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## RIGHT TO PAIN AND SYMPTOM MANAGEMENT

House Bill 5259

Sponsor: Rep. Gary Woronchak

Committee: Health Policy

Complete to 10-19-01

### A SUMMARY OF HOUSE BILL 5259 AS INTRODUCED 10-17-01

Article 17 of the Public Health Code regulates health care facilities and agencies. Among other things, the article requires a health facility or agency that is licensed under the article, and that provides services directly to patients or residents, to adopt a policy describing the rights and responsibilities of patients and residents who are admitted to the facility or agency.

House Bill 5259 would amend this article (MCL 333.20201) to require such a policy to recognize that a patient or resident is entitled to adequate and appropriate pain and symptom management as a basic and essential element of his or her medical treatment. The bill would also revise various references to a “health facility or agency” to clarify which provisions applied to health facilities or agencies, generally, and which provisions applied to specific types of health facilities or agencies, such as nursing homes and homes for the aged. Further, the bill would clarify that a licensed health maintenance organization must comply with the Insurance Code of 1956 rather than with a section of the Public Health Code repealed in 1997. Finally, the bill would update certain references to the federal Social Security Act.

House Bill 5259 (10-19-01)

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■ 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.