

SENATE BILL No. 826

April 27, 1988, Introduced by Senator CONROY and referred to the Committee on Human Resources and Senior Citizens.

A bill to amend Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, by adding section 21794.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 368 of the Public Acts of 1978, as
2 amended, being sections 333.1101 to 333.25211 of the Michigan
3 Compiled Laws, is amended by adding section 21794 to read as
4 follows:

5 SEC. 21794. (1) EXCEPT AS OTHERWISE PROVIDED IN
6 SUBSECTION (6), A NURSING HOME SHALL ADOPT AND IMPLEMENT A
7 SHORT-TERM TRAINING PROGRAM FOR NURSE AIDES THAT COMPLIES WITH
8 THIS SECTION AND RULES PROMULGATED PURSUANT TO THIS SECTION.

1 (2) THE TRAINING PROGRAM SHALL INCLUDE, AT A MINIMUM, THE
2 FOLLOWING:

3 (A) AN EXAMINATION OF THE PROBLEM OF ELDER ABUSE, NEGLECT,
4 AND EXPLOITATION OF THE ELDERLY.

5 (B) INSTRUCTION ON THE DEBILITATING PSYCHOLOGICAL AND PHYSI-
6 CAL EFFECTS OF AGING, ILLNESS, AND INSTITUTIONALIZATION ON THE
7 ELDERLY.

8 (C) INSTRUCTION ON STRESS MANAGEMENT, INCLUDING SPECIFIC
9 PROBLEMS ASSOCIATED WITH CARING FOR THE ELDERLY.

10 (D) PRACTICAL INSTRUCTION ON THE CARE AND MANAGEMENT OF AN
11 ELDERLY PATIENT WHO IS UNCOOPERATIVE, UNRULY, OR VIOLENT.

12 (3) A NEW EMPLOYEE IS REQUIRED TO RECEIVE 16 HOURS OF
13 INSTRUCTION TO BE COMPLETED WITHIN THE FIRST 60 DAYS OF HIS OR
14 HER EMPLOYMENT.

15 (4) A CURRENT EMPLOYEE IS REQUIRED TO RECEIVE 4 HOURS OF
16 INSTRUCTION TO BE COMPLETED WITHIN 120 DAYS OF THE EFFECTIVE DATE
17 OF THIS ACT.

18 (5) A NURSING HOME SHALL ANNUALLY PROVIDE EACH NURSE AIDE
19 WITH A 4-HOUR REFRESHER COURSE COVERING THE INFORMATION DESCRIBED
20 IN SUBSECTION (2).

21 (6) A NURSING HOME IS NOT REQUIRED TO PROVIDE THE TRAINING
22 PROGRAM DESCRIBED IN THIS SECTION TO A NURSE AIDE WHO POSSESSES A
23 CERTIFICATE FROM A COMMUNITY COLLEGE THAT HAS PROVIDED THE NURSE
24 AIDE WITH A PROGRAM OF INSTRUCTION SUBSTANTIALLY SIMILAR TO THE
25 TRAINING PROGRAM DESCRIBED IN SUBSECTION (2) AND RULES PROMUL-
26 GATED PURSUANT TO THIS SECTION.

1 (7) DURING THE ANNUAL LICENSING INSPECTION THE DEPARTMENT
2 SHALL, AND DURING OTHER INSPECTIONS THE DEPARTMENT MAY, CONDUCT
3 RANDOM COMPETENCY EXAMINATIONS TO DETERMINE WHETHER THE REQUIRE-
4 MENTS OF THIS SECTION ARE BEING MET. THE DEPARTMENT SHALL
5 PROMULGATE RULES TO ADMINISTER THIS SUBSECTION.

6 (8) FOR PURPOSES OF THIS SECTION, "NURSE AIDE" MEANS AN
7 UNLICENSED NURSING HOME EMPLOYEE WHO PROVIDES NURSING CARE TO
8 PATIENTS OR WHO, IN THE REGULAR COURSE OF HIS OR HER DUTIES,
9 ENGAGES IN PHYSICAL CONTACT WITH PATIENTS.