

# Legislative Analysis

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## CAREGIVER SUBSTANCE ABUSE TESTING

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**House Bill 5183**

**Sponsor: Rep. Joe Hune**

**Committee: Senior Health, Security, and Retirement**

**Complete to 9-27-05**

## A SUMMARY OF HOUSE BILL 5183 AS INTRODUCED 5-17-05

The bill would amend the Public Health Code to require a nursing home, county medical care facility, or home for the aged to provide each employee who would provide direct services to patients or residents with a written notice of its substance abuse testing policy. The written notice would have to be provided upon hiring and contain the following:

- a) The grounds on which an employee may be required to submit to a test.
- b) Consequences for refusing to submit to a test.
- c) Appeal procedures for challenging the results of the test.
- d) Notice and testing requirements.

A nursing home, county medical care facility, or home for the aged could require an employee who provides direct services to patients or residents in the facility or agency to submit to substance abuse testing as a condition of employment if the facility has probable cause to suspect the employee of substance abuse.

A health care agency that requires an employee to submit to a test under the act would be required to pay all costs involved in the substance abuse test.

MCL 333.1101

## FISCAL IMPACT:

The proposed legislation has no fiscal impact on the state or local units of government.

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