

SENATE BILL NO. 426

March 11, 1999, Introduced by Senator HART and referred to the
Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 21722.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21722. (1) THE DEPARTMENT, IN CONJUNCTION WITH THE
2 LONG-TERM CARE OMBUDSMAN ESTABLISHED UNDER SECTION 6(AA) OF THE
3 OLDER MICHIGANIANS ACT, 1981 PA 180, MCL 400.586, SHALL DEVELOP A
4 CONSUMER RATING INDEX FOR NURSING HOMES. THE DEPARTMENT SHALL
5 UPDATE THE CONSUMER RATING INDEX NOT LESS THAN ANNUALLY. THE
6 DEPARTMENT SHALL INCLUDE ALL OF THE FOLLOWING MEASURES OF CARE IN
7 THE CONSUMER RATING INDEX:
8 (A) ACCIDENTS. THIS MEASURE OF CARE SHALL BE RATED BY THE
9 NUMBER AND TYPE OF ACCIDENTS OCCURRING IN A NURSING HOME DURING
10 THE IMMEDIATELY PRECEDING YEAR.

1 (B) BEHAVIORAL AND EMOTIONAL CARE. THIS MEASURE OF CARE
2 SHALL BE RATED BY THE ADEQUACY OF THE BEHAVIORAL AND EMOTIONAL
3 CARE PROVIDED IN A NURSING HOME DURING THE IMMEDIATELY PRECEDING
4 YEAR.

5 (C) INFECTION CONTROL. THIS MEASURE OF CARE SHALL BE RATED
6 BY THE NUMBER OF INFECTIONS OCCURRING IN A NURSING HOME EITHER AS
7 A RESULT OF BEING A RESIDENT OF THE NURSING HOME OR AS A RESULT
8 OF CARE RECEIVED IN THE NURSING HOME DURING THE IMMEDIATELY PRE-
9 CEDING YEAR.

10 (D) NUTRITION. THIS MEASURE OF CARE SHALL BE RATED BY THE
11 NUTRITIONAL ADEQUACY OF THE MEALS SERVED IN A NURSING HOME DURING
12 THE IMMEDIATELY PRECEDING YEAR.

13 (E) THE USE OF PSYCHOTROPIC DRUGS. THIS MEASURE OF CARE
14 SHALL BE RATED BY THE USE OF PSYCHOTROPIC DRUGS IN A NURSING HOME
15 IN RELATION TO THE POPULATION OF THE NURSING HOME DURING THE
16 IMMEDIATELY PRECEDING YEAR.

17 (F) QUALITY OF LIFE. THIS MEASURE OF CARE SHALL BE RATED BY
18 THE OVERALL QUALITY OF LIFE OF THE RESIDENTS IN A NURSING HOME
19 DURING THE IMMEDIATELY PRECEDING YEAR.

20 (G) STAFFING LEVELS. THIS MEASURE OF CARE SHALL BE RATED BY
21 THE AVERAGE RATIO OF NURSING CARE PERSONNEL TO RESIDENTS FOR THE
22 MORNING, AFTERNOON, AND EVENING SHIFTS IN A NURSING HOME FOR THE
23 IMMEDIATELY PRECEDING YEAR.

24 (H) DISCIPLINARY ACTIONS. THIS MEASURE OF CARE SHALL
25 INCLUDE ALL FINAL DISCIPLINARY ACTION TAKEN AGAINST THE NURSING
26 HOME BY THE DEPARTMENT OR BY AN AGENCY OF THE FEDERAL GOVERNMENT
27 IN THE IMMEDIATELY PRECEDING YEAR.

1 (I) REMEDIAL MEASURES. THIS MEASURE OF CARE SHALL BE RATED
2 BY A NURSING HOME'S EFFORTS TO REMEDY THE CIRCUMSTANCES THAT WERE
3 THE BASIS FOR A DISCIPLINARY ACTION OR FOR A COMPLAINT DESCRIBED
4 IN SUBDIVISION (K).

5 (J) SPECIAL CARE NEEDS. THIS MEASURE OF CARE SHALL BE RATED
6 BY A NURSING HOME'S EFFORTS TO PROVIDE APPROPRIATE CARE TO RESI-
7 DENTS WITH SPECIAL CARE NEEDS.

8 (K) CONSUMER COMPLAINTS. THIS MEASURE OF CARE SHALL BE MEA-
9 SURED BY THE NUMBER OF COMPLAINTS REGARDING A NURSING HOME
10 RECEIVED BY THE DEPARTMENT UNDER SECTION 20176 IN THE IMMEDIATELY
11 PRECEDING YEAR.

12 (2) IN DEVELOPING THE CONSUMER RATING INDEX REQUIRED UNDER
13 SUBSECTION (1), THE DEPARTMENT SHALL TAKE INTO ACCOUNT AT LEAST
14 ALL OF THE FOLLOWING INFORMATION:

15 (A) INFORMATION OBTAINED BY THE DEPARTMENT DURING VISITS TO
16 NURSING HOMES FOR PURPOSES OF SURVEY, EVALUATION, AND CONSULTA-
17 TION UNDER SECTION 20155.

18 (B) THE RESULTS OF AN ANNUAL RESIDENT SATISFACTION SURVEY
19 CONDUCTED BY A NURSING HOME AND REPORTED TO THE DEPARTMENT.

20 (C) ALL COMPLAINTS RECEIVED BY THE DEPARTMENT REGARDING
21 NURSING HOMES UNDER SECTION 20176.

22 (3) THE DEPARTMENT SHALL INCLUDE THE DEMOGRAPHICS OF EACH
23 NURSING HOME INCLUDED IN THE CONSUMER RATING INDEX REQUIRED UNDER
24 SUBSECTION (1), INCLUDING, BUT NOT LIMITED TO, THE NURSING HOME'S
25 ADDRESS, NUMBER OF RESIDENTS AND NUMBER OF BEDS AT THE TIME THE
26 INFORMATION IS OBTAINED, AND THE TELEPHONE NUMBER OF A CONTACT
27 PERSON FOR THE NURSING HOME. THE DEPARTMENT SHALL MAKE EACH

1 ANNUAL CONSUMER RATING INDEX AVAILABLE TO THE PUBLIC AND TO
2 LICENSED NURSING HOMES THROUGH THE OFFICE OF THE LONG-TERM CARE
3 OMBUDSMAN DESCRIBED IN SUBSECTION (1) AND THROUGH THE OFFICE OF
4 SERVICES TO THE AGING. THE DEPARTMENT SHALL ALSO MAKE EACH
5 ANNUAL CONSUMER RATING INDEX AVAILABLE ELECTRONICALLY.