

Legislative Analysis



NURSING HOMES: MEDICAL PROFESSIONALS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 65 (S-3) as passed by the Senate
Senate Bill 66 (S-1) as passed by the Senate
Senate Bill 67 (S-1) as passed by the Senate
Sponsor: Sen. Goeff Hansen

Analysis available at
<http://www.legislature.mi.gov>

House Committee: Health Policy
Senate Committee: Families, Seniors, and Human Services
Complete to 5-18-15

SUMMARY:

The three bills would amend various statutes to update the manner in which nursing homes give their residents services and care.

All three bills would go into effect 90 days after being enacted into law. However, Senate Bills 66 and 67 are tie-barred to Senate Bill 65, so that neither bill could go into effect unless Senate Bill 65 also were enacted.

A detailed description of each bill follows.

Senate Bill 65 (S-3) would amend the 'Facilities and Agencies' section (Article 17) of the Public Health Code (MCL 333.20109 et al) to do the following:

- Refer throughout the section to a nursing home "resident" rather than to a nursing home "patient."
- Specify that "medical treatment," a phrase within the definition of "nursing home," would include treatment by an employee or independent contractor licensed or otherwise authorized to engage in a health profession under Part 170 of the Code, entitled "Medicine," or Part 175 of the Code, entitled "Osteopathic Medicine and Surgery."
- Require a nursing home to provide a program of planned and continuing nursing care under the charge of a registered nurse and a program of planned and continuing medical treatment under the charge of physicians.
- Allow a nursing home to employ or contract with an individual licensed or otherwise authorized to engage in a health profession under Part 170 or Part 175 to provide nursing care and medical treatment.
- Authorize a nursing home to provide dental treatment under the supervision of a dentist.
- Allow a nursing home, regardless of its status as a legal entity, to employ or contract with a dentist licensed under Part 166 of the Code, entitled "Dentistry."

Senate Bill 66 (S-1) would amend the Michigan Limited Liability Company Act (MCL 450.4102) to modify the definition of the phrase "services in a learned profession."

Now under the act, the phrase means services rendered by a dentist, an osteopathic physician, a physician, a surgeon, a doctor of divinity or other clergy, or an attorney-at-law. Senate Bill 66 would retain this definition. However, the bill clarifies that the term "services in a learned profession" would *not include services provided to residents of a nursing home* by a dentist, osteopathic physician, physician, or surgeon who was an employee or independent contractor of the nursing home.

Senate Bill 67 (S-1) would amend the Business Corporation Act (MCL 450.1109) to do the same.

FISCAL IMPACT:

Senate Bills 65 through 67, as passed by the Senate, would not have a significant fiscal impact on the state or local units of government.

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