

HOUSE BILL No. 5881

March 12, 2008, Introduced by Reps. David Law, LaJoy and Schuitmaker and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16226 (MCL 333.16226), as amended by 2004 PA
214.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16226. (1) After finding the existence of 1 or more of
2 the grounds for disciplinary subcommittee action listed in
3 section 16221, a disciplinary subcommittee shall impose 1 or more
4 of the following sanctions for each violation:

<u>Violations of Section 16221</u>	<u>Sanctions</u>
5 Subdivision (a), (b) (ii),	Probation, limitation, denial,
6 (b) (iv), (b) (vi), or	suspension, revocation,

1	(b) (vii)	restitution, community service,
2		or fine.
3	Subdivision	Revocation or denial.
4	(b) (viii) OR (B) (xiii)	
5	Subdivision (b) (i) ,	Limitation, suspension,
6	(b) (iii) , (b) (v) ,	revocation, denial,
7	(b) (ix) , (b) (x) ,	probation, restitution,
8	(b) (xi) , or (b) (xii)	community service, or fine.
9	Subdivision (c) (i)	Denial, revocation, suspension,
10		probation, limitation, community
11		service, or fine.
12	Subdivision (c) (ii)	Denial, suspension, revocation,
13		restitution, community service,
14		or fine.
15	Subdivision (c) (iii)	Probation, denial, suspension,
16		revocation, restitution,
17		community service, or fine.
18	Subdivision (c) (iv)	Fine, probation, denial,
19	or (d) (iii)	suspension, revocation, community
20		service, or restitution.
21	Subdivision (d) (i)	Reprimand, fine, probation,
22	or (d) (ii)	community service, denial,
23		or restitution.
24	Subdivision (e) (i)	Reprimand, fine, probation,
25		limitation, suspension, community
26		service, denial, or restitution.
27	Subdivision (e) (ii)	Reprimand, probation,
28	or (i) (H)	suspension, restitution,
29		community service, denial, or
30		fine.
31	Subdivision (e) (iii) ,	Reprimand, fine, probation,

1	(e) (iv), or (e) (v)	suspension, revocation,
2		limitation, community service,
3		denial, or restitution.
4	Subdivision (g) (F)	Reprimand or fine.
5	Subdivision (h) (G) or	Reprimand, probation, denial,
6	(s) (R)	suspension, revocation,
7		limitation, restitution,
8		community service, or fine.
9	Subdivision (j) (I)	Suspension or fine.
10	Subdivision (k) (J),	Reprimand or fine.
	(p) (O), or (r) (Q)	
11	Subdivision (l) (K)	Reprimand, denial, or
12		limitation.
13	Subdivision (m) (L) or	Denial, revocation, restitution,
14	(e) (N)	probation, suspension,
15		limitation, reprimand, or fine.
16	Subdivision (n) (M)	Revocation or denial.
17	Subdivision (q) (P)	Revocation.
18	Subdivision (t) (S)	Revocation, fine, and
19		restitution.

20 (2) Determination of sanctions for violations under this

21 section shall be made by a disciplinary subcommittee. If, during

22 judicial review, the court of appeals determines that a final

23 decision or order of a disciplinary subcommittee prejudices

24 substantial rights of the petitioner for 1 or more of the grounds

25 listed in section 106 of the administrative procedures act of

26 1969, 1969 PA 306, MCL 24.306, and holds that the final decision

27 or order is unlawful and is to be set aside, the court shall

28 state on the record the reasons for the holding and may remand

1 the case to the disciplinary subcommittee for further
2 consideration.

3 (3) A disciplinary subcommittee may impose a fine of up to,
4 but not exceeding, \$250,000.00 for a violation of section
5 16221(a) or (b).

6 (4) A disciplinary subcommittee may require a licensee or
7 registrant or an applicant for licensure or registration who has
8 violated this article or article 7 or a rule promulgated under
9 this article or article 7 to satisfactorily complete an
10 educational program, a training program, or a treatment program,
11 a mental, physical, or professional competence examination, or a
12 combination of those programs and examinations.

13 Enacting section 1. This amendatory act does not take effect
14 unless Senate Bill No.____ or House Bill No. 5880(request no.
15 05709'07) of the 94th Legislature is enacted into law.