

HOUSE BILL No. 5191

July 14, 2009, Introduced by Reps. Womack, Meadows, Byrnes, Liss, Scripps, Roberts, Haase, Kennedy, Slavens, Haugh, Kandrevas, Constan, Durhal, Polidori, Terry Brown, Leland, Valentine, Segal, Spade, Miller, Geiss, Roy Schmidt, Bauer, Tlaib, Gonzales, Dean, Ebli, Gregory, Robert Jones, Donigan, Mayes, Sheltroun, McDowell, Neumann, Lahti, Lisa Brown and Jackson and referred to the Committee on Senior Health, Security, and Retirement.

A bill to amend 1978 PA 368, entitled
 "Public health code,"
 by amending section 21771 (MCL 333.21771).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 21771. (1) A licensee, nursing home administrator, or
 2 employee of a nursing home shall not physically, mentally, or
 3 emotionally abuse, mistreat, or harmfully neglect a patient.

4 (2) A nursing home employee who becomes aware of an act
 5 prohibited by this section immediately shall report the matter to
 6 the nursing home administrator or nursing director **AND TO THE**
 7 **DEPARTMENT**. A nursing home administrator or nursing director who
 8 becomes aware of an act prohibited by this section immediately
 9 shall report the matter by telephone to the department. ~~of public~~
 10 ~~health, which in turn shall notify the department of social~~

1 ~~services.~~

2 (3) Any person may report a violation of this section to the
3 department.

4 (4) A physician or other licensed health care personnel of a
5 hospital or other health care facility to which a patient is
6 transferred who becomes aware of an act prohibited by this section
7 shall report the act to the department.

8 (5) Upon receipt of a report made under this section, the
9 department shall make an investigation. The department may require
10 the person making the report to submit a written report or to
11 supply additional information, or both.

12 (6) A licensee or nursing home administrator shall not evict,
13 harass, dismiss, or retaliate against a patient, a patient's
14 representative, or an employee who makes a report under this
15 section.