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INCREASE PENALTY FOR VIOLATING NURSING HOME PATIENT'S RIGHTS

House Bill 6067

Sponsor: Rep. Gloria Schermesser

Committee: Senior Health, Security and
Retirement

Complete to 10-11-00

A SUMMARY OF HOUSE BILL 6067 AS INTRODUCED 10-3-00

Under the Public Health Code, licensed nursing homes (as well as other licensed health facilities) are required to adopt a policy describing the rights and responsibilities of patients or residents, and to treat patients or residents in accordance with the policy. These rights are enumerated in the statute, and include, in part, the right to receive appropriate care, the right to privacy, the right to inspect one's medical records, the right to refuse treatment, and so forth. The code requires the Department of Consumer and Industry Services, upon finding a violation of the requirement with regard to a particular patient, to order the nursing home to pay to the patient the sum of \$100, or to reimburse the patient for costs incurred or injuries sustained, whichever is greater (in addition to assessing the nursing home an administrative penalty). House Bill 6067 would amend this provision of the Public Health Code to increase, from \$100 to \$1,000, the sum to be paid to a patient whose rights were violated.

MCL 333.21799c

House Bill 6057 (10-11-00)

Analyst: D. Martens

#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.