

SUBSTITUTE FOR
HOUSE BILL NO. 4195

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 21723.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21723. (1) A NURSING HOME SHALL POST IN AN AREA ACCES-
2 SIBLE TO RESIDENTS, EMPLOYEES, AND VISITORS THE NAME, TITLE,
3 LOCATION, AND TELEPHONE NUMBER OF THE INDIVIDUAL IN THE NURSING
4 HOME WHO IS RESPONSIBLE FOR RECEIVING COMPLAINTS AND CONDUCTING
5 COMPLAINT INVESTIGATIONS AND A PROCEDURE FOR COMMUNICATING WITH
6 THAT INDIVIDUAL.

7 (2) AN INDIVIDUAL RESPONSIBLE FOR RECEIVING COMPLAINTS AND
8 CONDUCTING COMPLAINT INVESTIGATIONS IN A NURSING HOME SHALL BE ON
9 DUTY AND ON SITE NOT LESS THAN 24 HOURS PER DAY, 7 DAYS A WEEK.

10 (3) THE INDIVIDUAL DESCRIBED IN SUBSECTION (2) WHO RECEIVES
11 A COMPLAINT, INQUIRY, OR REQUEST FROM A NURSING HOME RESIDENT OR

- 1 THE RESIDENT'S SURROGATE DECISION MAKER SHALL RESPOND USING THE
- 2 NURSING HOME'S ESTABLISHED PROCEDURES PURSUANT TO R 325.20113 OF
- 3 THE MICHIGAN ADMINISTRATIVE CODE.

[(4) TO ASSIST THE INDIVIDUAL DESCRIBED IN SUBSECTION (2) IN PERFORMING HIS OR HER DUTIES, THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES SHALL POST ON ITS INTERNET WEBSITE ALL OF THE FOLLOWING INFORMATION:

(A) LINKS TO FEDERAL AND STATE REGULATIONS AND RULES GOVERNING THE NURSING HOME INDUSTRY.

(B) THE SCHEDULING OF ANY TRAINING OR JOINT TRAINING SESSIONS CONCERNING NURSING HOME OR ELDERLY CARE ISSUES BEING PUT ON BY THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES.

(C) A LIST OF LONG-TERM CARE CONTACT PHONE NUMBERS INCLUDING, BUT NOT LIMITED TO, THE CONSUMER AND INDUSTRY SERVICES 24 HOUR HOT-LINE, THE CONSUMER AND INDUSTRY SERVICES 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.

(D) INFORMATION ON THE AVAILABILITY OF ELECTRONIC MAIL ACCESS TO FILE A COMPLAINT CONCERNING NURSING HOME VIOLATIONS DIRECTLY WITH THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES.

(E) ANY OTHER INFORMATION THAT THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES BELIEVES IS HELPFUL IN RESPONDING TO COMPLAINTS, REQUESTS, AND INQUIRIES OF A NURSING HOME RESIDENT OR HIS OR HER SURROGATE DECISION MAKER.

(5) A NURSING HOME RECEIVING REIMBURSEMENT PURSUANT TO TITLE 19, MEDICAID, SHALL DESIGNATE 1 OR MORE CURRENT EMPLOYEES TO FULFILL THE DUTIES AND RESPONSIBILITIES OUTLINED IN THIS SECTION. THIS SECTION SHALL NOT CONSTITUTE A BASIS FOR INCREASING NURSING HOME STAFFING LEVELS.]