

SUBSTITUTE FOR  
HOUSE BILL NO. 4272

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 20188; and to  
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 20188. (1) To examine means to improve patient safety  
2 and reduce medical errors in this state, the governor shall  
3 create and appoint a commission on patient safety within the  
4 department of community health or designate an existing  
5 organization or patient safety initiative to act as the state  
6 commission on patient safety. If the governor chooses to  
7 designate an existing organization or patient safety initiative  
8 to act as the state commission, the organization or initiative  
9 designated shall include, but is not limited to, individuals with  
10 education, experience, and expertise in health and human services

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1 and individuals representing health care consumers, providers,  
2 and payers. If the governor chooses to create a commission, the  
3 commission shall consist of 7 members appointed by the governor  
4 as follows:

5 (a) Two individuals from the general public.

6 (b) One individual representing hospitals.

7 (c) Three licensed health care professionals.

8 (d) One individual representing the health care insurance  
9 industry.

10 (2) The commission on patient safety shall conduct public  
11 hearings to seek input from the public and from all of the  
12 following organizations that have an interest in patient safety:

13 (a) The Michigan health and hospital association or its  
14 successor organization.

15 (b) The Michigan state medical society or its successor  
16 organization.

17 (c) The Michigan osteopathic association or its successor  
18 organization.

19 (d) The [Michigan college of emergency physicians] or its successor  
20 organization.

21 (e) The Michigan nurses association or its successor  
22 organization.

23 (f) The emergency nurses association or its successor  
24 organization.

25 (g) The Michigan association of emergency medical technicians  
26 or its successor organization.

27 (h) The Michigan pharmacists association or its successor

1 organization.

2 (i) The Michigan society for clinical laboratory sciences or  
3 its successor organization.

4 (j) The Michigan academy of physician assistants or its  
5 successor organization.

6 (k) The Michigan society of healthcare risk management or its  
7 successor organization.

8 (l) The Michigan association of health plans or its successor  
9 organization.

10 (m) The American society of clinical pathologists or its  
11 successor organization.

12 (n) The Michigan physical therapy association or its  
13 successor organization.

14 (o) The Michigan speech-language-hearing association or its  
15 successor organization.

16 (p) The American dietetics association or its successor  
17 organization.

18 (q) The national association of social workers, Michigan  
19 chapter or its successor organization.

20 (r) The mental health association of Michigan or its  
21 successor organization.

22 (s) The Michigan occupational therapy association or its  
23 successor organization.

24 (t) Health care association of Michigan or its successor  
25 organization.

26 (u) Michigan association for local public health or its  
27 successor organization.

1           (v) Michigan hospice and palliative care organization or its  
2 successor organization.

3           (w) Michigan society of anesthesiologists or its successor  
4 organization.

5           (x) The Michigan home health association or its successor  
6 organization.

7           (y) The Michigan dental association or its successor  
8 organization.

9           (z) The Michigan association of community mental health  
10 boards or its successor organization.

11          (aa) The Michigan chiropractic society or its successor  
12 organization.

13          (bb) The Michigan association of nurse anesthetists or its  
14 successor organization.

15          (cc) The Michigan association of homes and services for the  
16 aging or its successor organization.

17          (dd) The Michigan radiological society or its successor  
18 organization.

19          (ee) Blue cross/blue shield of Michigan or its successor  
20 organization.

21          (ff) The service employees international union or its  
22 successor organization.

23          (gg) The AARP or its successor organization.

24          (hh) The Michigan council of nurse practitioners or its  
25 successor organization.

26          (ii) The Michigan advocacy project or its successor  
27 organization.

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(jj) The Michigan primary care association or its successor organization.

(kk) The Michigan association of ambulance services or its successor organization.

(ll) The economic alliance of Michigan or its successor organization.

(mm) The Michigan society for respiratory care or its successor organization.

(nn) The Michigan psychological association or its successor organization.

(oo) The Michigan podiatric medical association or its successor organization.

[pp) The Michigan chiropractic association or its successor organization.]

[qq) The Michigan county medical care facilities council or its successor organization.]

[rr] Any other organization that the commission determines has an interest in patient safety.

(3) If the governor creates and appoints a commission on patient safety under subsection (1), the commission shall meet and appoint a chairperson within 30 days after all members are appointed by the governor. The commission shall conduct its first public hearing within 60 days after all members are appointed by the governor. If an organization or patient safety Initiative is designated to act as the state commission on patient safety under subsection (1), the commission shall conduct its first public hearing as the commission within 60 days after Designated by the governor.

(4) The commission shall consider all information received from its public hearings, review information from other patient safety initiatives, and study the causes of medical errors

1 occurring in the continuum of care, including in health  
2 Facilities and in private practices. Within 1 year after the  
3 Commission is appointed or designated by the governor, the  
4 Commission shall issue a written report. The report shall  
5 contain recommendations for improvements in medical practice and  
6 a system for reducing medical errors, both in health facilities  
7 and in private practice.

8 (5) The commission shall conduct its business as the  
9 commission at a public meeting of the commission held in  
10 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to  
11 15.275. The commission shall give public notice of the time,  
12 date, and place of the meeting in the manner required by the open  
13 meetings act, 1976 PA 267, MCL 15.261 to 15.275.

14 (6) The commission shall make available a writing prepared,  
15 owned, used, in the possession of, or retained by the patient  
16 safety commission in the performance of an official function as  
17 the commission to the public in compliance with the freedom of  
18 information act, 1976 PA 442, MCL 15.231 to 15.246.

19 (7) As used in this section, "commission" means the  
20 commission created and appointed by the governor under subsection  
21 (1) or the organization or patient safety initiative designated  
22 to act as the commission by the governor under subsection (1).

23 Enacting section 1. Section 20188 of the public health  
24 code, 1978 PA 368, MCL 333.20188, is repealed 18 months after the  
25 effective date of this amendatory act.