



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4766 (Substitute S-2 as reported)
Sponsor: Representative John Pastor
House Committee: Senior Health, Security and Retirement
Senate Committee: Health Policy

CONTENT

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

- Require a home for the aged seeking a license or a license renewal to have an emergency generator system.
- Exempt a home for the aged that was licensed on the bill's effective date from the emergency generator system requirement until the home underwent major building modification.
- Require an exempt home for the aged to notify the local medical control authority and the local law enforcement agency that it did not have an emergency generator on site.
- Require a nursing home to have an emergency generator system that complied with existing State and Federal law.

A home for the aged that failed to comply with the bill would be subject to a maximum civil penalty of \$2,000 for each violation. Each day a violation continued would be a separate offense and the home would have to be assessed a civil penalty of at least \$500 for each day the failure continued.

A nursing home that failed to comply with the bill would be subject to a civil penalty as provided under existing State and Federal law, including rules and regulations.

The bill would take effect six months after it was enacted.

MCL 333.21335 & 333.21735

Legislative Analyst: Julie Koval

FISCAL IMPACT

Nursing homes currently are required to have emergency generators by Federal and State laws and regulations, so there would be no State or local fiscal impact from the nursing home provision, even for county-owned nursing homes. Homes for the aged have residents whose costs are paid by the State, but such homes are not directly financed by the State. Therefore, a requirement that such homes have emergency generators available would not affect State expenditures. The provision establishing an initial fine of \$2,000 for violations and \$500 for each day the violation continued would increase State revenue to the extent that fines were imposed.

Date Completed: 9-23-04

Fiscal Analyst: Steve Angelotti