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BILL ANALYSIS

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House Bill 5245 (Substitute H-1 as passed by the House)
Sponsor: Representative David Robertson
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 2-14-06

CONTENT

The bill would amend the Revised Judicature Act to refer to the report of a certified nurse practitioner regarding the condition of an individual ordered to submit to a physical exam.

Under the Act, a court, board, or commission, or other public body or officer may order an individual to submit to a physical examination. A copy of any written report and findings rendered by the examining physician relative to the person's condition must be delivered to the individual or his or her attorney. The bill would refer to the report and findings of a "licensed" physician or a certified nurse practitioner. The bill specifies that these provisions, as amended by the bill, would not require new or additional third-party reimbursement or worker's compensation benefits for services rendered.

Under the Act, an order for an examination also may provide that the individual must be paid a fee of \$2 per diem to attend the examination, as well as a mileage fee of 10 cents per mile one way, estimated from the person's residence. The court, board, commission, or other public body or officer may determine the per diem and mileage fees that the individual is entitled to receive. Under the bill, these provisions would apply except as otherwise determined by the court, board, commission, or other public body or officer.

MCL 600.1445

Legislative Analyst: Julie Koval

FISCAL IMPACT

To the extent that the bill would reduce the cost of physical examinations by allowing nurse practitioners to perform them, it would result in savings to State and local governments. In the case of indigent individuals, the courts now bear the cost of those examinations. Additionally, in cases in which a physical examination proves a defendant not guilty or otherwise not liable, the prosecution is responsible for the costs of the examination. There are no data on the number of these examinations.

Fiscal Analyst: Stephanie Yu

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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.