

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4079 (Substitute H-2 as reported without amendment)
Sponsor: Representative Gary Woronchak
House Committee: Senior Health, Security and Retirement
Senate Committee: Senior Citizens and Veterans Affairs

CONTENT

The bill would amend the Public Health Code to do all of the following:

- Require the Department of Consumer and Industry Services (DCIS) to include a model standardized complaint form in the complaint pamphlet the Department must provide to a health facility or agency.
- Require the DCIS to develop a model standardized complaint form specific to nursing homes.
- Allow the DCIS to develop a separate model standardized complaint form specific to a particular health facility or agency or category of health facilities or agencies.
- Require the Department to use large, easily readable type and nontechnical, easily understood language in the pamphlet.
- Require the DCIS periodically to distribute copies of the pamphlet to health facilities and agencies.
- Allow the DCIS to distribute current complaint pamphlets until they were exhausted or until October 1, 2003.
- Require the DCIS to make the complaint pamphlet and model complaint form available on the Internet and to develop and implement a system that would allow the filing of a complaint through the DCIS website.

The nursing home model standardized complaint form would have to include simple instructions on how to file a complaint with the nursing home, the DCIS, the State Long-Term Care Ombudsman, the Michigan Protection and Advocacy Service, Inc., and the health care fraud unit of the Department of Attorney General.

The DCIS would have to distribute copies of the model standardized complaint form for nursing homes simultaneously with copies of the pamphlet distributed to health facilities and agencies. A nursing home would have to display conspicuously and make available multiple copies of the pamphlet and complaint form with other complaint information that must be posted in the patient waiting areas or other common areas of the nursing home that are easily accessible to patients and their visitors. Also, a nursing home would have to provide a copy of the pamphlet and complaint form to each nursing home resident, or the resident's surrogate decision-maker, upon admission to the nursing home.

MCL 333.20194 & 333.21799a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would require small changes to the complaint form and the awareness pamphlet but the costs associated with these adjustments would be minimal; therefore, the bill would have no fiscal impact.

Date Completed: 3-27-03

Fiscal Analyst: Maria Tyszkiewicz