

HOUSE BILL No. 6255

June 18, 2008, Introduced by Reps. Ball, Simpson, Angerer, Brown, Valentine, Robert Jones, Donigan, Leland, Ebli, Miller, Meisner, Polidori, Bennett, Corriveau, Dean and Meadows 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 21711 (MCL 333.21711).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21711. (1) A nursing home shall be licensed under this
2 article.

3 (2) "Nursing home", "nursing center", "convalescent center",
4 "extended care facility", or a similar term or abbreviation shall
5 not be used to describe or refer to a health facility or agency
6 unless the health facility or agency is licensed as a nursing home
7 by the department under this article.

8 (3) A person shall not purport to provide formal or informal
9 nursing care services of the kind normally provided in a nursing

1 home without obtaining a license as provided in this article. This
2 subsection does not apply to a hospital or a facility created by
3 ~~Act No. 152 of the Public Acts of 1885, as amended, being sections~~
4 ~~1885 PA 152, MCL 36.1 to 36.12. of the Michigan Compiled Laws.~~

5 (4) THE DEPARTMENT SHALL NOT ISSUE A LICENSE OR A RENEWAL OF A
6 LICENSE TO AN APPLICANT OR LICENSEE UNDER THIS PART UNLESS THE
7 APPLICANT OR LICENSEE SUBMITS FINANCIAL STATEMENTS AUDITED BY A
8 CERTIFIED PUBLIC ACCOUNTANT, BANK OFFICER, OR OTHER INDEPENDENT
9 AUTHORITY WITH KNOWLEDGE OF LONG-TERM CARE OPERATIONS, AS APPROVED
10 BY THE DEPARTMENT. THE APPLICANT OR LICENSEE SHALL INCLUDE IN THE
11 AUDITED FINANCIAL STATEMENTS THE ACCOUNTANT'S, OFFICER'S, OR OTHER
12 AUTHORITY'S STATEMENT THAT THE APPLICANT'S OR LICENSEE'S ASSETS,
13 LIABILITIES, REVENUES, AND EXPENDITURES IDENTIFIED IN THE
14 APPLICANT'S OR LICENSEE'S BUSINESS PLAN ARE SUFFICIENT TO PREDICT
15 THAT THE APPLICANT OR LICENSEE HAS THE FINANCIAL CAPACITY TO OWN
16 AND OPERATE A NURSING HOME.