



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5744 (Substitute H-1 as passed by the House)

House Bill 5745 (Substitute H-1 as passed by the House)

Sponsor: Representative Bruce Caswell (H.B. 5744)

Representative Rick Shaffer (H.B. 5745)

House Committee: Government Operations

Senate Committee: Families and Human Services

Date Completed: 3-6-06

CONTENT

The bills would amend the Mental Health Code and the Public Health Code to specify that a rule or an exception to a rule promulgated under those Codes could not discriminate in favor of or against any provider, facility, or employer based on the presence or lack of a collective bargaining agreement with employees. Also, collective bargaining status, level of wages, or fringe benefits could not be used to demonstrate or excuse compliance with State licensing or regulatory standards or requirements.

House Bill 5744 (H-1) would amend the Mental Health Code, and House Bill 5745 (H-1) would amend the Public Health Code.

MCL 330.1114 & 330.1114a (H.B. 5744)
333.2233 (H.B. 5745)

Legislative Analyst: Curtis Walker

FISCAL IMPACT

Long-term care advocates have expressed concern that final administrative rules regulating the provision of adult foster care services would include a provision exempting facilities that have collective bargaining agreements with their employees from some administrative responsibilities. It is not known what the fiscal impact of this exemption would be on the State and local units of government. Since final administrative rules for adult foster care facilities have not, as yet, been promulgated by the State, these bills would have no fiscal impact on local and State government.

Fiscal Analyst: David Fosdick

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.