE LICENSEE OR REGISTRANT SHALL

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1 NOT RELEASE THAT INFORMATION TO THE PARENT WHO IS SUBJECT TO THE  
2 PERSONAL PROTECTION ORDER [UNLESS THE ORDER EXPIRES OR THE LICENSEE  
OR REGISTRANT RECEIVES A COPY OF A NEW OR MODIFIED COURT ORDER  
PERMITTING ACCESS TO THE INFORMATION. A LICENSEE OR REGISTRANT WHO  
MAKES A REASONABLE EFFORT TO COMPLY WITH THIS SECTION IS NOT CIVILLY  
OR CRIMINALLY LIABLE OR SUBJECT TO A REMEDY OR PENALTY AVAILABLE IN  
THIS ARTICLE FOR FAILURE TO COMPLY WITH THIS SECTION].

[(2) A HOLDER OF MEDICAL RECORDS OR OTHER HEALTH CARE  
INFORMATION PERTAINING TO THE MINOR MAY CHARGE THE PERSON MAKING THE  
REQUEST FOR RECORDS A REASONABLE AMOUNT TO REDACT INFORMATION IN THE  
REQUESTED MEDICAL RECORDS OR INFORMATION.]

3 SEC. 20175A. [(1)] IF A HEALTH FACILITY OR AGENCY IN WHICH A  
4 MINOR HAS RECEIVED HEALTH CARE TREATMENT OR SERVICES IS THE  
5 HOLDER OF MEDICAL RECORDS OR OTHER HEALTH CARE INFORMATION PER-  
6 TAINING TO THE MINOR, IF A PARENT OF THE MINOR PATIENT IS PROHIB-  
7 ITED BY A PERSONAL PROTECTION ORDER ISSUED UNDER SECTION 2950 OR  
8 2950A OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL  
9 600.2950 AND 600.2950A, FROM HAVING ACCESS TO INFORMATION IN  
10 RECORDS CONCERNING THE MINOR THAT WILL INFORM THE PARENT ABOUT  
11 THE MINOR'S OR OTHER PARENT'S ADDRESS OR TELEPHONE NUMBER OR THE  
12 OTHER PARENT'S EMPLOYMENT ADDRESS, AND IF THE HEALTH FACILITY OR  
13 AGENCY HAS RECEIVED A COPY OF A PERSONAL PROTECTION ORDER, THE  
14 HEALTH FACILITY OR AGENCY SHALL NOT RELEASE THAT INFORMATION TO  
15 THE PARENT WHO IS SUBJECT TO THE PERSONAL PROTECTION ORDER [UNLESS  
THE ORDER EXPIRES OR THE HEALTH FACILITY OR AGENCY RECEIVES A COPY  
OF A NEW OR MODIFIED COURT ORDER PERMITTING ACCESS TO THE  
INFORMATION. A HEALTH FACILITY OR AGENCY THAT MAKES A REASONABLE  
EFFORT TO COMPLY WITH THIS SECTION IS NOT CIVILLY OR CRIMINALLY  
LIABLE OR SUBJECT TO A REMEDY OR PENALTY AVAILABLE IN THIS ARTICLE  
FOR FAILURE TO COMPLY WITH THIS SECTION].

[(2) A HOLDER OF MEDICAL RECORDS OR OTHER HEALTH CARE  
INFORMATION PERTAINING TO THE MINOR MAY CHARGE THE PERSON MAKING THE  
REQUEST FOR RECORDS A REASONABLE AMOUNT TO REDACT INFORMATION IN THE  
REQUESTED MEDICAL RECORDS OR INFORMATION.]

[Enacting section 1. This amendatory act takes effect July 1,  
2000.]

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