

Legislative Analysis



NURSING HOME FIRE SPRINKLER SYSTEMS: REQUIRE IF STATE/FEDERAL FUNDING COMMITTED

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5993 (Substitute H-1)
Sponsor: Rep. Barb Vander Veen
Committee: Senior Health, Security, and Retirement

Complete to 5-15-06

A SUMMARY OF HOUSE BILL 5993 AS REPORTED FROM COMMITTEE ON 5-9-06

The bill would add a new section to the Public Health Code (MCL 333.1101 et al.) to provide that a nursing home could not be licensed unless it is fully sprinklered. The requirement would only apply if federal or state funding became available.

Within six months after the bill's effective date, a licensed nursing home that is not fully sprinklered would be required to submit detailed plans and specifications of the installation of a fire suppression system or the retrofitting of its current system to the state fire marshal in accordance with the Fire Prevention Code. The home would also have to provide copies of the plans and specifications to the Department of Community Health, upon request. Each nursing home would be required to have an automatic fire suppression system approved by the State Fire Marshal installed on each floor within one year after the effective date of this section.

Neither provision would apply unless the state establishes a funding mechanism or Congress enacts the Nursing Home Fire Safety Act of 2005 or similar legislation (as determined by DCH) creating a funding mechanism for fire sprinkler retrofitting in nursing homes. In addition, neither provision would apply until 90 days after the effective date of such state funding mechanism or federal legislation, or 90 days after the effective date of the bill, whichever is later.

FISCAL IMPACT:

House Bill 5993, as acted upon by the House Senior Health, Security, and Retirement Committee, does not have an immediate fiscal impact on the state and local unit of governments as the nursing home licensure requirement of a fire suppression system or retrofitting of a fire sprinkler system is contingent upon the enactment of federal legislation and a federal or state funding mechanism. If the state establishes a funding mechanism for a fire suppression system or retrofitting of a fire sprinkler system for nursing homes, it is not presently known if the funding mechanism will result in additional costs for the state. A July 2004 Government Accountability Office (GAO) report estimates that the cost of retrofitting nursing facilities with sprinkler systems averages \$7 per square foot. This cost may be higher or lower depending on factors such as abatement of asbestos. Thus, costs for retrofitting a 40,000 square foot facility can range from \$250,000 to \$350,000.

POSITIONS:

The Department of Community Health supports the bill. (5-9-06)

AARP supports the bill. (5-9-06)

Citizens for Better Care supports the bill. (5-9-06)

Elder Law of Michigan supports the bill. (5-9-06)

The Michigan Campaign for Quality Care supports the bill. (5-9-06)

The Michigan County Medical Care Facilities Council supports the bill. (5-9-06)

Legislative Analyst: E. Best
Fiscal Analyst: Margaret Alston

■ 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.