



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 1145 (as reported by the Committee of the Whole)

Sponsor: Senator Robert Geake

Committee: Health Policy and Senior Citizens

### **CONTENT**

The bill would amend the Public Health Code to prohibit an individual from entering upon the premises of a nursing home for the purpose of engaging in an activity that would cause a reasonable person to feel, and that actually caused a nursing home patient, employee, or visitor to feel, terrorized, intimidated, frightened, threatened, harassed, or molested. A person who violated the prohibition would be guilty of a misdemeanor, punishable by imprisonment for up to one year, a fine of at least \$1,000 but not more than \$10,000, or both. The bill specifies that its provisions would not prohibit constitutionally protected activity or conduct that served a legitimate purpose.

Currently, under the Code, the Department of Social Services (now the Family Independence Agency), with the advice of the Department of Public Health (now within the Department of Community Health), must promulgate rules for a quality of care allowance formula regarding nursing home reimbursement. The bill would require the Department of Community Health to promulgate the rules.

MCL 333.21763 & 333.21799c

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

The bill could result in increased costs for apprehending, prosecuting, and sanctioning violators of the bill's new provisions. While there is no information currently available on the expected number of new violators, and therefore, the level of increased costs associated with the bill, it is not expected to be significant.

Date Completed: 9-24-96

Fiscal Analyst: M. Hansen