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3 **RESOLUTION 103-09A**  
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5 **Title: Unreceived Mail Resulting in Malpractice Guilty Verdict by**  
6 **Default**  
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8 **Introduced by: Domenic R. Federico, MD, for the Kent County Delegation**  
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10 **Original Author: Michelle M. Condon, MD**  
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12 **Referred to: Reference Committee B**  
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14 **House Action: Disapproved**  
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17 **Whereas, many physicians travel to deliver care in multiple areas of the**  
18 **state where they don't maintain a regular office presence on a daily basis (i.e.**  
19 **monthly half-day clinics), and**  
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21 **Whereas, a disgruntled patient may elect to file legal documents, legally**  
22 **binding when sent by first class mail (as compared to registered mail) against**  
23 **the physician that require quick responses (i.e. in 10 days) and send them to a**  
24 **relatively unmonitored address at that clinic (instead of their main office**  
25 **address as listed on their Michigan license) where the documents may not be**  
26 **picked up for up to a month, and**  
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28 **Whereas, that physician will be considered guilty by default for not**  
29 **responding to whatever legal query that mailing entailed within the specified**  
30 **period, which may be as short as 10 days, while it sits unopened at that**  
31 **infrequently visited clinic; therefore be it**  
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33 **RESOLVED: That MSMS petition the state legislature to enact a law**  
34 **stipulating that a legal summons must be sent to the physician's office address**  
35 **on file with the State Board of Health licensing office as his or her primary**  
36 **office or that the envelope must be stamped in red "urgent correspondence –**  
37 **immediate response required" or be sent by registered mail.**  
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40 **WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE**