

HOUSE BILL No. 6365

December 2, 2004, Introduced by Reps. LaSata, Plakas and Stahl and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21513 (MCL 333.21513), as amended by 2002 PA 125.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21513. The owner, operator, and governing body of a
2 hospital licensed under this article:

3 (a) Are responsible for all phases of the operation of the
4 hospital, selection of the medical staff, and quality of care
5 rendered in the hospital.

6 (b) Shall cooperate with the department in the enforcement of
7 this part, and require that the physicians, dentists, and other
8 personnel working in the hospital who are required to be licensed
9 or registered are in fact currently licensed or registered.

10 (c) Shall assure that physicians and dentists admitted to

1 practice in the hospital are granted hospital privileges
2 consistent with their individual training, experience, and other
3 qualifications.

4 (d) Shall assure that physicians and dentists admitted to
5 practice in the hospital are organized into a medical staff to
6 enable an effective review of the professional practices in the
7 hospital for the purpose of reducing morbidity and mortality and
8 improving the care provided in the hospital for patients. The
9 review shall include the quality and necessity of the care
10 provided and the preventability of complications and deaths
11 occurring in the hospital.

12 (e) Shall not discriminate because of race, religion, color,
13 national origin, age, or sex in the operation of the hospital
14 including employment, patient admission and care, room
15 assignment, and professional or nonprofessional selection and
16 training programs, and shall not discriminate in the selection
17 and appointment of individuals to the physician staff of the
18 hospital or its training programs on the basis of licensure or
19 registration or professional education as doctors of medicine,
20 osteopathic medicine and surgery, or podiatry.

21 (f) Shall assure that the hospital adheres to medical control
22 authority protocols according to section 20918.

23 (g) Shall assure that the hospital develops and maintains a
24 plan for biohazard detection and handling.

25 (h) **Shall assure that no executive or administrative employee**
26 **of the hospital receives compensation from the hospital that**
27 **exceeds an amount equal to 1,200% of the federal poverty**

1 guidelines for household income applicable to that employee's
2 household. As used in this subdivision, "federal poverty
3 guidelines" means the poverty guidelines published annually in
4 the federal register by the United States department of health
5 and human services under its authority to revise the poverty line
6 under 42 USC 9902(2).