

# HOUSE BILL NO. 4122

February 22, 2023, Introduced by Reps. Hope, Steckloff, Young, Rheingans, Rogers, Breen, Filler, Conlin, Outman, Glanville, Haadsma, Roth, Bezotte, Wozniak, Morgan, Byrnes, Miller, Hood, Dievendorf, Greene, Wilson, Wegela, O'Neal, Neeley, Morse, McKinney, Hoskins, Tsernoglou and Aiyash and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 16226 (MCL 333.16226), as amended by 2020 PA  
233.

**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 section  
3 16221, a disciplinary subcommittee shall impose 1 or more of the

1 following sanctions for each violation:

2 Violations of Section 16221 Sanctions

3 Subdivision (a), (b) (i), Probation, limitation, denial,  
4 (b) (ii), (b) (iii), (b) (iv), suspension, revocation,  
5 (b) (v), (b) (vi), (b) (vii), permanent revocation,  
6 (b) (ix), (b) (x), (b) (xi), restitution, or fine.  
7 or (b) (xii)

8  
9 Subdivision (b) (viii) Revocation, permanent revocation,  
10 or denial.

11  
12 Subdivision (b) (xiii) Permanent revocation  
13 for a violation described in  
14 subsection (5); otherwise,  
15 probation, limitation, denial,  
16 suspension, revocation,  
17 restitution, or fine.

18  
19 Subdivision (b) (xiv) **or** Permanent revocation.  
20 **(b) (xv)**

21  
22 Subdivision (c) (i) Denial, revocation, suspension,  
23 probation, limitation, or fine.

24  
25 Subdivision (c) (ii) Denial, suspension, revocation,  
26 restitution, or fine.

27  
28 Subdivision (c) (iii) Probation, denial, suspension,

1 revocation, restitution, or fine.  
2  
3 Subdivision (c) (iv) Fine, probation, denial,  
4 or (d) (iii) suspension, revocation, permanent  
5 revocation, or restitution.  
6  
7 Subdivision (d) (i) Reprimand, fine, probation,  
8 or (d) (ii) denial, or restitution.  
9  
10 Subdivision (e) (i), Reprimand, fine, probation,  
11 (e) (iii), (e) (iv), (e) (v), limitation, suspension,  
12 (h), or (s) revocation, permanent revocation,  
13 denial, or restitution.  
14  
15 Subdivision (e) (ii) Reprimand, probation, suspension,  
16 or (i) revocation, permanent  
17 revocation, restitution,  
18 denial, or fine.  
19  
20 Subdivision (e) (vi), Probation, suspension, revocation,  
21 (e) (vii), or (e) (viii) limitation, denial,  
22 restitution, or fine.  
23  
24 Subdivision (f) Reprimand, denial, limitation,  
25 probation, or fine.  
26  
27 Subdivision (g) Reprimand or fine.  
28

1	Subdivision (j)	Suspension or fine.
2		
3	Subdivision (k), (p),	Reprimand, probation, suspension,
4	or (r)	revocation, permanent revocation,
5		or fine.
6		
7	Subdivision (l)	Reprimand, denial, or
8		limitation.
9		
10	Subdivision (m) or (o)	Denial, revocation, restitution,
11		probation, suspension,
12		limitation, reprimand, or fine.
13		
14	Subdivision (n)	Revocation or denial.
15		
16	Subdivision (q)	Revocation.
17		
18	Subdivision (t)	Revocation, permanent revocation,
19		fine, or restitution.
20		
21	Subdivision (u)	Denial, revocation, probation,
22		suspension, limitation, reprimand,
23		or fine.
24		
25	Subdivision (v) or (x)	Probation, limitation, denial,
26		fine, suspension, revocation, or
27		permanent revocation.
28		
29	Subdivision (w)	Denial, fine, reprimand,



1 examinations.

2 (5) A disciplinary subcommittee shall impose the sanction of  
3 permanent revocation for a violation of section 16221(b) (xiii) if the  
4 violation occurred while the licensee or registrant was acting  
5 within the health profession for which ~~he or she~~ **the licensee or**  
6 **registrant** was licensed or registered.

7 (6) Except as otherwise provided in subsection (5) and this  
8 subsection, a disciplinary subcommittee shall not impose the  
9 sanction of permanent revocation under this section without a  
10 finding that the licensee or registrant engaged in a pattern of  
11 intentional acts of fraud or deceit resulting in personal financial  
12 gain to the licensee or registrant and harm to the health of  
13 patients under the licensee's or registrant's care. This subsection  
14 does not apply if a disciplinary subcommittee finds that a licensee  
15 or registrant has violated section 16221(b) (xiv) **or (b) (xv)** .

16 (7) A disciplinary subcommittee shall impose a fine of not  
17 more than \$250.00 for each violation of section 16221(y).

18 Enacting section 1. This amendatory act takes effect 90 days  
19 after the date it is enacted into law.

20 Enacting section 2. This amendatory act does not take effect  
21 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4121 (request no.  
22 01885'23) of the 102nd Legislature is enacted into law.