

# SENATE BILL No. 94

January 28, 2003, Introduced by Senator JOHNSON and referred to the Committee on Natural Resources and Environmental Affairs.

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

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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) Except as otherwise provided in this subdivision, shall**  
26 **assure that after December 31, 2005, the hospital does not use**  
27 **mercury, compounds or substances that contain mercury or have a**

1 mercury content or equipment, supplies, or products that contain  
2 mercury or have a mercury content. After December 31, 2005, if  
3 no medically acceptable, mercury-free alternative to a compound  
4 or substance or to equipment, supplies, or products used by the  
5 hospital exists, the hospital may use the compound or substance  
6 or equipment, supply, or product that contains the lowest mercury  
7 content available on the market.