

HOUSE BILL No. 5153

September 24, 1991, Introduced by Reps. Bennane, DeMars, Varga, Emerson, Gubow, Palamara, Stallworth, Hunter and Wozniak and referred to the Committee on Public Health.

A bill to amend section 20171 of Act No. 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

as amended by Act No. 252 of the Public Acts of 1990, being section 333.20171 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 20171 of Act No. 368 of the Public Acts
2 of 1978, as amended by Act No. 252 of the Public Acts of 1990,
3 being section 333.20171 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 20171. (1) The department, after obtaining approval of
6 the advisory commission, shall promulgate and enforce rules to
7 implement this article, including rules necessary to enable a
8 health facility or agency to qualify for and receive federal

1 funds available for patient care or for projects involving new
2 construction, additions, modernizations, or conversions.

3 (2) The rules PROMULGATED UNDER SUBSECTION (1) THAT ARE
4 applicable to health facilities or agencies shall be uniform
5 insofar as is reasonable.

6 (3) The rules PROMULGATED UNDER SUBSECTION (1) THAT ARE
7 APPLICABLE TO HEALTH FACILITIES AND AGENCIES shall establish
8 standards relating to ALL OF THE FOLLOWING:

9 (a) Ownership.

10 (b) Reasonable disclosure of ownership interests in propri-
11 etary corporations and of financial interests of trustees of vol-
12 untary, nonprofit corporations and owners of proprietary corpora-
13 tions and partnerships.

14 (c) Organization and function of the health facility or
15 agency ~~—~~ AND OF THE owner, operator, and governing body OF THE
16 HEALTH FACILITY OR AGENCY.

17 (d) Administration.

18 (e) Professional and nonprofessional staff, services, and
19 equipment appropriate to implement section 20141(3).

20 (f) Policies and procedures.

21 (g) Fiscal and medical audit.

22 (h) Utilization and quality control review.

23 (i) Physical plant including planning, construction, func-
24 tional design, sanitation, maintenance, housekeeping, and fire
25 safety.

26 (j) Arrangements for the continuing evaluation of the
27 quality of health care provided.

1 (k) Other pertinent organizational, operational, and
2 procedural requirements for each type of health facility or
3 agency.

4 (l) THE PREVENTION AND CONTROL OF IATROGENIC ILLNESS OR
5 INFECTION. AS USED IN THIS SUBDIVISION, "IATROGENIC ILLNESS OR
6 INFECTION" MEANS AN ILLNESS OR INFECTION THAT OCCURS AS A RESULT
7 OF TREATMENT RECEIVED IN A HEALTH FACILITY OR AGENCY. THE RULES
8 PROMULGATED UNDER THIS SUBDIVISION SHALL REQUIRE EACH HEALTH
9 FACILITY OR AGENCY TO PROVIDE, AT A MINIMUM, ALL OF THE
10 FOLLOWING:

11 (i) ANNUAL TRAINING FOR STAFF IN THE IMPLEMENTATION OF PRO-
12 CEDURES REQUIRED BY THE RULES.

13 (ii) INFORMATION TO EACH PATIENT UPON ADMISSION, AND TO THE
14 DEPARTMENT AND GENERAL PUBLIC UPON REQUEST, FREE OF CHARGE, PER-
15 TAINING TO THE NUMBER OF DEATHS DUE TO OR INVOLVING IATROGENIC
16 ILLNESS OR INFECTION OCCURRING IN THE HEALTH FACILITY OR AGENCY
17 DURING THE YEAR IMMEDIATELY PRECEDING THE YEAR IN WHICH THE
18 INFORMATION IS GIVEN. THE INFORMATION SHALL BE PROVIDED ON A
19 FORM PRESCRIBED BY THE DEPARTMENT.

20 (iii) AN UPDATE AT LEAST EVERY 6 MONTHS OF THE INFORMATION
21 REQUIRED UNDER SUBPARAGRAPH (ii).

22 (4) The rules promulgated under section 21563 for the desig-
23 nation of rural community hospitals may also specify all of the
24 following:

25 (a) Maximum bed size.

26 (b) The level of services to be provided in each category as
27 described in section 21562(2).

1 (c) Requirements for transfer agreements with other
2 hospitals to assure efficient and appropriate patient care.