

HOUSE BILL No. 6009

November 9, 2016, Introduced by Rep. Lucido and referred to the Committee on Oversight and Ethics.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 20211a and 20211b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20211A. (1) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A
2 DATABASE OF HEALTH FACILITIES OR AGENCIES AS A CENTRAL
3 CLEARINGHOUSE FOR PERSONS SEEKING INFORMATION ON HEALTH FACILITIES
4 OR AGENCIES. SUBJECT TO SUBSECTION (2), THE DATABASE SHALL INCLUDE,
5 AT A MINIMUM, ALL OF THE FOLLOWING:

6 (A) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF EACH HEALTH
7 FACILITY OR AGENCY.

8 (B) THE DAYS AND GENERAL HOURS OF OPERATION OF EACH HEALTH
9 FACILITY OR AGENCY.

10 (C) THE LICENSE NUMBER, LICENSE EFFECTIVE DATE, AND LICENSE
11 EXPIRATION DATE OF EACH HEALTH FACILITY OR AGENCY.

1 (D) A LIST OF EACH HEALTH FACILITY'S OR AGENCY'S VIOLATIONS OF
2 THIS ARTICLE OR THE RULES PROMULGATED UNDER THIS ARTICLE.

3 (E) THE NUMBER AND NATURE OF DISCIPLINARY ACTIONS TAKEN BY THE
4 DEPARTMENT AGAINST EACH HEALTH FACILITY OR AGENCY UNDER THIS
5 ARTICLE.

6 (F) THE NUMBER, NATURE, AND RESULTS OF COMPLAINT
7 INVESTIGATIONS REGARDING EACH HEALTH FACILITY OR AGENCY CONDUCTED
8 BY THE DEPARTMENT.

9 (G) THE NUMBER, NATURE, AND RESULTS OF ABUSE, NEGLECT, AND
10 EXPLOITATION INVESTIGATIONS CONDUCTED UNDER SECTIONS 11 TO 11E OF
11 THE SOCIAL WELFARE ACT, 1939 PA 280, MCL 400.11 TO 400.11E, THAT
12 INVOLVE A PATIENT OR RESIDENT OF A HEALTH FACILITY OR AGENCY.

13 (H) BASED ON THE INFORMATION PROVIDED TO THE DEPARTMENT BY
14 MUNICIPALITIES UNDER SECTION 20211B, A LIST OF EACH HEALTH
15 FACILITY'S OR AGENCY'S VIOLATIONS OF MUNICIPAL ORDINANCES THAT
16 INVOLVE HEALTH OR SAFETY.

17 (2) THE DEPARTMENT SHALL NOT INCLUDE IN THE DATABASE
18 ESTABLISHED UNDER SUBSECTION (1) ANY INFORMATION THAT IS PROHIBITED
19 FROM BEING DISCLOSED UNDER THE LAWS OF THIS STATE OR FEDERAL LAW.

20 (3) THE DEPARTMENT SHALL MAKE THE DATABASE AVAILABLE TO THE
21 PUBLIC ON THE INTERNET, WITHOUT CHARGE, THROUGH THE DEPARTMENT'S
22 WEBSITE.

23 (4) THE DEPARTMENT SHALL INFORM THE PUBLIC, THROUGH PRESS
24 RELEASES OR OTHER MEDIA AVENUES, OF THE INFORMATION AVAILABLE IN
25 THE DATABASE ESTABLISHED UNDER SUBSECTION (1) AND HOW TO ACCESS
26 THAT DATABASE.

27 SEC. 20211B. (1) A MUNICIPALITY SHALL NOTIFY THE DEPARTMENT IF

1 A HEALTH FACILITY OR AGENCY VIOLATES AN ORDINANCE OF THE
2 MUNICIPALITY THAT INVOLVES HEALTH OR SAFETY. THE DEPARTMENT SHALL
3 USE THE INFORMATION OBTAINED IN THIS SECTION FOR THE PURPOSE OF
4 UPDATING THE DATABASE ESTABLISHED IN SECTION 20211A.

5 (2) AS USED IN THIS SECTION, "MUNICIPALITY" MEANS A COUNTY,
6 CITY, VILLAGE, OR TOWNSHIP.

7 Enacting section 1. This amendatory act takes effect 90 days
8 after the date it is enacted into law.