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BILL



ANALYSIS

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Senate Bill 884 (Substitute S-5 as reported by the Committee of the Whole)
Sponsor: Senator Goeff Hansen
Committee: Families, Seniors and Human Services

CONTENT

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

- Revise requirements for newly hired nursing home surveyors, and require a criminal history check on all nursing home surveyors.
- Require that representatives from all nursing facility provider organizations and the State Long-Term Care Ombudsman or his or her designee be invited to participate in the planning process for joint provider and surveyor training sessions.
- Require the Department of Licensing and Regulatory Affairs (LARA) to include at least one representative from certain nursing facility provider organizations in internal surveyor group quality assurance training.
- Require at least one registered nurse to be a member of each annual survey team and require additional members to include other qualified health professionals.
- Require surveyors to use electronic resident information, whenever available, as a source of survey-related data and to request facility assistance for access to the system to maximize data export.
- Require LARA to invite to a quarterly meeting at least one representative from each of certain nursing facility provider organizations and the State Long-Term Care Ombudsman or his or her designee to discuss certain matters related to nursing facility surveys.
- Require LARA biennially to review and update clinical process guidelines, and include training on new and revised clinical process guidelines in joint provider and surveyor training sessions.
- Establish survey process requirements, including deadlines for review of a nursing facility's plan of correction and survey revisits.
- Allow high-performing nursing facilities to apply for a grant of up to \$5,000 from the Civil Monetary Fund to be used for participation in a recognized quality improvement program.
- Allow LARA to accept a nursing facility's evidence of substantial compliance instead of requiring a postsurvey on-site first or second revisit.
- Require LARA to give strong consideration to informal dispute resolution conducted by the Michigan Peer Review Organization.
- Revise requirements for LARA to report to the Legislature.

MCL 333.20155 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate but likely slightly negative effect on the State's finances. To the extent that the surveyor hiring practices required under the bill are not already being practiced by the Bureau of Health Systems, some new personnel costs could

be associated with ensuring that all survey teams had at least one registered nurse and that other members of the teams contained a variety of other health professionals as specified in the bill.

The bill also would result in some new administrative costs associated with required meetings with nursing facility provider organizations, and reviewing and updating clinical process guidelines biennially.

Finally, the bill would make nursing facilities that had no survey deficiencies above Level D in the current survey and the previous year's survey results eligible to receive a grant of up to \$5,000 to participate in a recognized quality improvement program. Funding for these grants would be from the Civil Monetary Fund, which receives revenue from civil fines collected from nursing facilities that are found to be in violation of applicable State laws and rules.

Date Completed: 5-8-12

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.