

# HOUSE BILL NO. 6145

September 01, 2020, Introduced by Reps. Cynthia Johnson, Love, Cynthia Neeley, Bolden, Kuppa, Coleman, Peterson, Witwer, Pohutsky, Stone, Hood, Koleszar, Ellison, Sabo, Hertel, Sowerby, Tate, Clemente, Haadsma, Gay-Dagnogo, Yancey, Rabhi, Brenda Carter, Tyrone Carter, Garrett and Inman and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding sections 21327 and 21727.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1           **Sec. 21327. (1) Subject to applicable federal and state**
- 2 **privacy laws, a home for the aged shall provide the following**
- 3 **notices:**
- 4           **(a) If a resident is relocated within a home for the aged for**



1 any reason, the home for the aged shall provide notice to a family  
2 member of the resident or his or her legal guardian as soon as  
3 reasonably possible, but no later than 12 hours after the resident  
4 is relocated within the home for the aged.

5 (b) If a resident or an employee in a home for the aged has a  
6 confirmed case of a communicable disease, the home for the aged  
7 shall provide notice to each resident of the home for the aged and  
8 a family member of the resident or his or her legal guardian as  
9 soon as reasonably possible, but no later than 12 hours after the  
10 case of a communicable disease in the home for the aged is  
11 confirmed.

12 (2) A home for the aged shall provide the notice required  
13 under subsection (1) (b) each time a resident or employee of the  
14 home for the aged has a confirmed case of a communicable disease.

15 (3) As used in this section, "communicable disease" means that  
16 term as defined in section 5101.

17 Sec. 21727. (1) Subject to applicable federal and state  
18 privacy laws, a nursing home shall provide the following notices:

19 (a) Except as otherwise provided in subsection (3), if a  
20 resident is relocated within the nursing home for any reason, the  
21 nursing home shall provide notice to a family member of the  
22 resident or his or her legal guardian as soon as reasonably  
23 possible, but no later than 12 hours after the resident is  
24 relocated within the nursing home.

25 (b) If a resident or an employee in a nursing home has a  
26 confirmed case of a communicable disease, the nursing home shall  
27 provide notice to each resident and a family member of the resident  
28 or his or her legal guardian as soon as reasonably possible, but no  
29 later than 12 hours after the case of a communicable disease in the



1 nursing home is confirmed.

2 (2) A nursing home shall provide the notice required under  
3 subsection (1) (b) each time a resident or employee of the nursing  
4 home has a confirmed case of a communicable disease.

5 (3) If a relocation of a resident described in subsection  
6 (1) (a) is an involuntary transfer, a nursing home shall provide the  
7 30-day written notice for an involuntary transfer or discharge as  
8 required by section 21773(2). However, if a relocation of a  
9 resident described in subsection (1) (a) is an involuntary transfer  
10 subject to an exception listed under section 21773(2), a nursing  
11 home shall provide the notice as required by subsection (1) (a).

12 (4) As used in this section, "communicable disease" means that  
13 term as defined in section 5101.

