

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 761 (as introduced 10-18-01)
Sponsor: Senator Bill Bullard, Jr.
Committee: Judiciary

Date Completed: 4-8-02

CONTENT

The bill would amend the Michigan Penal Code to revise requirements that various health professionals report to police when a person seeks treatment for a wound or injury inflicted by means of violence or a deadly weapon. Under the bill, an oral and written report would have to be made to the law enforcement agency in the area where the injury occurred.

Currently, the Penal Code provides that it is the duty of every person, firm, or corporation conducting any hospital or pharmacy, or the person managing or in charge of a hospital or pharmacy or any ward or part of any hospital or pharmacy, to report immediately to the chief of police, other head of a local police force, or the county sheriff whenever a person suffering from a wound or other injury inflicted by means of a knife, gun, pistol, or other deadly weapon, or by other means of violence, comes or is brought to the hospital or pharmacy. The report must state the name and residence of the person, if known, the person's whereabouts, and the character and extent of the injuries. A physician or surgeon, who is caring for or in charge of a person with such a wound or injury, must make a similar report to the appropriate law enforcement officer. The bill would delete and replace these provisions.

Under the bill, if a person suffering from an injury inflicted by a firearm, knife, or other deadly weapon, or by other violent means, presented for treatment at a hospital, a private practice office of a physician, or a pharmacy, the physician or a health professional or other individual employed by or under contract to the physician or hospital, including an officer of the hospital, or the pharmacist or another individual employed by or under contract to the pharmacy, immediately would have to report that fact to the State Police or the local law enforcement agency with jurisdiction over the place where the injury occurred. If it were not known where the injury occurred, the report would have to be made to the State Police or a local law enforcement agency with jurisdiction where the hospital, private practice office, or pharmacy was located.

A report required under the bill would have to be made both orally and in writing and contain, at a minimum, the name and address of the injured person, if known, and the nature and extent of the injury.

As currently provided, a violation of the reporting requirement would be a misdemeanor.

MCL 750.411

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Fiscal Analyst: Elizabeth Pratt

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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.