

# SENATE BILL No. 462

June 15, 2011, Introduced by Senators BIEDA, SCHUITMAKER, EMMONS, COLBECK, ROCCA, YOUNG, NOFS, JONES, HANSEN, HILDENBRAND, PROOS and KAHN and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 21771 (MCL 333.21771).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 21771. (1) A licensee, nursing home administrator, or  
2       employee of a nursing home shall not physically, mentally, or  
3       emotionally abuse, mistreat, or harmfully neglect a patient.

4       (2) A nursing home employee who becomes aware of an act  
5       prohibited by this section ~~immediately~~ shall **IMMEDIATELY** report the  
6       matter to the nursing home administrator or nursing director **AND TO**  
7       **THE DEPARTMENT**. A nursing home administrator or nursing director  
8       who becomes aware of an act prohibited by this section ~~immediately~~  
9       shall **IMMEDIATELY** report the matter by telephone to the department.  
10      ~~of public health, which in turn shall notify the department of~~

1 ~~social services.~~

2 (3) Any ~~person~~**INDIVIDUAL** may report a violation of this  
3 section to the department.

4 (4) A physician or other licensed health care personnel of a  
5 hospital or other health care facility to which a patient is  
6 transferred who becomes aware of an act prohibited by this section  
7 shall report the act to the department.

8 (5) Upon receipt of a report made under this section, the  
9 department shall make an investigation. The department may require  
10 the ~~person~~**INDIVIDUAL** making the report to submit a written report  
11 or to supply additional information, or both.

12 (6) A licensee or nursing home administrator shall not evict,  
13 harass, dismiss, or retaliate against a patient, a patient's  
14 representative, or an employee who makes a report under this  
15 section.