

**SENATE 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

HB 4195, As Passed Senate, February 7, 2002

House Bill No. 4195

2

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

8 (A) LINKS TO FEDERAL AND STATE REGULATIONS AND RULES GOVERN-
9 ING THE NURSING HOME INDUSTRY.

10 (B) THE SCHEDULING OF ANY TRAINING OR JOINT TRAINING SES-
11 SIONS CONCERNING NURSING HOME OR ELDERLY CARE ISSUES BEING PUT ON
12 BY THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES.

13 (C) A LIST OF LONG-TERM CARE CONTACT PHONE NUMBERS INCLUD-
14 ING, BUT NOT LIMITED TO, THE CONSUMER AND INDUSTRY SERVICES COM-
15 PLAIN HOTLINE, THE CONSUMER AND INDUSTRY SERVICES NURSING HOME
16 LICENSING DIVISION, ANY COMMONLY KNOWN NURSING HOME PROVIDER
17 GROUPS, THE STATE LONG-TERM CARE OMBUDSMAN, AND ANY COMMONLY
18 KNOWN NURSING HOME PATIENT CARE ADVOCACY GROUPS.

19 (D) WHEN IT BECOMES AVAILABLE, INFORMATION ON THE AVAILABIL-
20 ITY OF ELECTRONIC MAIL ACCESS TO FILE A COMPLAINT CONCERNING
21 NURSING HOME VIOLATIONS DIRECTLY WITH THE DEPARTMENT OF CONSUMER
22 AND INDUSTRY SERVICES.

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

HB 4195, As Passed Senate, February 7, 2002

House Bill No. 4195

3

1 (5) A NURSING HOME RECEIVING REIMBURSEMENT PURSUANT TO THE
2 MEDICAID PROGRAM SHALL DESIGNATE 1 OR MORE CURRENT EMPLOYEES TO
3 FULFILL THE DUTIES AND RESPONSIBILITIES OUTLINED IN THIS
4 SECTION. THIS SECTION DOES NOT CONSTITUTE A BASIS FOR INCREASING
5 NURSING HOME STAFFING LEVELS. AS USED IN THIS SUBSECTION,
6 "MEDICAID" MEANS THE PROGRAM FOR MEDICAL ASSISTANCE CREATED UNDER
7 TITLE XIX OF THE SOCIAL SECURITY ACT, CHAPTER 53, 49 STAT. 620,
8 42 U.S.C. 1396 TO 1396f, 1396g-1 TO 1396r-6, AND 1396r-8 TO
9 1396v.