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House Bill 4195 (Substitute H-1 as passed by the House)  
Sponsor: Representative Bruce Patterson  
House Committee: Senior Health, Security and Retirement  
Senate Committee: Health Policy

Date Completed: 1-28-02

### **CONTENT**

**The bill would amend the Public Health Code to require a nursing home to post, in an area accessible to residents, employees, and visitors, the name, title, location, and telephone number of an individual in the nursing home who was responsible for receiving complaints and conducting complaint investigations, and a procedure for communicating with that individual. Further, the bill would require an individual responsible for receiving complaints and conducting investigations to be on duty and on site 24 hours per day, seven days a week.**

An individual who received a complaint, inquiry, or request from a nursing home resident or the resident's surrogate decision-maker would have to respond using the nursing home's established procedures, pursuant to R 325.20113 of the Michigan Administrative Code. (Rule 325.20113 requires a nursing home to adopt written policies and procedures to implement patient rights and responsibilities, as prescribed in the Public Health Code. The procedures must include provisions for the initiation, investigation, and resolution of complaints.)

A nursing home that received Medicaid reimbursement would have to designate one or more current employees to fulfill the requirements of the bill. The bill specifies that this provision would not constitute a basis for increasing nursing home staffing levels.

To assist individuals responsible for receiving nursing home complaints to perform their duties, the Department of Consumer and Industry Services (DCIS) would have to post on its Internet website the following information:

- Links to Federal and State regulations and rules governing the nursing home industry.
- The scheduling of any training or joint training sessions concerning nursing home or elderly care issues being put on by the DCIS.
- A list of long-term care contact phone numbers, including the DCIS 24-hour hot-line, the DCIS nursing home licensing division, any commonly known nursing home provider groups, the State long-term care ombudsman, and any commonly known nursing home patient care advocacy groups.
- Information on the availability of electronic mail access, to file a complaint concerning nursing home violations directly with the DCIS.
- Any other information that the DCIS believed was helpful in responding to complaints, requests, and inquiries of a nursing home resident or his or her surrogate decision-maker.

Proposed MCL 333.21723

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: M. Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.