

# HOUSE BILL No. 4796

May 17, 2001, Introduced by Reps. Williams, Voorhees and Woronchak and referred to the Committee on Senior Health, Security and Retirement.

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

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.

(i) Public health policies and programs.

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

(4) THE DEPARTMENT OF COMMUNITY HEALTH, IN COOPERATION WITH THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES, THE OFFICE OF SERVICES TO THE AGING, REPRESENTATIVES OF THE LONG-TERM HEALTH CARE INDUSTRY, LICENSED AND UNLICENSED LONG-TERM HEALTH CARE WORKERS, AND RESIDENTS OF LONG-TERM HEALTH CARE FACILITIES AND THEIR FAMILIES, SHALL ESTABLISH THE MICHIGAN LONG-TERM HEALTH CARE EXCELLENCE INSTITUTE. THE MICHIGAN LONG-TERM HEALTH CARE EXCELLENCE INSTITUTE MAY RESEARCH, EVALUATE, AND DEMONSTRATE ALL OF THE FOLLOWING:

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

(B) STRATEGIES TO IMPROVE AND ENRICH THE WORKING ENVIRONMENT IN LONG-TERM HEALTH CARE FACILITIES.

(C) PRACTICES AND POLICIES THAT HAVE HAD A DEMONSTRATED POSITIVE IMPACT ON THE RETENTION OF LONG-TERM HEALTH CARE WORKERS, MANAGERS, AND ADMINISTRATORS.

(5) THE MICHIGAN LONG-TERM HEALTH CARE EXCELLENCE INSTITUTE CREATED IN SUBSECTION (4) SHALL PRODUCE A REPORT WITHIN 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION. THE INSTITUTE SHALL DISTRIBUTE COPIES OF THE REPORT TO THE GOVERNOR, THE LEGISLATURE, AND, UPON REQUEST, TO THE

1 PUBLIC. THE INSTITUTE SHALL INCLUDE ALL OF THE FOLLOWING IN THE  
2 REPORT:

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

6 (B) RECOMMENDATIONS FOR PROPOSED LEGISLATION OR ADMINISTRA-  
7 TIVE RULES.

8 (C) RECOMMENDATIONS FOR EXECUTIVE ACTION.

9 (D) RECOMMENDATIONS FOR ASSISTANCE FROM THE PRIVATE SECTOR.

10 (E) FINDINGS ON THE TOPICS DESCRIBED IN SUBSECTION (4)(A) TO  
11 (C).

12 (F) OTHER INFORMATION CONSIDERED NECESSARY OR RELEVANT BY  
13 THE INSTITUTE.