

**SUBSTITUTE FOR
HOUSE BILL NO. 4796**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2611 (MCL 333.2611), as amended by 1989
PA 264.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2611. (1) The department shall coordinate the health
2 services research, evaluation, and demonstration and health sta-
3 tistical activities undertaken or supported by the department.

4 (2) The department shall establish policy consistent with
5 this part to administer health services research, evaluation, and
6 demonstration and health statistical activities undertaken or
7 supported by the department. In establishing the policy the
8 department shall consider ALL OF the following interests:

9 (a) The individual's right and reasonable expectation of
10 privacy concerning its use, including the protection of

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1 privileged communications and the expectations of the individual
2 when giving the information.

3 (b) The freedom of persons to do business.

4 (c) The public's interest in the protection of private
5 rights.

6 (d) The public's interest in the free access to governmental
7 information.

8 (e) The protections necessary to encourage persons to pro-
9 vide information.

10 (f) The individual's interest in being informed of dangers
11 of which he or she would not otherwise be aware.

12 (g) The public's interest in the effective use of available
13 data to protect and promote the health of individuals and the
14 public as a whole.

15 (h) The public's interest in the effective and efficient
16 management of governmental activities.

17 (i) The individual's interest in data about himself or
18 herself.

19 (j) The interests of other governmental entities in prepar-
20 ing reports.

21 (3) The department may establish a nonprofit corporation
22 pursuant to the nonprofit corporation act, ~~Act No. 162 of the~~
23 ~~Public Acts of 1982, being sections 450.2101 to 450.3192 of the~~
24 ~~Michigan Compiled Laws~~ 1982 PA 162, MCL 450.2101 TO 450.3192.
25 The purpose of the corporation shall be to plan, promote, and
26 coordinate health services research with a public university or a
27 consortium of public universities within the state. The

1 corporation may research, evaluate, and demonstrate all of the
2 following:

3 (a) The cause, effects, extent, and nature of illness and
4 disability among all or a particular group of the people of this
5 state.

6 (b) The impact of personal illness and disability on the
7 economy of this state and the well-being of all or a particular
8 group of the people of this state.

9 (c) Environmental, laboratory, social, and other health
10 related issues.

11 (d) The health knowledge and practices of the people of this
12 state.

13 (e) The quality and availability of health resources in this
14 state including, but not limited to, health care institutions and
15 health professions.

16 (f) The determinants of health and nutritional practices and
17 status including, but not limited to, behaviors that are related
18 to health.

19 (g) Access to and use of health care services by all or a
20 particular group of the people of this state including, but not
21 limited to, the use of ambulatory health care services. The
22 access and use may be categorized by specialty and type of prac-
23 tice of the health professional or health facility providing the
24 service.

25 (h) Health care costs and financing including, but not
26 limited to, trends in health care costs, sources of payments, and
27 federal, state, and local expenditures for health care services.

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1 (i) Public health policies and programs.

2 (j) Other issues considered appropriate by the board of
3 directors of the corporation.

4 (4) THE DEPARTMENT OF COMMUNITY HEALTH, THE MICHIGAN DEPART-
5 MENT OF CAREER DEVELOPMENT, AND THE OFFICE OF SERVICES TO THE
6 AGING SHALL CONTINUE THE LONG-TERM CARE STAFF RECRUITMENT AND
7 RETENTION FOCUS GROUP THAT CONVENED THE "DAY OF DIALOGUE" REGARD-
8 ING LONG-TERM CARE STAFF RECRUITMENT AND RETENTION IN LANSING,
9 MICHIGAN ON OCTOBER 18, 2001. THE LONG-TERM CARE STAFF RECRUIT-
10 MENT AND RETENTION FOCUS GROUP SHALL RESEARCH, EVALUATE, AND
11 DEMONSTRATE ALL OF THE FOLLOWING:

12 (A) STRATEGIES TO DEVELOP, RECRUIT, AND RETAIN LONG-TERM
13 HEALTH CARE WORKERS WHO PROVIDE DIRECT CARE TO RESIDENTS AND
14 PATIENTS AND LONG-TERM HEALTH CARE FACILITY MANAGERS AND
15 ADMINISTRATORS.

16 (B) INITIATIVES TO REDUCE STAFF TURNOVER.

17 (C) STRATEGIES TO IMPROVE AND ENRICH THE WORKING ENVIRONMENT
18 IN LONG-TERM HEALTH CARE FACILITIES, INCLUDING, BUT NOT LIMITED
19 TO, TRAINING AND ADVANCEMENT WITHIN A CAREER PATHWAY AND
20 INCREASED COMPENSATION AND BENEFITS.

21 (D) PRACTICES AND POLICIES THAT HAVE HAD A DEMONSTRATED POS-
22 ITIVE IMPACT ON THE RETENTION OF LONG-TERM HEALTH CARE WORKERS,
23 MANAGERS, AND ADMINISTRATORS.

24 (E) EDUCATION AND TRAINING THAT INCLUDES, AT A MINIMUM, A
25 STANDARDIZED, COMPETENCY-BASED CURRICULUM THAT MEETS EMPLOYER,
26 EDUCATOR, AND STATE NEEDS.

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1 (5) THE LONG-TERM CARE STAFF RECRUITMENT AND RETENTION FOCUS
2 GROUP SHALL MEET WITHIN 6 MONTHS AFTER THE EFFECTIVE DATE OF THE
3 AMENDATORY ACT THAT ADDED THIS SUBSECTION. THE LONG-TERM CARE
4 STAFF RECRUITMENT AND RETENTION FOCUS GROUP SHALL PRODUCE A
5 REPORT WITHIN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY
6 ACT THAT ADDED THIS SUBSECTION. THE LONG-TERM CARE STAFF
7 RECRUITMENT AND RETENTION FOCUS GROUP SHALL DISTRIBUTE COPIES OF
8 THE REPORT TO THE GOVERNOR, TO THE LEGISLATURE, AND, UPON
9 REQUEST, TO THE PUBLIC. THE LONG-TERM CARE STAFF RECRUITMENT AND
10 RETENTION FOCUS GROUP SHALL INCLUDE ALL OF THE FOLLOWING IN THE
11 REPORT:

12 (A) FINDINGS ON THE PROBLEM IN THIS STATE OF RECRUITING,
13 DEVELOPING, AND RETAINING DIRECT CARE WORKERS, MANAGERS, AND
14 ADMINISTRATORS FOR LONG-TERM CARE FACILITIES.

15 (B) RECOMMENDATIONS FOR PROPOSED LEGISLATION OR ADMINISTRA-
16 TIVE RULES TO ADDRESS THE PROBLEM DESCRIBED IN SUBDIVISION (A).

17 (C) RECOMMENDATIONS FOR EXECUTIVE ACTION TO ADDRESS THE
18 PROBLEM DESCRIBED IN SUBDIVISION (A).

19 (D) RECOMMENDATIONS FOR ASSISTANCE FROM THE PRIVATE SECTOR
20 TO ADDRESS THE PROBLEM DESCRIBED IN SUBDIVISION (A).

21 (E) FINDINGS ON THE TOPICS DESCRIBED IN SUBSECTION (4)(A) TO
22 (E).

23 (F) OTHER INFORMATION CONSIDERED NECESSARY OR RELEVANT BY
24 THE LONG-TERM CARE STAFF RECRUITMENT AND RETENTION FOCUS GROUP.

25 (6) AFTER THE LONG-TERM CARE STAFF RECRUITMENT AND RETENTION
26 FOCUS GROUP DISTRIBUTES THE REPORT REQUIRED UNDER SUBSECTION (5),
27 THIS SUBSECTION AND SUBSECTIONS (4) AND (5) DO NOT APPLY AND THE

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1 LONG-TERM CARE STAFF RECRUITMENT AND RETENTION FOCUS GROUP IS
2 ABOLISHED.