

HOUSE BILL No. 4079

February 5, 1991, Introduced by Reps. Hunter, Gubow, Bennane and Emerson and referred to the Committee on Public Health.

A bill to amend section 21720a of Act No. 368 of the Public Acts of 1978, entitled as amended
"Public health code,"
being section 333.21720a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 21720a of Act No. 368 of the Public Acts
2 of 1978, being section 333.21720a of the Michigan Compiled Laws,
3 is amended to read as follows:
4 Sec. 21720a. (1) A nursing home shall not be licensed under
5 this part unless that nursing home has on its staff at least 1
6 registered nurse with specialized training or relevant experience
7 in the area of gerontology, who shall serve as the director of
8 nursing and who shall be responsible for planning and directing
9 nursing care. The nursing home shall have at least 1 licensed
10 nurse on duty at all times and shall employ additional registered

1 and licensed practical nurses in accordance with subsection (2).

2 ~~This subsection shall not take effect until January 1, 1980.~~

3 (2) A nursing home shall employ nursing personnel sufficient
4 to provide continuous 24-hour nursing care and services suffi-
5 cient to meet the needs of each patient in the nursing home.
6 Nursing personnel employed in the nursing home shall be under the
7 supervision of the director of nursing. A licensee shall main-
8 tain a nursing home staff sufficient to provide not less than
9 2.25 hours of nursing care by employed nursing ~~care~~ personnel
10 per patient per day. The ratio of patients to nursing ~~care~~
11 personnel during a morning shift shall not exceed 8 patients to 1
12 nursing ~~care~~ personnel; the ratio of patients to nursing ~~care~~
13 personnel during an afternoon shift shall not exceed 12 patients
14 to 1 nursing ~~care~~ personnel; and the ratio of patients to nurs-
15 ing ~~care~~ personnel during a nighttime shift shall not exceed 15
16 patients to 1 nursing ~~care~~ personnel. ~~and there~~ THERE shall
17 be sufficient nursing ~~care~~ personnel available on duty to
18 assure coverage for patients at all times during the shift. An
19 employee designated as a member of the nursing staff shall not be
20 engaged in providing basic services such as food preparation,
21 housekeeping, laundry, or maintenance services, except in an
22 instance of natural disaster or other emergency reported to and
23 concurred in by the department. In a nursing home having 30 or
24 more beds, the director of nursing shall not be included in
25 counting the minimum ratios of nursing personnel required by this
26 subsection.

1 (3) A NURSING HOME SHALL POST WRITTEN NOTICE OF THE RATIOS
2 OF PATIENTS TO NURSING PERSONNEL AND THE HOURS OF NURSING CARE BY
3 NURSING PERSONNEL PER PATIENT PER DAY REQUIRED UNDER SUBSECTION
4 (2), AND SHALL POST WRITTEN NOTICE EACH WEEK OF THE ACTUAL RATIOS
5 OF PATIENTS TO NURSING PERSONNEL AND THE NUMBER OF HOURS OF NURS-
6 ING CARE PROVIDED PER PATIENT PER DAY THE PREVIOUS WEEK. THE
7 NOTICE SHALL BE ON A FORM OR FORMS PROVIDED BY THE DEPARTMENT,
8 AND SHALL BE POSTED IN A CONSPICUOUS LOCATION IN THE NURSING
9 HOME, INCLUDING, BUT NOT LIMITED TO, THE LOBBY OR REGISTRATION
10 AREA.

11 (4) ~~-(3)-~~ In administering this section, the department
12 shall take into consideration a natural disaster or other
13 emergency.