

# SENATE BILL No. 635

July 16, 2003, Introduced by Senator HAMMERSTROM and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21311 (MCL 333.21311), as amended by 1984 PA 311.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 21311. (1) A home for the aged shall be licensed under  
2 this article.

3       (2) "Home for the aged" or a similar term or abbreviation  
4 shall not be used to describe or refer to ~~an institution~~ a  
5 **health facility** or agency unless the ~~institution~~ **health**  
6 **facility** or agency is licensed as a home for the aged by the  
7 department under this article.

8       (3) Except as otherwise provided in this subsection, a home  
9 for the aged shall not admit ~~individuals~~ **an individual** under 60  
10 years of age. Upon the request of a home for the aged, the

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Senate Bill No. 635 as amended December 11, 2003

- 1 director ~~<may>~~ **shall** waive the age limitation imposed by this  
subsection
- 2 if the ~~director determines that a waiver would be in the best~~  
3 ~~interests of a resident of the home for the aged and the~~  
4 ~~individual for whom the waiver is sought~~ **waiver is in the best**  
5 **interests of the individual under 60 years of age <and the individual**  
**will be compatible with the other residents of that home for the aged>**,  
as determined
- 6 by all of the following:
- 7 (a) The individual.
- 8 (b) The individual's guardian or other legal representative.
- 9 (c) The individual's physician.
- 10 (d) The owner, operator, and governing body of the home for  
11 the aged.