



HOUSE BILL No. 5002

October 14, 1999, Introduced by Rep. Callahan and referred to the Committee on Regulatory Reform.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending the title and sections 14, 18, 45, 50, 55, 58, and
68a (MCL 400.14, 400.18, 400.45, 400.50, 400.55, 400.58, and
400.68a), the title and section 14 as amended by 1987 PA 266,
section 18 as amended by 1980 PA 486, section 45 as amended by
1995 PA 223, and section 55 as amended by 1998 PA 516.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

1

2 An act to protect the welfare of the people of this state;
3 to provide general assistance, hospitalization, ~~infirmary~~ and
4 medical care to poor or unfortunate persons; to provide for com-
5 pliance by this state with the social security act; to provide
6 protection, welfare, and services to aged persons, dependent
7 children, the blind, and the permanently and totally disabled; to

1 administer programs and services for the prevention and treatment
 2 of delinquency, dependency, and neglect of children; to create a
 3 state ~~department of social services~~ FAMILY INDEPENDENCE AGENCY;
 4 to prescribe the powers and duties of the department; to provide
 5 for the interstate and intercounty transfer of dependents; to
 6 create county and district ~~departments of social services~~
 7 FAMILY INDEPENDENCE AGENCIES; to create within certain county
 8 departments, bureaus, ~~of social aid~~ and certain divisions and
 9 offices; ~~thereunder;~~ to prescribe the powers and duties of the
 10 departments, bureaus, and officers; to provide for appeals in
 11 certain cases; to prescribe the powers and duties of the state
 12 department with respect to county and district departments; to
 13 prescribe certain duties of certain other state departments,
 14 officers, and agencies; to make an appropriation; to prescribe
 15 penalties for the violation of the provisions of this act; and to
 16 repeal certain ~~parts of this act on specific dates~~ ACTS AND
 17 PARTS OF ACTS.

18 Sec. 14. (1) The state department has all of the following
 19 additional powers and duties:

20 (a) To allocate and distribute to the county and district
 21 ~~departments of social services~~ FAMILY INDEPENDENCE AGENCIES, as
 22 provided in section 18 ~~—~~, and in accordance with the rules
 23 promulgated by the director, money appropriated by the legisla-
 24 ture or received from the federal government for ~~the relief of~~
 25 RELIEVING destitution or unemployment within ~~the~~ THIS state ~~—~~,
 26 or a political subdivision of ~~the~~ THIS state.

1 (b) To distribute ~~—~~, as provided in this act, subject to
 2 federal rules and regulations ~~—~~, and in accordance with the
 3 rules promulgated by the director, money appropriated by the leg-
 4 islature or received from the federal government for ~~the~~ grant-
 5 ing ~~of~~ aid to dependent children and supplemental security
 6 income; for medical, dental, optometric, nursing, pharmaceutical,
 7 and burial relief; for services furnished by professions under
 8 the public health code, ~~Act No. 368 of the Public Acts of 1978,~~
 9 ~~as amended, being sections 333.1101 to 333.25211 of the Michigan~~
 10 ~~Compiled Laws~~ 1978 PA 368, MCL 333.1101 TO 333.25211; and for
 11 other relief or ~~welfare~~ HUMAN services provided by law.

12 (c) To operate a ~~day~~ CHILD care program in rural and urban
 13 areas and TO assist in ~~the development of~~ DEVELOPING sound pro-
 14 grams and standards for ~~day~~ CHILD care by public organizations
 15 throughout ~~the~~ THIS state. If the director ~~—~~, OR commissioner
 16 ~~—~~, or ~~those officials~~ AN OFFICIAL responsible for enforcing a
 17 state or local building code ~~determine~~ DETERMINES that a dwell-
 18 ing unit fails to meet the standards of that code through fault
 19 of the landlord, the department may refuse to pay public assist-
 20 ance grants authorized under this act for payment of rent on the
 21 dwelling unit. A written notice of the refusal, stating the
 22 grounds for the refusal and listing the defects to be corrected,
 23 shall be mailed immediately to the landlord by certified mail.
 24 During the period of refusal, the landlord may bring an action
 25 against the department in the nature of quo warranto, but may not
 26 maintain an action for the rent or possession of the premises.
 27 If the defects have been corrected or if the department's refusal

1 to pay is determined by a court of competent jurisdiction to be
2 wrongful, the department shall pay the rent that is owed, but not
3 more than the amount of the grants withheld.

4 (g) To assist other departments, agencies, and institutions
5 of the federal and state governments, ~~when so~~ IF requested, in
6 performing services in conformity with ~~the purposes of~~ this
7 act. The director shall act as certifying agent for federal
8 departments or agencies in determining eligibility of applicants
9 for aid or service rendered by those departments or agencies.
10 The rules of the state departments under this subsection ~~shall~~
11 ~~be~~ ARE binding upon the county ~~departments of social services~~
12 FAMILY INDEPENDENCE AGENCIES.

13 (h) To collect and compile statistics, make special
14 fact-finding studies, and publish reports in reference to the
15 field of welfare, including a biennial report as provided in sec-
16 tion 17.

17 (i) To arbitrate and decide disputed or contested claims
18 between 2 or more counties relative to the COUNTY OF settlement
19 or domicile of a person or family given or in need ~~of any form~~
20 of public aid or relief, and to determine and declare the county
21 of settlement or domicile ~~in any instance when so~~ IF requested
22 or on the department's own volition. All decisions and determi-
23 nations made under this subdivision ~~shall be~~ ARE binding upon
24 the county ~~departments of social services~~ FAMILY INDEPENDENCE
25 AGENCIES.

26 (j) To administer or supervise relief or welfare functions
27 vested in the department by law, and to provide for the

1 progressive codification of the laws governing relief and welfare
2 problems.

3 (k) To inspect ~~county infirmaries and~~ places of detention
4 for juveniles ~~for the purpose of obtaining~~ TO OBTAIN facts per-
5 taining to the usefulness and proper management of the
6 ~~infirmaries and~~ places of detention, and ~~of promoting~~ TO
7 PROMOTE proper, efficient, and humane administration of those
8 ~~infirmaries and~~ places of detention. A reasonable order of the
9 department fixing minimum standards of sanitation, fire protec-
10 tion, food, and comfortable lodging may be enforced, through man-
11 damus or injunction in the circuit court for the county ~~where~~
12 IN WHICH the ~~county infirmary or~~ place of detention for the
13 juveniles is located, through proper proceedings instituted by
14 the attorney general on behalf of the department. The burden of
15 proof ~~shall be~~ IS on the department to establish the reason-
16 ableness of the order.

17 (l) To promulgate by rules a recommended schedule of payment
18 for care and maintenance, pursuant to the administrative proce-
19 dures act of 1969, ~~Act No. 306 of the Public Acts of 1969, as~~
20 ~~amended, being sections 24.201 to 24.328 of the Michigan Compiled~~
21 ~~Laws~~ 1969 PA 306, MCL 24.201 TO 24.328, to be used, as provided
22 by law, in determining the amount of payment to be made by
23 patients, their guardians, or relatives who are liable for the
24 care and maintenance of persons entitled to treatment under the
25 mental health code, ~~Act No. 258 of the Public Acts of 1974, as~~
26 ~~amended, being sections 330.1001 to 330.2106 of the Michigan~~
27 ~~Compiled Laws~~ 1974 PA 258, MCL 330.1001 TO 330.2106. The

1 department in promulgating the schedule may give consideration to
 2 the person's income, the number of other persons he or she is
 3 obligated to support, his or her estate, medical and other neces-
 4 sary expenses, and other relevant matters.

5 (n) To provide or contract for legal services for persons
 6 receiving assistance under this act in guardianship and support
 7 proceedings.

8 (p) To provide services to adults and aging persons, ~~which~~
 9 ~~shall include~~ INCLUDING 1 OR MORE OF THE FOLLOWING:

10 (i) Services for the blind in accordance with the rehabili-
 11 tation act of 1973, ~~29 U.S.C. 701 to 796i~~ PUBLIC LAW 93-112, 29
 12 U.S.C. 701 TO 718, 720 TO 751, 760 TO 762, 763 TO 765, 772 TO
 13 776, 780, 781 TO 785, 791 TO 794e, 795 TO 795n, 796 TO 796f-6,
 14 AND 796j TO 796l.

15 (ii) Services authorized in title XX. ~~of the social secur-~~
 16 ~~ity act, 42 U.S.C. 1397 to 1397e.~~

17 (q) To license and regulate child care organizations and
 18 programs as described in ~~Act No. 116 of the Public Acts of 1973,~~
 19 ~~as amended, being sections 722.111 to 722.128 of the Michigan~~
 20 ~~Compiled Laws~~ 1973 PA 116, MCL 722.111 TO 722.128.

21 (2) Other sections of this act notwithstanding, all powers
 22 and duties of the county ~~social services~~ FAMILY INDEPENDENCE
 23 AGENCY boards to develop, implement, and administer a program of
 24 general public relief, are transferred to the state department
 25 effective beginning with the first county fiscal year following
 26 December 1, 1975. However, in a county that operates a patient
 27 care management system pursuant to section 66j, the county

1 ~~social services~~ FAMILY INDEPENDENCE AGENCY board may change the
 2 eligibility standards and coverages for medical care for
 3 ~~persons~~ A PERSON eligible for services under a patient care
 4 management system subject to the consent of the county board of
 5 commissioners, or, in a charter county, subject to the consent of
 6 the county board of commissioners and the county executive.

7 Sec. 18. (1) The state department shall provide for the
 8 distribution of ~~such moneys as shall be~~ MONEY appropriated by
 9 the legislature for public welfare grants ~~in respect to~~ FOR
 10 general relief, but not expenditures ~~in respect to~~ FOR a county
 11 medical care facility ~~, other infirm care in a county infir-~~
 12 ~~mary not existing on January 1, 1981,~~ or inpatient hospitaliza-
 13 tion, to the ~~several~~ county and district departments of ~~social~~
 14 ~~services~~ FAMILY INDEPENDENCE AGENCIES on the basis of monthly
 15 reporting to the department by the county departments.

16 (2) Effective December 1, 1979 in counties having a fiscal
 17 year beginning December 1 and ending November 30 and effective
 18 January 1, 1980 in counties having a fiscal year beginning
 19 January 1 and ending December 31, all expenditures for a program
 20 of ~~general public relief~~ FAMILY INDEPENDENCE ASSISTANCE shall
 21 be appropriated from the general revenues of ~~the~~ THIS state.
 22 ~~The~~ THIS state shall assume the full cost of the general relief
 23 program for public welfare costs including total administration,
 24 but excluding costs incurred for county hospitalization and in
 25 the administration of and care in a county medical care facility
 26 ~~, or infirmary~~ not existing on January 1, 1981.

1 (3) The period from December 1, 1974 through November 30,
2 1975 ~~shall be~~ IS the base year upon which the reductions of
3 county expenditures ~~shall be~~ ARE determined in those counties
4 having a fiscal year beginning December 1 and ending November
5 30. The period from January 1, 1975 through December 31, 1975
6 ~~shall be~~ IS the base year upon which the reductions of county
7 expenditures ~~shall be~~ ARE determined in those counties having a
8 fiscal year beginning January 1 and ending December 31. Net
9 county costs ~~shall be~~ ARE the county portion of matchable gen-
10 eral relief expenditures ~~which~~ THAT were matched by state funds
11 during the base year, not to exceed 1 mill of the county's 1974
12 state equalized valuation, as certified by the director. During
13 the first county fiscal year following the base year, county
14 costs shall be 80% of the net county costs. During the second
15 county fiscal year following the base year, county costs shall be
16 60% of the net county costs. During the third county fiscal year
17 following the base year, county costs shall be 40% of the net
18 county costs. During the fourth county fiscal year following the
19 base year, county costs shall be 20% of the net county costs.

20 (4) Beginning with the first county fiscal year following
21 the base year, county payments to recipients of general public
22 relief shall be reimbursed monthly by ~~the~~ THIS state for all
23 costs certified by the director, less the county costs.

24 (5) The difference between a county's unrestricted state
25 shared revenue distributed during the county's 1976 fiscal year
26 pursuant to the ~~provisions of Act No. 140 of the Public Acts of~~
27 ~~1971, as amended, being sections 141.901 to 141.921 of the~~

~~1 Michigan Compiled Laws~~ GLENN STEIL STATE REVENUE SHARING ACT OF
 2 1971, 1971 PA 140, MCL 141.901 TO 141.921, and the county's costs
 3 for general public relief in its 1976 fiscal year as certified by
 4 the department of management and budget shall be at least 30
 5 cents per capita more than the difference between the county's
 6 unrestricted state shared revenue distributed during the county's
 7 1975 fiscal year and the net county costs for general public
 8 relief as defined in subsection (3). Any additional amount
 9 required to fulfill the provisions of this subsection shall be
 10 paid from the general fund and remitted to the county with the
 11 June, 1977 payment provided under subsection (4).

12 (6) The state department shall provide for the allocation
 13 and distribution of ~~such moneys as shall be~~ MONEY appropriated
 14 by the legislature or received from the federal government ~~,~~
 15 for supplemental security income and ~~aid to dependent children~~
 16 FAMILY INDEPENDENCE ASSISTANCE to be disbursed in accordance with
 17 the laws of this state.

18 (7) The state department may make arrangements to disburse
 19 amounts to ~~general public relief recipients~~ A FAMILY INDEPEN-
 20 DENCE ASSISTANCE RECIPIENT after determination of the
 21 ~~recipients'~~ RECIPIENT'S needs by county. The arrangements
 22 shall permit ~~general public relief payments~~ A FAMILY INDEPEN-
 23 DENCE ASSISTANCE PAYMENT by the department and A voucher or
 24 vendor ~~payments~~ PAYMENT for ~~persons~~ A PERSON entitled to
 25 ~~general public relief~~ FAMILY INDEPENDENCE ASSISTANCE not
 26 involving ~~any~~ federal funds, ~~where~~ IF the well-being of the
 27 recipient or the protection of ~~general public relief~~ FAMILY

1 INDEPENDENCE ASSISTANCE funds makes ~~such payments~~ THE PAYMENT
2 desirable. Nothing in this section or act shall be construed,
3 however, as limiting the right of the state department to make
4 ~~warrants~~ A WARRANT payable to and TO deliver ~~same~~ THE WARRANT
5 to ~~any~~ A creditor of a recipient of ~~general public relief~~
6 FAMILY INDEPENDENCE ASSISTANCE who has provided food, shelter, or
7 public utility service to ~~such recipients~~ THAT RECIPIENT at the
8 request of the state department.

9 Sec. 45. (1) A county family independence agency is created
10 in each county of this state ~~, which~~ THAT shall possess the
11 powers granted and perform the duties imposed in this act. The
12 county family independence agency shall consist of a county
13 family independence agency board and the director of the county
14 family independence agency, together with assistants and employ-
15 ees ~~as may be~~ necessary to operate the county family indepen-
16 dence agency. As used in this act, references to "county depart-
17 ment of social services" or "county department" mean the county
18 family independence agency and references to "county social serv-
19 ices board" and "county board" mean the county family indepen-
20 dence agency board.

21 (2) The powers and duties of the county family independence
22 agency board include all of the following:

23 (a) Supervision of and responsibility for the administration
24 of the ~~county infirmary and~~ county medical care facility and
25 child caring institution, except as provided in sections 55(c)
26 and 58.

1 (b) Conduct, in conjunction with the family independence
2 agency, an annual review of social service programs operating
3 within the county.

4 (c) ~~Development of~~ DEVELOP policy and ~~supervision of~~
5 SUPERVISE the administration of social service programs autho-
6 rized by the county board of commissioners or financed solely
7 from county funds or county administered funds.

8 (d) ~~Development and administration of~~ DEVELOP AND
9 ADMINISTER employment programs and work training projects comple-
10 mentary to and not in conflict with state programs.

11 (e) Review and submit recommendations on contracts involving
12 programs administered by the family independence agency proposed
13 to be entered into between the family independence agency and
14 public or private agencies within the county, including proposed
15 purchases of service contracts from applicant agencies within the
16 county eligible for funding under title XX. ~~of the social secur-~~
17 ~~ity act, chapter 531, 49 Stat. 620, 42 U.S.C. 1397 to 1397f. A~~
18 ~~contract shall not be entered into between the~~ THE family inde-
19 pendence agency ~~and~~ SHALL NOT ENTER INTO A CONTRACT WITH a
20 public or private agency within the county until the board has
21 been provided an opportunity for review of the contract. The
22 ~~board shall be advised by the~~ family independence agency SHALL
23 ADVISE THE BOARD within 30 days after contracts have been signed
24 with an explanation of the differences between contracts recom-
25 mended by the board and those actually entered into.

26 (f) Act as the agent for the county board of commissioners
27 in the development of coordinated or consolidated approaches to

1 the delivery of social services and cooperative service delivery
2 arrangements between the family independence agency and each
3 public and private social service agency within the county.

4 (g) Represent the county board of commissioners in all nego-
5 tiations between the county and the family independence agency.

6 (h) Make annual policy recommendations to the Michigan
7 county social services association on annual departmental appro-
8 priations, priorities for utilization of title XX funds, eligi-
9 bility standards for general public relief and burial, employment
10 programs, work training projects, and other related issues.

11 (3) The family independence agency shall provide suitable
12 office accommodations for programs funded in whole or in part
13 with state funds. The county family independence agency board
14 shall review and recommend to the director proposed office sites
15 within the county. The director shall notify the board before
16 final site selection with an explanation of the selection of a
17 site other than that proposed by the board.

18 (4) The COUNTY BOARD OF COMMISSIONERS SHALL FIX THE salary
19 and expenses of each member of the county board ~~shall be fixed~~
20 ~~by the county board of commissioners~~ according to the amount of
21 time the member devotes to the performance of official duties. A
22 member of the county board may not serve as the director or an
23 employee of the county family independence agency. The members
24 of the county ~~boards~~ BOARD shall be appointed at the annual
25 October session of commissioners. ~~—, and~~ THE members shall qual-
26 ify by taking and filing the oath of office with the county clerk

1 ~~—~~ and shall assume their duties as prescribed by this act not
2 later than November 1 of the year appointed.

3 (5) The FAMILY INDEPENDENCE AGENCY SHALL APPOINT THE direc-
4 tor, employees, and assistants of the county family independence
5 agency ~~shall be appointed by the family independence agency~~
6 from among persons certified as qualified by the state civil
7 service commission. The county family independence agency board
8 shall review the qualifications of and interview each applicant
9 for the position of county family independence agency director.
10 The county director shall be appointed from among persons certi-
11 fied as eligible and recommended by the family independence
12 agency and by the county board. These appointment provisions do
13 not apply under conditions of reduction in state work force, in
14 which case the administrative employment preference rules for
15 bumping promulgated by the Michigan civil service commission
16 apply. The county board shall advise and make recommendations to
17 the state director regarding the performance of the county direc-
18 tor within 6 months after the appointment of the county director
19 and annually after that time. A copy of each evaluation shall be
20 provided to the county director.

21 (6) Except as prescribed in sections 35 and 64, a writing
22 prepared, owned, used, in the possession of, or retained by the
23 county family independence agency in the performance of an offi-
24 cial function shall be made available to the public in compliance
25 with the freedom of information act, ~~Act No. 442 of the Public~~
26 ~~Acts of 1976, being sections 15.231 to 15.246 of the Michigan~~
27 ~~Compiled Laws~~ 1976 PA 442, MCL 15.231 TO 15.246.

1 Sec. 50. ~~Any~~ A county employee or officer who transports,
 2 brings, or causes to be transported or brought ~~, any other~~ A
 3 person receiving ~~general relief,~~ PUBLIC ASSISTANCE OR
 4 hospitalization, ~~or infirmity care,~~ or in need of ~~general~~
 5 ~~relief,~~ PUBLIC ASSISTANCE OR hospitalization, ~~or infirmity~~
 6 ~~care~~ from ~~any~~ A county or from ~~any~~ A city operating a sepa-
 7 rate ~~department of social welfare~~ FAMILY INDEPENDENCE AGENCY
 8 under this act into any other county or city operating a separate
 9 department without legal authority and ~~there leave the~~ LEAVES
 10 THAT person ~~receiving general relief or in need of general~~
 11 ~~relief~~ THERE; or who induces ~~such~~ THAT person by threat or
 12 other means to ~~remove~~ MOVE to another county or city operating
 13 a separate department, with the intent to make the county or city
 14 to which the ~~removal~~ MOVE is made chargeable with the support
 15 of the person receiving or in need of public assistance, is
 16 guilty of a misdemeanor.

17 Sec. 55. The county department shall administer a public
 18 welfare program ~~, as follows~~ TO DO ALL OF THE FOLLOWING:

19 (a) ~~To grant~~ GRANT general assistance, including medical
 20 care as defined in this section and care in the county medical
 21 care facility, but not including hospitalization ~~and infirmity~~
 22 ~~care~~ except for care in the county medical care facility ~~or a~~
 23 ~~county infirmity~~ existing on January 1, 1981, to ~~any~~ A person
 24 domiciled in the county who has a legal settlement in this
 25 state. General assistance may also be granted to a person who
 26 has a legal settlement in this state but no domicile in the
 27 county and a recoupment may be made when appropriate ~~in the~~

1 ~~manner~~ AS provided in cases of emergency hospitalization under
 2 this act. In a temporary emergency, general assistance may be
 3 given to indigents without a settlement in this state as the
 4 county department considers necessary, including, if other funds
 5 are not available for the purpose, all necessary expenses in
 6 transporting an indigent to his or her domicile in this state, or
 7 in another state or nation, ~~when~~ IF information reasonably
 8 tends to show that the person has a home available in his or her
 9 place of domicile in this state or a legal residence in another
 10 state or nation. A legal settlement in this state is acquired by
 11 an emancipated person who has lived continuously in this state
 12 for 1 year with the intent to make it his or her home and who,
 13 during the 1-year period has not received public assistance,
 14 other than assistance received during and as a direct result of a
 15 civil defense emergency, or support from relatives. Time spent
 16 in a public institution ~~shall not be~~ IS NOT counted in deter-
 17 mining settlement. A legal settlement ~~shall be~~ IS lost by
 18 remaining away from this state for an uninterrupted period of 1
 19 year except that absence from this state for labor or other spe-
 20 cial or temporary purpose ~~shall~~ DOES not ~~occasion~~ CAUSE loss
 21 of settlement.

22 (b) ~~To administer~~ ADMINISTER categorical assistance
 23 including medical care.

24 (c) ~~To supervise~~ SUPERVISE and be responsible for the
 25 operation of the ~~county infirmary and~~ county medical care
 26 facility. In a county having a population of 1,000,000 or more
 27 ~~which~~ THAT maintains a ~~county infirmary or~~ county hospital

1 ~~or a joint infirmary and hospital~~ providing for ~~mental~~
2 MENTALLY ILL patients, the institution and the ~~admissions~~
3 ADMISSION to the institution ~~shall be~~ ARE subject to the con-
4 trol of ~~a board to be known as~~ the board of county
5 institutions. The board OF COUNTY INSTITUTIONS shall consist of
6 5 members appointed by the county board of commissioners, except
7 that in a county having a board of county auditors, 3 members of
8 the board of county institutions shall be appointed by the county
9 board of commissioners and 2 members shall be appointed by the
10 board of county auditors. Each member of the board OF COUNTY
11 INSTITUTIONS shall hold office for a term and receive compensa-
12 tion as the county board of commissioners provides by ordinance.
13 In relation to the administration of the institutions the board
14 ~~shall have and succeed to~~ OF COUNTY INSTITUTIONS HAS all powers
15 and duties formerly vested by law, general, local or special, in
16 the superintendents of the poor in the county and the board of
17 county institutions as constituted on April 13, 1943. The board
18 of county institutions of the county may also maintain outpatient
19 facilities for the treatment of needy persons suffering from
20 mental ~~disorders~~ ILLNESS. The board shall also have the same
21 powers as are given to the county board in section 78.

22 (d) ~~To furnish~~ FURNISH in all cases, ~~insofar~~ as practi-
23 cable, care and treatment ~~which~~ THAT will tend to restore needy
24 persons to a condition of financial and social independence.

25 (e) ~~To require~~ REQUIRE that each applicant ~~shall~~ furnish
26 proof satisfactory to the county board that the applicant is
27 entitled to the aid, assistance, or benefit sought.

1 (f) ~~To investigate~~ INVESTIGATE, in respect to each
2 application for ~~any~~ A form of public aid or assistance, the
3 circumstances of the applicant, both at the time of application
4 and periodically during the receipt of aid or assistance.

5 (g) ~~To maintain~~ MAINTAIN adequate social and financial
6 records pertaining to each recipient of aid or assistance and ~~so~~
7 ~~far as is~~ practicable engage in the prevention of social
8 disabilities.

9 (h) Except as otherwise provided in this subdivision, ~~to~~
10 investigate, when requested by the probate court or the family
11 division of circuit court, matters pertaining to dependent,
12 neglected, and delinquent children and wayward minors under the
13 court's jurisdiction, to provide supervision and foster care as
14 provided by court order, and ~~to~~ furnish the court, on request,
15 investigational service in respect to the hospitalization of
16 children under the program of services for crippled children
17 established under part 58 of the public health code, 1978 PA 368,
18 MCL 333.5801 to 333.5879, which services ~~shall~~ include the
19 follow-up investigation and continuing observations. If the
20 county is a county juvenile agency as defined in section 2 of the
21 county juvenile agency act, 1998 PA 518, MCL 45.622, the county
22 department's obligations under this subdivision are limited to
23 public wards within the county's jurisdiction under the youth
24 rehabilitation services act, 1974 PA 150, MCL 803.301 to 803.309,
25 and county juvenile agency services as defined in section 117a.

26 (i) ~~To assist~~ ASSIST other departments, agencies, and
27 institutions of the federal, state, and county governments, ~~when~~

1 ~~so~~ IF requested, in performing services in conformity with ~~the~~
2 ~~purposes of~~ this act.

3 (j) ~~To assist~~ ASSIST in the development of sound programs
4 and standards of child welfare, and promote programs and policies
5 looking ~~toward the prevention of~~ TO PREVENT dependency,
6 neglect, and delinquency and other conditions affecting adversely
7 the welfare of families and children.

8 (k) ~~To create~~ CREATE within the county department a divi-
9 sion of medical care. The county board may appoint a properly
10 qualified and licensed doctor of medicine as the head of the
11 division and an advisory committee. The advisory committee shall
12 consist of 1 doctor of medicine, nominated by the county medical
13 society; 1 dentist, nominated by the district dental society; and
14 1 pharmacist, nominated by the district pharmaceutical associa-
15 tion, to assist in formulating policies of medical care and
16 auditing and reviewing bills. "Medical care" as used in this act
17 means medical care rendered under the supervision of a licensed
18 physician in an organized ~~out-patient~~ OUTPATIENT department of
19 a hospital licensed by the department of ~~public~~ COMMUNITY
20 health under article 17 of the public health code, 1978 PA 368,
21 MCL 333.20101 to 333.22260, or home and office attendance by a
22 physician, osteopathic physician and surgeon, or podiatrist
23 licensed under article 15 of the public health code, 1978 PA 368,
24 MCL 333.16101 to 333.18838; and when prescribed by the physician,
25 osteopathic physician and surgeon, or podiatrist, diagnostic
26 ~~services~~ SERVICE requiring the use of equipment not available
27 in his or her ~~offices~~ OFFICE, if the ~~services do~~ SERVICE DOES

1 not require overnight care, dental service, optometric service,
2 bedside nursing service in the home, or pharmaceutical service.
3 The private physician-patient relationship shall be maintained.
4 The normal relationships between the recipients of dental, opto-
5 metric, nursing, and pharmaceutical services, and the services
6 furnished by a physician, osteopathic physician and surgeon,
7 podiatrist, or a chiropractor licensed under article 15 of the
8 public health code, 1978 PA 368, MCL 333.16101 to 333.18838, and
9 the persons furnishing these services shall be maintained. This
10 section ~~shall~~ DOES not affect the office of a city physician or
11 city pharmacist established under a city charter, a county health
12 officer, or the medical superintendent of a county hospital.
13 This section ~~shall permit~~ PERMITS the use of a case management
14 system, a patient care management system, or other alternative
15 system for providing medical care.

16 (l) ~~To cause~~ CAUSE to be suitably buried the body of a
17 deceased indigent person who has a domicile in the county, ~~when~~
18 IF requested by the person's relative or friend, or of a
19 stranger, ~~when~~ IF requested by a public official following an
20 inquest.

21 (m) ~~To administer~~ ADMINISTER additional welfare functions
22 ~~as are~~ vested in the department, including hospitalization.

23 (n) ~~To act~~ ACT as an agent for the state department in
24 matters requested by the state department under the rules of the
25 state department.

~~1 (o) To provide temporary general assistance for each family
2 found ineligible for aid to dependent children assistance by
3 reason of unsuitable family home as provided in section 56.~~

4 Sec. 58. (1) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSEC-
5 TION (2), THE county ~~social welfare~~ FAMILY INDEPENDENCE AGENCY
6 board is ~~hereby~~ authorized, with the approval of the COUNTY
7 board of ~~supervisors~~ COMMISSIONERS, to supervise and be respon-
8 sible for the operation of a county medical care facility. ~~which~~
9 ~~is now or may hereafter be established within or auxiliary to or~~
10 ~~independent of the county infirmary: Provided, That in any~~

11 (2) IN A county having a board of county institutions,
12 ~~such~~ THE COUNTY MEDICAL CARE facilities shall be supervised and
13 operated by ~~such~~ THE board OF COUNTY INSTITUTIONS and all ref-
14 erences ~~hereinafter~~ to the county social welfare board OR
15 COUNTY FAMILY INDEPENDENCE AGENCY BOARD in ~~such counties in~~
16 ~~relation~~ THAT COUNTY RELATING to the operation of ~~such~~ THE
17 COUNTY MEDICAL CARE facilities shall be construed to refer to the
18 board of county institutions. The ~~social welfare~~ FAMILY INDE-
19 PENDENCE AGENCY board in ~~such~~ THAT county ~~shall have the~~
20 ~~authority to~~ MAY collect from any available source for the cost
21 of care given ~~therein and such~~ IN THE COUNTY MEDICAL CARE
22 FACILITY. THE FAMILY INDEPENDENCE AGENCY BOARD SHALL DEPOSIT
23 collections ~~shall be deposited~~ in the social welfare fund.

24 ~~Such~~

25 (3) A COUNTY MEDICAL CARE facility shall provide a program
26 of planned and continuing medical treatment and nursing care
27 under the general direction and supervision of a licensed

1 physician employed full- or part-time ~~who shall be known~~ as the
 2 medical director. Medical treatment and nursing care ~~shall~~
 3 consist of ~~those services~~ SERVICE given to ~~persons~~ A PERSON
 4 who ~~are~~ IS suffering from prolonged illness, defect, infirmity,
 5 or senility, or who may be recovering from injury or illness ~~—~~
 6 ~~Such services shall~~ AND include any ~~or all~~ of the procedures
 7 commonly employed, such as physical examination, diagnosis, minor
 8 surgical treatment, ~~administration of medicines, provision of~~
 9 ~~special diets~~ ADMINISTERING MEDICINE, PROVIDING A SPECIAL DIET,
 10 giving ~~of~~ bedside care, and ~~the~~ carrying out ~~of any~~
 11 required treatment prescribed by a ~~duly~~ licensed physician
 12 ~~and~~ THAT IS within the ability of the facility to provide.

13 (4) ~~These services~~ MEDICAL TREATMENT AND NURSING CARE PRO-
 14 VIDED PURSUANT TO SUBSECTION (3) shall be consistent with the
 15 ~~needs~~ NEED of the type of patient admitted and cared for and
 16 must be on a professionally supervised, planned, and continuing
 17 basis. ~~—: Provided, however, That~~ HOWEVER, no person shall be
 18 admitted or retained for care who requires special medical or
 19 surgical treatment, treatment for a psychosis, tuberculosis, or
 20 contagious disease, except that the facility may contain a super-
 21 vised psychiatric ward for the temporary detention of mentally
 22 ~~disturbed~~ ILL patients ~~—: Provided, That such~~ IF THAT ward
 23 has been inspected and approved by the ~~state~~ department of
 24 ~~mental~~ COMMUNITY health and ~~so~~ certified by ~~it~~ THE DEPART-
 25 MENT OF COMMUNITY HEALTH to the county ~~social welfare~~ FAMILY
 26 INDEPENDENCE AGENCY board ~~—: And provided further, That~~ AND IF
 27 no other ~~such~~ facility for temporary detention of mentally

1 ~~disturbed~~ ILL patients exists within the county. ~~And~~
 2 ~~provided further, That a~~ A county department may provide for the
 3 support of poor persons who may be ~~feeble-minded or~~ mentally
 4 ill at some other place or places and in ~~such~~ A manner ~~as~~
 5 ~~shall~~ THAT best ~~promote~~ PROMOTES the interests of the county
 6 and ~~be for~~ the comfort and recovery of ~~such~~ THOSE persons ~~,~~
 7 at the expense of the county.

8 (5) The county ~~social welfare~~ FAMILY INDEPENDENCE AGENCY
 9 board, in seeking approval to establish, extend, and operate a
 10 county medical care facility in an existing building, shall ~~make~~
 11 ~~application~~ APPLY in writing to the state department submitting
 12 ~~therewith~~ its proposed plan with specifications ~~,~~ including
 13 AND standards of operation. ~~,~~ for the examination and recommen-
 14 ~~dations of the state department.~~

15 (6) The COUNTY board of ~~supervisors~~ COMMISSIONERS of ~~any~~
 16 A county may determine to erect ~~a county infirmary or~~ county
 17 medical care facilities for the reception and care of the poor
 18 and unfortunate of the county. ~~which medical facilities may be~~
 19 ~~on different sites than the infirmary.~~ Upon filing ~~such~~ A
 20 determination with the clerk of the county, ~~they~~ THE COUNTY
 21 BOARD OF COMMISSIONERS may direct the county ~~social welfare~~
 22 FAMILY INDEPENDENCE AGENCY board to purchase 1 or more tracts of
 23 land, not exceeding 320 acres, and to erect ~~thereon~~ ON THAT
 24 LAND 1 or more suitable buildings for that purpose. Before ~~any~~
 25 ~~county infirmary or~~ A medical care facility is erected or ~~any~~
 26 AN existing ~~buildings are~~ BUILDING IS remodeled, added to, or
 27 substantially altered ~~,~~ under ~~the provisions of~~ this section

1 and before the plans ~~thereof~~ are finally accepted ~~,~~ or ~~any~~
 2 A contract IS entered into for construction, the plans shall be
 3 submitted to the state department for examination and approval.
 4 The determination reached shall be certified to the county clerk
 5 ~~of the county~~ and ~~shall be~~ placed before the COUNTY board of
 6 ~~supervisors~~ COMMISSIONERS at the next regular meeting.
 7 ~~thereof.~~ No ~~county infirmary or~~ medical care facility shall
 8 be constructed without the CERTIFIED approval of the plans.
 9 ~~thereof having been duly certified as herein provided.~~ No con-
 10 tract for the erection of ~~an infirmary or~~ A medical care facil-
 11 ity ~~shall be~~ IS valid or binding unless the plans ~~thereby~~
 12 contemplated and actually followed ~~shall have been~~ ARE
 13 approved. ~~,~~ nor shall any money MONEY SHALL NOT be paid out of
 14 the treasury of the county for ~~any~~ construction ~~unless and~~
 15 until the plans ~~thereof~~ FOR THAT CONSTRUCTION have been
 16 approved and the determination filed.

17 (7) ~~It shall be the duty of the~~ THE state department ~~to~~
 18 SHALL review the proposals and plans of the county ~~social~~
 19 ~~welfare~~ FAMILY INDEPENDENCE AGENCY board submitted in connection
 20 with the establishment, extension, and operation of the medical
 21 care facility ~~or the county infirmary~~ and ~~to~~ consult with and
 22 give advice to the county department as to plans, procedures, and
 23 programs required in the ~~proper~~ establishment, extension, and
 24 operation of the medical care facility. ~~or the county~~
 25 ~~infirmary.~~

26 (8) The state department shall approve ~~the~~ A medical care
 27 ~~facilities~~ FACILITY by ~~proper~~ notice to the county

1 department. ~~Subsequent to its approval~~ AFTER APPROVING A
 2 MEDICAL CARE FACILITY, the state department shall inspect ~~such~~
 3 THE MEDICAL CARE facility as frequently as it ~~deems~~ CONSIDERS
 4 necessary, but at least 1 annual inspection shall be made.

5 ~~County departments shall be~~ A COUNTY DEPARTMENT IS governed by
 6 and shall adhere to any reasonable order issued by the state
 7 department. The county department may appeal ~~such~~ THE order in
 8 writing, within 30 days ~~of~~ AFTER receipt of ~~same~~ THE ORDER,
 9 to the ~~Michigan social welfare commission~~ FAMILY INDEPENDENCE
 10 AGENCY.

11 (9) ~~Any~~ A reasonable order of the ~~commission~~ FAMILY
 12 INDEPENDENCE AGENCY governing the establishment, extension,
 13 operation, or ~~the~~ closing of ~~an infirmary or~~ A medical care
 14 facility, if circumstances ~~so~~ warrant, may be enforced through
 15 mandamus or injunction in the circuit court for the county
 16 ~~where~~ IN WHICH the facility is located through proper proceed-
 17 ings instituted by the attorney general on behalf of the
 18 ~~commission~~ FAMILY INDEPENDENCE AGENCY.

19 (10) ~~No~~ A medical care facility shall ~~be opened~~ NOT OPEN
 20 for operation until it has been inspected and approved in writing
 21 to the state department by the state fire marshal and the state
 22 health commissioner. The county department shall abide by ~~any~~
 23 A reasonable directive issued by the state fire marshal or the
 24 state health commissioner with regard to the fire safety and san-
 25 itation of ~~said institution~~ THE MEDICAL CARE FACILITY. ~~Said~~
 26 THE FAMILY INDEPENDENCE AGENCY MAY ENFORCE THE directives ~~may be~~
 27 ~~enforced by the social welfare commission~~ in the same manner as

1 ~~are~~ THE orders of the ~~commission~~ FAMILY INDEPENDENCE AGENCY.

2 Upon receipt of the approval of the state department, the county

3 department shall ~~thereafter~~ represent ~~such~~ THE MEDICAL CARE

4 facility to the public as the county medical care facility and

5 shall make reasonable and continuing effort to divorce ~~such~~ THE

6 MEDICAL CARE facility from an association in the public mind with

7 the words "poor house" or "poor farm."

8 Sec. 68a. (1) The county department furnishing general

9 relief, including medical care ~~,~~ OR hospitalization ~~or infir-~~

10 ~~mary care~~ to ~~any~~ A poor person at the expense of another

11 county in this state, shall present to the ~~department of social~~

12 ~~welfare~~ FAMILY INDEPENDENCE AGENCY of the county liable for the

13 ~~aid and infirmity care~~ GENERAL RELIEF, from time to time as the

14 case might be, a sworn, itemized statement of the expense ~~which~~

15 THAT shall be allowed and paid by the ~~department of social~~

16 ~~welfare~~ FAMILY INDEPENDENCE AGENCY of the county liable

17 ~~therefor~~ FOR THAT GENERAL RELIEF, within 60 days after being

18 presented. ~~No~~

19 (2) AN item of the itemized statement of expense ~~shall be~~

20 IS NOT a proper and collectible charge against the county ~~which~~

21 THAT has been determined to be or has agreed to be liable

22 ~~therefor~~ unless submitted within 180 days from the end of the

23 month ~~during which~~ THAT THE services covered by the item were

24 rendered. ~~In the case of an item, the exact amount of which~~ IF

25 the county department furnishing care is unable to determine THE

26 EXACT AMOUNT OF AN ITEM BEFORE OR during the ~~180 days~~ 180-DAY

27 period, ~~or prior thereto,~~ notice of the existence of ~~such an~~

1 THAT item of undetermined amount shall be given the county liable
2 during the 180 days ~~whereupon~~ AND the county furnishing care
3 shall have an additional 180 days ~~in which~~ to include the
4 amount of the item in an itemized statement.

5 Enacting section 1. This amendatory act does not take
6 effect unless all of the following bills of the 90th Legislature
7 are enacted into law:

8 (a) Senate Bill No. _____ or House Bill No. 5000(request
9 no. 04079'99).

10 (b) Senate Bill No. _____ or House Bill No. 5001(request
11 no. 04079'99 a).

12 (c) Senate Bill No. _____ or House Bill No. 5003(request
13 no. 04079'99 c).

14 (d) Senate Bill No. _____ or House Bill No. 5004(request
15 no. 04079'99 d).