

SENATE BILL No. 286

May 13, 1987, Introduced by Senator DILLINGHAM and referred to the Committee on Human Resources and Senior Citizens.

A bill to amend section 9 of Act No. 280 of the Public Acts of 1939, entitled as amended

"The social welfare act,"

as amended by Act No. 131 of the Public Acts of 1982, being section 400.9 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 9 of Act No. 280 of the Public Acts of
2 1939, as amended by Act No. 131 of the Public Acts of 1982, being
3 section 400.9 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 9. (1) Pursuant to THE ADMINISTRATIVE PROCEDURES ACT
6 OF 1969, Act No. 306 of the Public Acts of 1969, as amended,
7 being sections 24.201 to ~~24.315~~ 24.328 of the Michigan Compiled
8 Laws, the director shall promulgate rules for the conduct of
9 hearings within the state department. The rules shall provide

1 adequate procedure for a fair hearing of appeals and complaints,
2 when requested in writing by an applicant DENIED ADMITTANCE INTO
3 A NURSING HOME OR HOME FOR THE AGED PURSUANT TO THE HEALTH FACIL-
4 ITY PREADMISSION SCREENING ACT, OR AN APPLICANT for or recipient
5 of assistance or service, financed in whole or in part by federal
6 funds. Hearings shall be conducted by agents designated by the
7 director. The director may appoint a hearing authority to decide
8 these cases. The hearing authority shall be vested with the
9 powers and duties of the director to hold and decide hearings.
10 The decisions in these cases shall be binding upon each county or
11 district department of social services involved and shall be com-
12 plied with by that department. The director may also upon his or
13 her own motion, review a decision of a county or district depart-
14 ment with respect to the granting of assistance financed in whole
15 or in part by federal funds, and may consider and pass upon an
16 application for assistance which has not been acted upon by the
17 county or district department within a reasonable time.

18 (2) Irrespective of funding source, the state department may
19 be represented in any hearing held pursuant to subsection (1) by
20 a duly authorized employee or agent of the state department.

21 (3) A hearing held pursuant to this section shall be held as
22 prescribed in THE OPEN MEETINGS ACT, Act No. 267 of the Public
23 Acts of 1976, as amended, BEING SECTIONS 15.261 TO 15.275 OF THE
24 MICHIGAN COMPILED LAWS.

25 Section 2. This amendatory act shall not take effect unless
26 all of the following bills of the 84th Legislature are enacted
27 into law:

1 (a) Senate Bill No. 284

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3 (b) Senate Bill No. 285

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5 (c) Senate Bill No. 287

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