

SENATE BILL NO. 985

June 25, 2020, Introduced by Senators MCBROOM, IRWIN, BARRETT and SANTANA and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1975 PA 46, entitled

"An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts,"

by amending section 4 (MCL 4.354), as amended by 2018 PA 571, and by adding section 4a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The ombudsman may commence an investigation upon
2 either of the following:

1 (a) Receipt of a complaint from a prisoner, a legislator, or
2 on the ombudsman's own initiative, concerning an administrative act
3 that is alleged to be contrary to law or contrary to departmental
4 policy.

5 (b) The ombudsman's own initiative for significant prisoner
6 health and safety issues, correctional facility security, and
7 public safety, and other matters for which there is no effective
8 administrative remedy.

9 (2) Subject to approval of the council, the ombudsman shall
10 establish procedures for receiving and processing complaints,
11 conducting investigations, holding hearings, and reporting the
12 findings resulting from the investigations.

13 (3) **The ombudsman may consult with any of the following**
14 **individuals during an investigation under subsection (1) regarding**
15 **a physical or mental health issue:**

16 (a) **An individual who is licensed as a physician under part**
17 **170 or part 175 of the public health code, 1978 PA 368, MCL**
18 **333.17001 to 333.17097 and MCL 333.17501 to 333.17556.**

19 (b) **A psychiatrist.**

20 (c) **A psychologist.**

21 (d) **A social worker.**

22 (e) **A sanitarian.**

23 (f) **A dietician.**

24 (g) **Any other individual who has training and experience in**
25 **treating an individual with a physical or mental health issue.**

26 **Sec. 4a. The health audit division is created within the**
27 **office. The health audit division shall monitor the physical and**
28 **mental health of prisoners.**