

HOUSE BILL NO. 4490

April 27, 2023, Introduced by Reps. Conlin, Brixie, Morse, Tsernoglou, Miller, Hill, Paiz, Liberati, Arbit, Farhat, Rheingans, Martus, Wilson, McFall, Scott, Hope, Andrews, Price, Young, Haadsma, Hood, Breen, Dievendorf, Steckloff, Byrnes, Brabec, Stone, Rogers, Aiyash and Whitsett and referred to the Committee on Criminal Justice.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 21527 (MCL 333.21527), as amended by 2014 PA
320.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21527. (1) If an individual alleges to a physician or
2 other member of the attending or admitting staff of a hospital that
3 within the preceding 120 hours the individual has been the victim
4 of criminal sexual conduct under ~~sections 520a to 520l~~ **chapter LXXVI**

1 of the Michigan penal code, 1931 PA 328, MCL 750.520a to ~~750.520l,~~
 2 **750.520o**, the attending health care personnel responsible for
 3 examining or treating the individual immediately shall inform the
 4 individual of the availability of a sexual assault medical forensic
 5 examination, including the administration of a sexual assault
 6 evidence kit. If consented to by the individual, the attending
 7 health care personnel shall perform or have performed on the
 8 individual the sexual assault medical forensic examination,
 9 including the procedures required by the sexual assault evidence
 10 kit. The attending health care personnel shall also inform the
 11 individual of the provisions for payment for the sexual assault
 12 medical forensic examination under section 5a of 1976 PA 223, MCL
 13 18.355a.

14 **(2) If a hospital has a shower facility, an individual**
 15 **administered a sexual assault evidence kit under subsection (1) has**
 16 **a right to access a shower facility at no cost after the**
 17 **administration of the sexual assault evidence kit.**

18 **(3) ~~(2)~~—As used in this section, "sexual assault evidence kit"**
 19 means a standardized set of equipment and written procedures
 20 approved by the department of state police that have been designed
 21 to be administered to an individual principally for the purpose of
 22 gathering evidence of sexual conduct, which evidence is of the type
 23 offered in court by the forensic science division of the department
 24 of state police for prosecuting a case of criminal sexual conduct
 25 under ~~sections 520a to 520l~~ **chapter LXXVI** of the Michigan penal
 26 code, 1931 PA 328, MCL 750.520a to ~~750.520l.~~ **750.520o.**