

Legislative Analysis



REGULATE TEMPERATURE IN NURSING HOMES

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House Bill 5537

Sponsor: Rep. Gary Woronchak

Committee: Senior Health, Security and Retirement

Complete to 6-14-04

A REVISED SUMMARY OF HOUSE BILL 5537 AS INTRODUCED 2-12-04

The bill would add a new section to the Public Health Code to require all state-licensed nursing homes to maintain a temperature of not less than 71 degrees Fahrenheit or more than 81 degrees Fahrenheit as measured three feet above the floor. This temperature would have to be maintained at all times and in all areas of a building accessible to residents, employees, and visitors. A nursing home would have to have a heating and cooling system able to comply with these requirements within six months of the bill's effective date.

A violation of the bill's provisions could be reported to the Department of Community Health by any person. Failure to comply with the bill's provisions could subject a nursing home to an administrative fine of not more than \$1,000 for each violation and an additional fine of not more than \$1,000 for each day during which the violation continues.

MCL 333.21735

FISCAL IMPACT:

House Bill 5537 will increase Medicaid expenditures as heating and cooling costs for nursing homes are allowable reimbursable variable costs through the Medicaid program. However, the amount of increase in Medicaid expenditures is unknown as per diem reimbursable rates for nursing homes are equal to 80% of variable costs for all facilities within a class. In FY 2002-03, Medicaid expenditures totaled almost \$1.1 billion for nursing homes and county medical care facilities.

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