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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 4352 (Substitute H-2 as passed by the House)  
House Bill 4354 (Substitute H-4 as passed by the House)  
Sponsor: Representative Robert Gosselin  
House Committee: Criminal Law and Corrections  
Senate Committee: Judiciary

Date Completed: 10-11-99

### **CONTENT**

**House Bills 4352 (H-2) and 4354 (H-4) would amend the Code of Criminal Procedure and the Michigan Penal Code, respectively, to prohibit and provide criminal penalties for impersonating a health care professional and providing health care services, and include that offense in the sentencing guidelines.** House Bill 4352 (H-2) is tie-barred to House Bill 4354.

#### **House Bill 4352 (H-2)**

Under the bill, false representation or practice as a licensed or registered health professional would be categorized as a Class C felony against the public safety, with a statutory maximum sentence of 15 years' imprisonment, as proposed by House Bill 4354 (H-4).

#### **House Bill 4354 (H-4)**

The bill would make it a felony for a person who was not a health professional licensed or registered under Article 15 of the Public Health Code to represent himself or herself, intentionally and falsely, to be a licensed or registered health professional and provide a health care treatment, procedure, or service to another person. The offense would be punishable by up to 15 years' imprisonment, a maximum fine of \$10,000, or both.

MCL 777.16l (H.B. 4352)  
Proposed MCL 750.217d (H.B. 4354)

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

House Bills 4352 (H-2) and 4354 (H-4) would have an indeterminate fiscal impact on State and local government.

There are no data available to indicate how many offenders could be convicted of false representation or practice as a licensed or registered health care professional. This crime would be classified as a Class C felony for which the minimum sentence range is 0-11 months to 62-114 months.

Assuming that five people a year were convicted of this offense and that they each received and served a minimum sentence of 114 months, given that the average annual cost of incarceration is \$22,000, the cost for incarcerating offenders convicted of this crime would be \$1,045,000. Assuming that five people a year were convicted of this offense and that they each received a sentence within the lower minimum range, costs for incarceration would be incurred by local units of government.

Fiscal Analyst: K. Firestone

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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.