



Michigan Open Carry, Inc.

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**Response To False and Misleading Opposition From Michigan Health & Hospital  
Association To HB 4770-4774**

House Military, Veterans, and Homeland Security Committee

October 21, 2019

Honorable Committee Members,

I write today on behalf of Michigan Open Carry, Inc. in response to false and misleading written testimony submitted on behalf of the Michigan Health & Hospital Association (MHA) opposing House Bills 4470-4474, which seek to eliminate certain requirements on those carrying concealed pistols in Michigan.

To be clear, we respect the idea that everyone has the right to give their opinion on matters of public policy; but that said, we also understand very well that if one wishes for their opinion to be taken seriously, then one should first know what one is talking about before providing an opinion. It is clear that MHA has fallen short in this regard.

In written testimony submitted on October 15, 2019<sup>1</sup> to this committee, MHA stated the bills would “eliminate the list of specified premises (including hospitals) on which a person licensed to carry a concealed weapon may not carry,” that their opposition is based on “hospitals’ status as gun-free zones helps ensure patient and staff safety and . . . introducing weapons to [such] an environment is not conducive to promoting health and wellness,” and that hospitals were “rightly designated as weapon-free zones.” (emphases in original). MHA further stated that the bills, which only *remove* government restrictions, would “place[] 2nd Amendment rights in conflict with the rights of property owners.” (emphasis in original).

We will leave for another day whether hospitals *should* be weapon-free; our contention here is only that they are *not*. Ultimately, the testimony submitted by the MHA is false and argues for maintaining a legal state that **simply doesn’t exist and never has** in this state.

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<sup>1</sup> Available online at  
[http://house.michigan.gov/MHRPublic/CommitteeDoc.aspx?uri=api/integration/committee\\_documents/content/?revno=-1&pn=2019\\_2020\\_session/committee/house/standing/military\\_veterans\\_and\\_homeland\\_security/meetings/2019-10-15-1/documents/testimony/mha.pdf](http://house.michigan.gov/MHRPublic/CommitteeDoc.aspx?uri=api/integration/committee_documents/content/?revno=-1&pn=2019_2020_session/committee/house/standing/military_veterans_and_homeland_security/meetings/2019-10-15-1/documents/testimony/mha.pdf)



It should first be noted that the vast majority of hospitals in Michigan are privately owned and operated. As such, they are allowed to make and enforce their own rules under threat of misdemeanor trespass. MCL 750.552. This means they may make their own determinations as to who may carry a firearm, what firearms may be carried, and how any permitted firearms must be carried (open or concealed), so long as what they wish to permit is not *prohibited* by law.

As for state law governing the possession of firearms in hospitals, two statutes are relevant. MCL 750.234d (restricts firearm possession except for CPL holders, peace officers, and those with permission) and MCL 28.425o (restricts *concealed* pistols only and only for non-exempt CPL holders). The result is that currently over 660,000 Michigan CPL holders<sup>2</sup>, *every* member of law-enforcement, plus nonresidents licensed in another state, may lawfully carry openly into a hospital in Michigan. Further, a significant subset of that group may also lawfully conceal in hospitals<sup>3</sup>. **No law makes hospitals “weapon-free” as stated by MHA.**

**Because private hospitals may prohibit at their desire, but only permit that which is not prohibited by state law, prohibiting less under state law would only result is more discretion to private hospitals, not less - the exact opposite of what MHA contends.** Further, while the few public hospitals are indeed more limited under state law, the net result is still the same - more discretion, not less. Current law requires normal CPL holders to carry openly in hospitals. The proposed change would give them the option of concealing as well as allow the public hospitals to respectfully request as much.

As we testified in committee, we believe how one should carry is a decision that should be left up to each individual. MOC supports HB 4470-74 because it reduces the government’s presence in the equation, thereby giving the public *more* discretion - an obvious conclusion when one understands current law.

Sincerely,  
Tom Lambert  
President  
Michigan Open Carry, Inc.

<sup>2</sup> According to the Michigan State Police, as of October 1, 2016 there were 663,502 valid CPLs issued in Michigan. [https://www.michigan.gov/documents/msp/All\\_Statuses\\_Report\\_647845\\_7.pdf](https://www.michigan.gov/documents/msp/All_Statuses_Report_647845_7.pdf)

<sup>3</sup> See MCL 28.425o(5) and MCL 750.231.