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NURSING HOMES; DCIS TO WORK WITH MPHI

House Bill 5736 as introduced First Analysis (5-11-00)

**Sponsor: Rep. Douglas Bovin
Committee: Senior Health, Security and
Retirement**

THE APPARENT PROBLEM:

In its role in regulating nursing homes, the Department of Consumer and Industry Services contracts with the Michigan Public Health Institute (MPHI) for services in several areas. For example, the department contracts with MPHI to place temporary administrative or clinical advisors, or temporary managers, in nursing homes with significant regulatory noncompliance. Further, the institute is currently working with the department, the Office of Services to the Aging, the State Long Term Care Ombudsman, the federal Health Care Financing Administration, long term care providers, and others in a long term care quality improvement program known as the "Eden Alternative", designed to change the culture in long term care facilities from medical institutions to human habitats filled with children, pets, plants, and growth opportunities for residents and staff. The MPHI is also involved in several collaborative remediation projects to assist long term care facilities to improve compliance with regulations and improve quality of care, and a long term care demonstration model workgroup, which researches innovative service models in other states and provides information about them to Michigan long term care providers.

These projects and services have been undertaken on a contractual basis, but there is no explicit authorization in statute for the department to work with the MPHI in this manner. Legislation has been recommended to provide such authorization.

THE CONTENT OF THE BILL:

The bill would amend the Public Health Code to allow the Department of Consumer and Industry Services to consult and work with the Michigan Public Health Institute in performing the department's regulatory and disciplinary duties concerning nursing homes. It would also allow the department to contract with the institute for the performance of specific functions required or authorized under the nursing home provisions of the

Public Health Code, if determined necessary by the director of the department.

MCL 333.21787

BACKGROUND INFORMATION:

The Michigan Public Health Institute was created in statute by Public Act 264 of 1989 as a collaboration between the Department of Community Health and the state's three research universities, Wayne State University, Michigan State University, and the University of Michigan. In addition to the projects and collaboration involving nursing homes and the Department of Community and Industry Services, the MPHI works extensively with the Department of Community Health, conducting research, providing technical assistance and policy analysis, operating demonstration projects, and promoting public education on health matters, among other things. More information about the Michigan Public Health Institute can be found at the institute's website, at <http://www.mphi.org>.

FISCAL IMPLICATIONS:

Fiscal information is not available.

ARGUMENTS:

For:

The bill would simply place in statute authority for the Department of Consumer and Industry Services to work with the Michigan Public Health Institute in its regulatory and disciplinary duties concerning nursing homes. Several projects and contracts are currently underway, but reportedly the attorney general has recommended that the legislature amend the Public Health Code to provide clear authority for the department to make such arrangements.

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POSITIONS:

The Department of Consumer and Industry Services supports the bill. (5-10-00)

Analyst: D. Martens

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.