

Act No. 217
Public Acts of 1987
Approved by the Governor
December 19, 1987
Filed with the Secretary of State
December 22, 1987

**STATE OF MICHIGAN
84TH LEGISLATURE
REGULAR SESSION OF 1987**

Introduced by Reps. Barns, Emerson and Pridnia

ENROLLED HOUSE BILL No. 5008

AN ACT to amend section 20161 of Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to provide for penalties and remedies; and to repeal certain acts and parts of acts," as amended by Act No. 376 of the Public Acts of 1984, being section 333.20161 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 20161 of Act No. 368 of the Public Acts of 1978, as amended by Act No. 376 of the Public Acts of 1984, being section 333.20161 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 20161. (1) Fees for health facility and agency licenses and certificates of need shall be assessed on an annual basis by the department as provided in this act, in accordance with the following fee schedule:

- (a) Freestanding surgical outpatient facilities \$ 238.00 per facility.
- (b) Hospitals \$ 8.28 per licensed bed.
- (c) Nursing homes, county medical care facilities,
and hospital long-term care units..... \$ 2.20 per licensed bed.
- (d) Homes for the aged \$ 6.27 per licensed bed.
- (e) Health maintenance organizations..... \$1,000.00 for an initial license; 80 cents per subscriber
for a renewal license (3-year); \$100.00 for a certificate
of authority for planning.
- (f) Clinical laboratories \$ 475.00 per laboratory.

(g) Health care delivery and financing system under section 21042.....

\$1,000.00 for an initial license; effective January 1, 1987, \$1,000.00 for 3-year renewal license for prepaid institutional programs, \$5,000.00 for 3-year renewal license for organizations determined by the department to offer a single form of health care service, and 80 cents per subscriber for all other 3-year renewal licenses under section 21042.

(2) The fee for a certificate of need shall be \$691.00 for each application for a project requiring a projected capital expenditure of \$150,000.00 or less and \$1,621.00 for a project requiring a projected capital expenditure of more than \$150,000.00.

(3) With the exception of health maintenance organizations, when licensure is for more than 1 year, the fees described in subsection (1) shall be multiplied by the number of years for which the license is issued, and the total amount of the fees shall be collected in the year in which the license is issued.

(4) Fees described in this section shall be payable to the department at the time an application for a license, permit, or certificate is submitted. If an application for a license, permit, or certificate is denied or if a license, permit, or certificate is revoked before its expiration date, the fees paid to the department shall not be refunded.

(5) The fee for a provisional license or temporary permit shall be the same as for a license. A license may be issued at the expiration date of a temporary permit without an additional fee for the balance of the period for which the fee was paid if the requirements for licensure are met.

(6) The department may charge a fee to recover the cost of purchase or production and distribution of proficiency evaluation samples which are supplied to clinical laboratories pursuant to section 20521(3).

(7) In addition to the fees imposed under subsection (1), a fee of \$25.00 shall be submitted to the department for each reissuance during the licensure period of a clinical laboratory license.

(8) Except for the licensure of clinical laboratories, not more than half the annual cost of licensure activities as determined by the department shall be provided by license fees.

(9) Effective with the fiscal year beginning October 1, 1982, the fees collected under this section shall be deposited in the state treasury, to the credit of the general fund.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.