

**SUBSTITUTE FOR
HOUSE BILL NO. 5173**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 20165 (MCL 333.20165), as amended by 2008 PA
39, and by adding section 21537.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 20165. (1) Except as otherwise provided in this section,
2 after notice of intent to an applicant or licensee to deny, limit,
3 suspend, or revoke the applicant's **application** or licensee's
4 license or certification and an opportunity for a hearing, the
5 department may deny, limit, suspend, or revoke the **application**,
6 license, or certification or impose an administrative fine on a
7 licensee if 1 or more of the following exist:

8 (a) Fraud or deceit in obtaining or attempting to obtain a



1 license or certification or in the operation of the licensed health
2 facility or agency.

3 (b) A violation of this article or a rule promulgated under
4 this article.

5 (c) False or misleading advertising.

6 (d) Negligence or failure to exercise due care, including
7 negligent supervision of employees and subordinates.

8 (e) Permitting a license or certificate to be used by an
9 unauthorized health facility or agency.

10 (f) Evidence of abuse regarding a patient's health, welfare,
11 or safety or the denial of a patient's rights.

12 (g) Failure to comply with section 10115.

13 (h) Failure to comply with part 222 or a term, condition, or
14 stipulation of a certificate of need issued under part 222, or
15 both.

16 (i) A violation of section 20197(1).

17 (2) The department may deny an application for a license or
18 certification based on a finding of a condition or practice that
19 would constitute a violation of this article if the applicant were
20 a licensee.

21 (3) Denial, suspension, or revocation of an individual
22 emergency medical services personnel license under part 209 is
23 governed by section 20958.

24 (4) If the department determines under subsection (1) that a
25 health facility or agency has violated section 20197(1), the
26 department shall impose an administrative fine of \$5,000,000.00 on
27 the health facility or agency.

28 **Sec. 21537. (1) If a live child born in a hospital is not**
29 **covered under a health benefit plan, the hospital shall provide to**



1 a parent or guardian of the child the informational document on the
2 insurance enrollment process developed under subsection (2).

3 (2) The department of insurance and financial services, in
4 consultation with the department of health and human services,
5 shall develop and make available to hospitals an informational
6 document on the insurance enrollment process for coverage of a
7 newborn.