



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 842 (Substitute S-1 as reported)  
Sponsor: Senator Dale W. Zorn  
Committee: Health Policy

**CONTENT**

The bill would amend the Public Health Code to require a hospice or hospice residence that provided services in a patient's private home, within 90 days after the Department of Licensing and Regulatory Affairs promulgated rules, to do the following:

- Establish and implement a written controlled substance disposal policy that contained certain procedures and requirements.
- Provide to a patient or his or her family a copy of the controlled substance disposal policy, within five days after the patient was admitted to the hospice or hospice residence.
- Inform the patient or family that an employee would offer to assist with the disposal of a controlled substance.

The required procedures and requirements would have to include a procedure for offering to assist with the disposal of a controlled substance, a requirement that an employee provide a patient or family with information on locations and techniques for the safe disposal of a controlled substance, and a requirement that if an employee assisted with the disposal of a controlled substance, the disposal would be performed and witnessed in a certain manner.

The bill would require the Department to promulgate rules to implement the bill's provisions, including rules governing the safe disposal of controlled substances in a patient's private home.

MCL 333.17766 et al.

Legislative Analyst: Stephen Jackson

**FISCAL IMPACT**

The bill would have a minor fiscal impact on the Department of Licensing and Regulatory Affairs. The bill would not have an impact on local units of government.

The Department would need to create new rules or amend existing rules (most likely Hospice Licensure Rules, R 325.13101 - 325.13543) to implement the proposed controlled substances disposal policy requirements for hospices. The costs for rule promulgation are nominal, and are typically absorbed by the department responsible for the new rules. Those costs include labor, notice publication, and at least one public hearing. Additionally, as the new rules would require hospices to create and implement new procedures, there could be additional costs to the Department to determine compliance with the rules during hospice inspections or licensure application review.

Date Completed: 5-24-18

Fiscal Analyst: Michael Siracuse