

# HOUSE BILL No. 6055

September 15, 1992, Introduced by Reps. Harder, Baade, Olshove, Barns and Profit and referred to the Committee on Senior Citizens and Retirement.

A bill to amend section 4 of Act No. 180 of the Public Acts of 1981, entitled as amended

"Older Michiganians act,"

as amended by Act No. 35 of the Public Acts of 1987, being section 400.584 of the Michigan Compiled Laws; and to add section 2a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 4 of Act No. 180 of the Public Acts of  
2 1981, as amended by Act No. 35 of the Public Acts of 1987, being  
3 section 400.584 of the Michigan Compiled Laws, is amended and  
4 section 2a is added to read as follows:

5       SEC. 2A. THE FOLLOWING PLANNING AND SERVICE AREAS ARE CRE-  
6 ATED FOR THE ADMINISTRATION OF PROGRAMS UNDER THIS ACT:

7       (A) PLANNING AND SERVICE AREA NO. 1, WHICH SHALL SERVE THE  
8 MUNICIPALITIES OF DETROIT, HAMTRAMCK, HIGHLAND PARK, GROSSE

1 POINTE, GROSS POINTE FARMS, GROSSE POINTE PARK, GROSSE POINTE  
2 SHORES, GROSSE POINTE WOODS, AND HARPER WOODS.

3 (B) PLANNING AND SERVICE AREA NO. 2, WHICH SHALL SERVE ALL  
4 OF WAYNE COUNTY EXCEPT FOR THE CITIES SERVED BY PLANNING AND  
5 SERVICE AREA NO. 1.

6 (C) PLANNING AND SERVICE AREA NO. 3, WHICH SHALL SERVE THE  
7 COUNTIES OF LIVINGSTON, MACOMB, MONROE, OAKLAND, WASHTENAW, AND  
8 ST. CLAIR.

9 (D) PLANNING AND SERVICE AREA NO. 4, WHICH SHALL SERVE THE  
10 COUNTIES OF JACKSON, HILLSDALE, AND LENAWEE.

11 (E) PLANNING AND SERVICE AREA NO. 5, WHICH SHALL SERVE THE  
12 COUNTIES OF BARRY, BRANCH, CALHOUN, KALAMAZOO, AND ST. JOSEPH.

13 (F) PLANNING AND SERVICE AREA NO. 6, WHICH SHALL SERVE THE  
14 COUNTIES OF BERRIEN, CASS, AND VAN BUREN.

15 (G) PLANNING AND SERVICE AREA NO. 7, WHICH SHALL SERVE THE  
16 COUNTIES OF GENESEE, LAPEER, AND SHIAWASSEE.

17 (H) PLANNING AND SERVICE AREA NO. 8, WHICH SHALL SERVE THE  
18 COUNTIES OF CLINTON, EATON, AND INGHAM.

19 (I) PLANNING AND SERVICE AREA NO. 9, WHICH SHALL SERVE THE  
20 COUNTIES OF BAY, CLARE, GLADWIN, GRATIOT, HURON, ISABELLA,  
21 MIDLAND, SAGINAW, SANILAC, AND TUSCOLA.

22 (J) PLANNING AND SERVICE AREA NO. 10, WHICH SHALL SERVE THE  
23 COUNTIES OF ALLEGAN, IONIA, KENT, LAKE, MASON, MECOSTA, MONTCALM,  
24 NEWAYGO, AND OSCEOLA.

25 (K) PLANNING AND SERVICE AREA NO. 11, WHICH SHALL SERVE THE  
26 COUNTIES OF ALCONA, ARENAC, ALPENA, CHEBOYGAN, CRAWFORD, IOSCO,

1 MONTMORENCY, OGEMAW, OSCODA, OTSEGO, PRESQUE ISLE, AND  
2 ROSCOMMON.

3 (L) PLANNING AND SERVICE AREA NO. 12, WHICH SHALL SERVE THE  
4 COUNTIES OF ANTRIM, BENZIE, CHARLEVOIX, EMMET, GRAND TRAVERSE,  
5 KALKASKA, LEELANAU, MANISTEE, MISSAUKEE, AND WEXFORD.

6 (M) PLANNING AND SERVICE AREA NO. 13, WHICH SHALL SERVE THE  
7 COUNTIES OF ALGER, BARAGA, CHIPPEWA, DELTA, DICKINSON, GOGEBIC,  
8 HOUGHTON, IRON, KEWEENAW, LUCE, MACKINAC, MARQUETTE, MENOMINEE,  
9 ONTONAGON, AND SCHOOLCRAFT.

10 (N) PLANNING AND SERVICE AREA NO. 14, WHICH SHALL SERVE THE  
11 COUNTIES OF MUSKEGON, OCEANA, AND OTTAWA.

12 Sec. 4. (1) The commission shall do all of the following:

13 (a) Serve as an effective and visible advocate for aging and  
14 older persons in all government decisions.

15 (b) Advise the governor, the legislature, and the office of  
16 services to the aging concerning the coordination and administra-  
17 tion of state programs serving older persons.

18 (c) Make recommendations to the governor and the legislature  
19 regarding changes in federal and state programs, statutes, and  
20 policies.

21 (d) Advise the governor and legislature of the nature and  
22 magnitude of the priorities of aging and older persons.

23 (e) Participate in the preparation of and approve the state  
24 plan and budget required by the older Americans act of 1965,  
25 PUBLIC LAW 89-73, 42 U.S.C. 3001 to ~~3056d~~ 3003, 3011 TO 3013,  
26 3015 TO 3032, 3034 TO 3035g, 3037 TO 3037b, AND 3056 TO 3057n,

1 before submission of the plan to the federal administration on  
2 aging.

3 (f) Review and approve grants to be made from state, feder-  
4 al, or other funds which are administered by the office.

5 (g) Review and advise the governor and the legislature on  
6 the state's policies concerning services to older persons.

7 (h) Participate in the development of and approve the state-  
8 ments and reports required in section 6(n).

9 (i) Designate ~~planning and service areas and~~ an agency  
10 ~~which~~ THAT shall be recognized as an area agency on services to  
11 the aging within each OF THE planning and service ~~area~~ AREAS  
12 CREATED IN SECTION 2A.

13 (j) Establish a state advisory council under the direction  
14 of the commission. A member of the commission shall chair the  
15 state advisory council. The commission shall establish proce-  
16 dures for the selection of the council.

17 (k) Convene public meetings or hearings to identify and dis-  
18 cuss issues or concerns relating to aging and older persons.

19 (l) Establish additional specialized advisory committees as  
20 needed which shall be under the direction of the commission.

21 (m) Provide adequate and effective opportunities for aging  
22 and older persons to express their views on policy development  
23 and program implementation.

24 (n) Establish policies pertaining to implementation of fed-  
25 eral and state statutes involving funds administered by the  
26 office.

1 (o) Establish a formula for funding the state and local or  
2 regional long-term care ombudsman programs. This formula shall  
3 be based on square miles, number of nursing homes, the number of  
4 nursing home beds, and the percentage of nursing home residents  
5 receiving medicaid within the geographic area to be served.

6 (2) The commission shall make and enter into contracts and  
7 agreements necessary or incidental to the performance of its  
8 duties and the execution of its powers under this act, subject to  
9 all of the following limitations:

10 (a) A commission member shall not participate in the selec-  
11 tion, award, or administration of a contract if, to his or her  
12 knowledge, any of the following persons or organizations has a  
13 financial interest in that contract:

14 (i) A commission member.

15 (ii) A member of a commission member's immediate family.

16 (iii) A commission member's partner.

17 (iv) An organization in which any of the persons listed in  
18 subparagraphs (i) to (iii) is an officer, director, or employee.

19 (v) A person or organization with whom any of the persons  
20 listed in subparagraphs (i) to (iii) is negotiating or has any  
21 arrangement concerning prospective employment.

22 (b) A commission member shall make known a potential con-  
23 flict of interest under subdivision (a) before a vote regarding a  
24 contract.

25 (c) A commission member shall abstain from discussing a rel-  
26 evant motion, making a recommendation, or voting in regard to a

1 contract, grant, or policy if his or her personal or business  
2 interest is involved as described in subdivision (a).