

# HOUSE BILL No. 4452

March 13, 2001, Introduced by Reps. Voorhees, Raczkowski, Pestka, Vander Veen, Schermesser, Julian, Gilbert, Woodward, Ruth Johnson, Toy, Kuipers, Allen, Kooiman, McConico, Lockwood, Van Woerkom, Woronchak, Lipsey, Spade, Mans, Richardville, Richner, DeVuyst, Gosselin, Bovin, Koetje, Bisbee, Cassis, Shackleton, Hager, Gielegem, Jansen and Birkholz and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 21797.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21797. (1) THE DEPARTMENT SHALL ADMINISTER A GRANT  
2 PROGRAM FOR BOTH OF THE FOLLOWING:

3 (A) AN INDIVIDUAL WHO IS IN TRAINING TO BECOME A REGISTERED  
4 PROFESSIONAL NURSE, LICENSED PRACTICAL NURSE, OR NURSE'S AIDE.

5 (B) A REGISTERED PROFESSIONAL NURSE, LICENSED PRACTICAL  
6 NURSE, OR NURSE'S AIDE WHO IS EMPLOYED AT A NURSING HOME IN THIS  
7 STATE.

8 (2) THE DEPARTMENT MAY AWARD A GRANT OF NOT MORE THAN  
9 \$1,000.00 PER YEAR TO AN INDIVIDUAL DESCRIBED IN SUBSECTION (1).  
10 AS A CONDITION OF RECEIVING THE GRANT, THE RECIPIENT SHALL ENTER

1 INTO A WRITTEN CONTRACT WITH THE DEPARTMENT THAT REQUIRES THE  
2 RECIPIENT TO DO 1 OF THE FOLLOWING:

3 (A) IF THE INDIVIDUAL IS IN TRAINING AS DESCRIBED IN SUBSEC-  
4 TION (1)(A), TO PROVIDE UPON COMPLETION OF TRAINING NOT LESS THAN  
5 1 YEAR OF NURSING SERVICES AS AN EMPLOYEE IN A NURSING HOME IN  
6 THIS STATE.

7 (B) IF THE INDIVIDUAL IS EMPLOYED AT A NURSING HOME AS  
8 DESCRIBED IN SUBSECTION (1)(B), TO REMAIN EMPLOYED AT THE NURSING  
9 HOME FOR NOT LESS THAN 1 YEAR AFTER THE DATE OF ACCEPTING THE  
10 GRANT.

11 (3) AN INDIVIDUAL WHO RECEIVES A GRANT UNDER SUBSECTION (2)  
12 MAY USE THE GRANT MONEY FOR 1 OR MORE OF THE FOLLOWING PURPOSES:

13 (A) EDUCATION EXPENSES FOR INITIAL TRAINING OR FOR CONTINU-  
14 ING EDUCATION.

15 (B) CHILD CARE EXPENSES INCURRED BY THE RECIPIENT WHILE  
16 UNDERGOING TRAINING OR WORKING IN THE NURSING HOME.

17 (C) TRANSPORTATION EXPENSES TO AND FROM THE TRAINING SITE OR  
18 WORK AT THE NURSING HOME.

19 (D) HOUSING EXPENSES IF THE HOUSING IS LOCATED WITHIN A  
20 25-MILE RADIUS OF THE TRAINING SITE OR THE NURSING HOME.

21 (4) AN INDIVIDUAL WHO RECEIVES A GRANT UNDER SUBSECTION (2)  
22 BUT FAILS TO FULFILL THE TERMS OF THE CONTRACT SIGNED UNDER SUB-  
23 SECTION (2) SHALL REPAY THE DEPARTMENT AN AMOUNT EQUAL TO 2 TIMES  
24 THE AMOUNT OF THE GRANT RECEIVED PLUS INTEREST. THE DEPARTMENT  
25 SHALL CHARGE INTEREST AT A RATE DETERMINED BY THE STATE TREASURER  
26 TO REFLECT THE CUMULATIVE ANNUAL PERCENTAGE CHANGE IN THE DETROIT  
27 CONSUMER PRICE INDEX. AN INDIVIDUAL REQUIRED TO REPAY A GRANT

1 UNDER THIS SUBSECTION SHALL REPAY THE AMOUNT REQUIRED UNDER THIS  
2 SUBSECTION WITHIN 3 YEARS AFTER THE REPAYMENT OBLIGATION IS  
3 INCURRED. THE DEPARTMENT SHALL DEPOSIT ALL MONEY RECEIVED UNDER  
4 THIS SUBSECTION WITH THE STATE TREASURER FOR DEPOSIT IN THE NURS-  
5 ING HOME PROFESSIONAL EMPLOYEE INCENTIVE FUND CREATED IN SUBSEC-  
6 TION (7).

7 (5) AN INDIVIDUAL WHO RECEIVES A GRANT AND ENTERS INTO A  
8 CONTRACT UNDER SUBSECTION (2) IS CONSIDERED TO HAVE FULFILLED THE  
9 TERMS OF THE CONTRACT IF 1 OR MORE OF THE FOLLOWING OCCUR:

10 (A) THE INDIVIDUAL FULFILLS THE REQUIREMENTS OF SUBSECTION  
11 (2)(A) OR (B).

12 (B) THE INDIVIDUAL DIES.

13 (C) THE INDIVIDUAL IS UNABLE BY REASON OF PERMANENT DISABIL-  
14 ITY TO FULFILL THE TERMS OF THE CONTRACT.

15 (D) AN INDIVIDUAL DESCRIBED IN SUBSECTION (1)(A) FAILS TO  
16 SATISFY THE ACADEMIC REQUIREMENTS FOR THE TRAINING PROGRAM IN  
17 WHICH HE OR SHE IS ENROLLED AFTER HAVING MADE A GOOD FAITH  
18 EFFORT.

19 (E) THE INDIVIDUAL FAILS TO SATISFY THE REQUIREMENTS FOR  
20 LICENSURE, CERTIFICATION, OR OTHER FORM OF AUTHORIZATION TO PRAC-  
21 TICE AS A REGISTERED PROFESSIONAL NURSE, LICENSED PRACTICAL  
22 NURSE, OR NURSE'S AIDE.

23 (F) OTHER CIRCUMSTANCES OCCUR THAT ARE CONSIDERED BY THE  
24 DEPARTMENT TO CONSTITUTE A COMPELLING REASON TO CONSIDER THE CON-  
25 TRACT FULFILLED.

1           (6) THE DEPARTMENT MAY ACCEPT FUNDS FOR THE OPERATION OF THE  
2 GRANT PROGRAM FROM ANY SOURCE AND DISTRIBUTE THE FUNDS IN A  
3 MANNER CONSISTENT WITH THIS SECTION.

4           (7) THE NURSING HOME PROFESSIONAL EMPLOYEE INCENTIVE FUND IS  
5 CREATED AS A SEPARATE FUND IN THE STATE TREASURY. THE DEPARTMENT  
6 SHALL DEPOSIT AMOUNTS REPAID UNDER SUBSECTION (4) WITH THE STATE  
7 TREASURER FOR DEPOSIT IN THE FUND. THE DEPARTMENT SHALL USE THE  
8 FUND ONLY TO AWARD GRANTS UNDER SUBSECTION (2). THE STATE TREA-  
9 SURER SHALL DIRECT THE INVESTMENT OF THE FUND AND SHALL CREDIT  
10 ALL EARNINGS TO THE FUND. ALL AMOUNTS REMAINING IN THE FUND AT  
11 THE END OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT  
12 REVERT TO THE GENERAL FUND.

13           (8) AS USED IN THIS SECTION:

14           (A) "DETROIT CONSUMER PRICE INDEX" MEANS THE MOST COMPREHEN-  
15 SIVE INDEX OF CONSUMER PRICES AVAILABLE FOR THE DETROIT AREA FROM  
16 THE BUREAU OF LABOR STATISTICS OF THE UNITED STATES DEPARTMENT OF  
17 LABOR.

18           (B) "LICENSED PRACTICAL NURSE" MEANS THE PRACTICE OF NURSING  
19 AS A LICENSED PRACTICAL NURSE AS THAT TERM IS DEFINED IN SECTION  
20 17201.

21           (C) "REGISTERED PROFESSIONAL NURSE" MEANS THAT TERM AS  
22 DEFINED IN SECTION 17201.