

HOUSE BILL No. 6153

May 30, 2002, Introduced by Rep. George 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 21720a (MCL 333.21720a).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21720a. (1) ~~A~~ THE DEPARTMENT SHALL NOT LICENSE A
2 nursing home ~~shall not be licensed~~ under this part unless that
3 nursing home has on its staff at least 1 registered PROFESSIONAL
4 nurse with specialized training or relevant experience in the
5 area of gerontology. ~~, who shall~~ THE NURSING HOME SHALL HAVE A
6 REGISTERED PROFESSIONAL NURSE serve as the director of nursing.
7 ~~and who shall be~~ THE DIRECTOR OF NURSING IS responsible for
8 planning and directing nursing care. The nursing home shall have
9 at least 1 REGISTERED PROFESSIONAL NURSE OR licensed PRACTICAL
10 nurse on duty at all times and shall employ additional registered
11 PROFESSIONAL NURSES and licensed practical nurses in accordance

1 with subsection (2). ~~This subsection shall not take effect~~
2 ~~until January 1, 1980.~~

3 (2) ~~A~~ AS REQUIRED BY SUBSECTION (1), A nursing home shall
4 employ nursing personnel sufficient to provide continuous 24-hour
5 nursing care and services sufficient to meet the needs of each
6 patient in the nursing home. Nursing personnel employed in the
7 nursing home ~~shall be~~ ARE under the supervision of the director
8 of nursing. A licensee shall maintain a nursing home staff suf-
9 ficient to provide not less than 2.25 hours of nursing care by
10 employed nursing ~~care~~ personnel per patient per day. The ratio
11 of patients to nursing ~~care~~ personnel ~~during~~ SHALL NOT EXCEED
12 THE FOLLOWING:

13 (A) DURING a morning shift, ~~shall not exceed~~ 8 patients to
14 1 nursing ~~care~~ personnel. ~~the ratio of patients to nursing~~
15 ~~care personnel during~~

16 (B) DURING an afternoon shift, ~~shall not exceed~~ 12
17 patients to 1 nursing ~~care~~ personnel. ~~and the ratio of~~
18 ~~patients to nursing care personnel during~~

19 (C) DURING a nighttime shift, ~~shall not exceed~~ 15 patients
20 to 1 nursing ~~care~~ personnel. ~~and there shall be~~

21 (3) A NURSING HOME SHALL KEEP sufficient nursing ~~care~~ per-
22 sonnel available on duty to assure coverage for patients at all
23 times during the shift. An employee designated as a member of
24 the nursing staff shall not be engaged in providing basic serv-
25 ices such as food preparation, housekeeping, laundry, or mainte-
26 nance services, except in an instance of natural disaster or
27 other emergency reported to and concurred in by the department.

1 In a nursing home having 30 or more beds, the director of nursing
2 shall not be included in counting the minimum ratios of nursing
3 personnel required by ~~this~~ subsection (2). IN NO CASE SHALL AN
4 EMPLOYEE WHO IS NOT DESIGNATED AS A MEMBER OF THE NURSING STAFF
5 BE INCLUDED IN COUNTING THE MINIMUM RATIOS OF NURSING PERSONNEL
6 TO PATIENTS REQUIRED BY SUBSECTION (2).

7 (4) ~~(3)~~ In administering this section, the department
8 shall take into consideration a natural disaster or other
9 emergency.