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Senate Bill 723 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator Jim Marleau  
Committee: Health Policy

## **CONTENT**

The bill would amend the Public Health Code to do the following:

- Authorize the Department of Community Health (DCH) to create and maintain a voluntary internet registry of advanced health care directives, known as the Peace of Mind Registry.
- Allow the DCH to contract with a peace of mind organization (a certified organ procurement organization) to create and maintain the Registry at the organization's expense.
- Require the Registry to store all of an individual's peace of mind directives and provide storage and electronic access to directives submitted at no cost to the registrant.
- Require the Registry to provide electronic access at no cost to health care providers.
- Require the Registry to be accessible to registrants, health care providers, and the DCH by way of a designated user identification and password.
- Require the DCH and the Registry organization to ensure the privacy and security of Registry information.
- Provide that Registry information could not be retrieved or used for any purpose unrelated to decision-making for health care or disposition of human remains; but could be used for statistical or analytical purposes, subject to confidentiality requirements.
- Require the DCH or peace of mind organization to report annually to the Legislature on the number of registrations.
- Provide immunity from civil liability for a peace of mind organization that contracted with the DCH, and for the organization's employees.
- Provide that a directive filed with and stored in the Registry would not be considered to be of greater legal weight or validity solely by virtue of that filing and storage.

Proposed MCL 333.10301

Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

The bill would permit the Department of Community Health to implement the "Peace of Mind Registry". The Department would be permitted to contract with an organization that would create, maintain, operate, and pay the costs of the Registry. Creating and operating the Registry would lead to indeterminate administrative costs. If an outside organization contracted with the Department to create and operate the registry, then there would be no cost to the State government.

Date Completed: 12-7-11

Fiscal Analyst: Steve Angelotti