

HOUSE BILL No. 5975

June 3, 2004, Introduced by Reps. Stakoe, Pappageorge, Ward, Taub, Shulman, DeRoche, Sheen, Garfield, Amos, Koetje and Gaffney and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 22210a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 22210a. (1) A hospital that applies to the department
2 for a certificate of need and meets all of the following criteria
3 shall be granted a certificate of need to relocate up to 200 of
4 its licensed hospital beds to another hospital site that is
5 established by the applicant, licensed under the same license,
6 and located within a 10-mile radius of the applicant and within
7 the same health service area:

8 (a) The hospital site seeking to transfer the beds and the
9 new hospital site receiving the licensed beds are located within
10 a county that has had an increase in population of 10% or more
11 within the 5 years immediately preceding the filing of the

1 application for a certificate of need under this section as
2 demonstrated by any county, state, or federal census of
3 population.

4 (b) The hospital site seeking to transfer the beds is located
5 in a city that meets each of the following criteria:

6 (i) Has a median income of not more than \$25,000.00, but is
7 not located within a rural county as defined under this part.

8 (ii) Has a population of at least 66,000.

9 (iii) Has an unemployment rate of more than 6%.

10 (c) The hospital site receiving the licensed beds operates a
11 service for treating emergency patients 24 hours a day, 7 days a
12 week, meets standards established by the medical control
13 authority protocols, and participates in the ongoing planning and
14 development activities of the local medical control authority.

15 (d) By action of its governing body, the county, township, or
16 other governmental unit in which the hospital site seeking to
17 transfer the beds is located has adopted a resolution of support
18 or submitted letters of support for the transfer of those
19 licensed beds to the new hospital site.

20 (e) The hospital site seeking to transfer the beds is a
21 teaching hospital for purposes of the federal medicare program
22 established under title XVIII of the social security act, 42 USC
23 1395 to 1395ggg, and trains at least 25 resident physicians per
24 year.

25 (2) A hospital that is granted a certificate of need under
26 subsection (1) shall comply with all of the following:

27 (a) Provide inpatient and outpatient hospital services to

1 residents of each zip code area that borders the hospital site as
2 determined by the most recently available Michigan inpatient
3 discharge database and the Michigan outpatient database.

4 (b) Operate the hospital site seeking to transfer the beds
5 and the new hospital site receiving the beds as a single facility
6 with multiple sites under 1 license.

7 (c) Continue to provide access to health care for the
8 indigent, lower income, and disadvantaged through the operation
9 of at least 100 hospital beds at the hospital site from which the
10 beds are being transferred and by providing outpatient clinical
11 services at any health clinic located within 2 miles of the
12 hospital site

13 (d) Participate in the medicaid program.

14 (e) Maintain compliance with applicable licensing and
15 certification requirements.