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NURSING HOME RESIDENT ADVOCATE

House Bill 5844

Sponsor: Rep. Bruce Patterson

**Committee: Senior Health, Security and
Retirement**

Complete to 5-30-00

A SUMMARY OF HOUSE BILL 5844 AS INTRODUCED 5-25-00

The bill would amend the Public Health Code to require a nursing home to create a position of resident advocate. A resident advocate would act as a liaison between a nursing home and a resident or his or her legal representative. One or more current employees of a nursing home could be designated as a resident advocate. A resident advocate would have to be on duty and on site not less than 24 hours per day, seven days a week; as long as that requirement was met, a resident advocate could perform some duties off the premises providing he or she were available by telephone or pager, or both. The resident advocate's phone number or pager number, or both, would have to be given to each resident or legal representative of a resident. In addition, the name and work hours of each resident advocate would have to be posted and the resident advocate would have to wear an identification badge.

Oral complaints and questions from residents would have to be recorded in writing by the resident advocate, in triplicate, on a one-page form. One copy would have to be given to the resident or legal representative filing the complaint or question, one copy would go to the nursing home administrator, and the last copy would be kept by the resident advocate. The resident advocate would have to retain his or her copy until one year from the date the complaint or question were resolved. The form, which could be developed and distributed by the Department of Consumer and Industry Services, would have to contain spaces for the following information:

- The name of the resident or legal representative submitting the complaint or question.
- The resident's room number.
- The nature of the complaint or question.
- Whether the nature of the complaint or question fell into the category of an emergency that required an immediate response, a critical situation that required a reasonably prompt response, or a noncritical situation that required an appropriately timely response.

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- A plan of action to resolve the complaint or question and an estimated time frame within which the action would occur. (A nursing home would have to make every reasonable effort to see that the plan of action were carried out within the designated time frame.)

MCL 333.21723

Analyst: S. Stutzky

■ 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.