

HOUSE BILL No. 5649

June 11, 2014, Introduced by Rep. Jenkins and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 16221a and 20165a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 16221A. EXCEPT IN THE CASE OF GROSS NEGLIGENCE OR WILLFUL
2 MISCONDUCT, A HEALTH CARE PROVIDER'S RECOMMENDATION OR TREATMENT
3 PROVIDED AS AUTHORIZED UNDER THE RIGHT TO TRY ACT IS NOT GROUNDS
4 FOR THE DEPARTMENT TO INVESTIGATE UNDER SECTION 16221 OR FOR
5 DISCIPLINARY ACTION AGAINST A LICENSEE UNDER SECTION 16226.

6 SEC. 20165A. EXCEPT IN THE CASE OF GROSS NEGLIGENCE OR WILLFUL
7 MISCONDUCT, A HEALTH FACILITY'S COOPERATION IN A TREATMENT
8 RECOMMENDED BY A HEALTH PROFESSIONAL AS AUTHORIZED UNDER THE RIGHT
9 TO TRY ACT, ALONE, IS NOT GROUNDS FOR THE DEPARTMENT TO TAKE ANY
10 ACTION AGAINST A LICENSEE UNDER SECTION 20165.

1 Enacting section 1. This amendatory act does not take effect
2 unless Senate Bill No.____ or House Bill No.____ (request no.
3 05677'14) of the 97th Legislature is enacted into law.