

HOUSE BILL No. 5273

January 24, 2012, Introduced by Reps. Hovey-Wright, Lindberg, Slavens, Howze, Bauer, Nathan, Stallworth, Barnett, Womack, Durhal, Cavanagh, Ananich, Dillon, Stanley, Rutledge, Talabi, Santana, Roy Schmidt, Tlaib, Hughes, Daley, Lane, Olumba, Lipton, Geiss, Stapleton, Meadows, Kurtz, Irwin, Denby, Huuki, Muxlow, Goike, Rendon, Darany, Segal, Wayne Schmidt, Pscholka, Townsend and Brown and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 20135.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20135. (1) BEGINNING JUNE 1, 2012, A DIALYSIS CENTER
2 OPERATING IN THIS STATE SHALL HAVE A BACKUP EMERGENCY GENERATOR
3 WITH SUFFICIENT CAPACITY TO PROVIDE ELECTRICITY NECESSARY TO
4 SUSTAIN DIALYSIS TREATMENTS WHILE ALSO MAINTAINING WATER PRESSURE
5 LEVELS REQUIRED TO OPERATE ITS DIALYSIS TREATMENT SYSTEM. A
6 DIALYSIS CENTER SHALL MAINTAIN ENOUGH FUEL ON THE PREMISES TO
7 MAINTAIN THE OPERATION OF THE BACKUP EMERGENCY GENERATOR FOR AT
8 LEAST 48 HOURS. A DIALYSIS CENTER SHALL TEST ITS BACKUP EMERGENCY
9 GENERATOR BY MAKING IT OPERATIONAL FOR AT LEAST 1/2 HOUR EVERY
10 MONTH.

11 (2) THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS SHALL

1 DEVELOP GUIDELINES FOR DIALYSIS CENTERS TO FOLLOW REGARDING THE
2 INSTALLATION, CAPACITY, TESTING, AND USE OF BACKUP EMERGENCY
3 GENERATORS REQUIRED UNDER THIS SECTION. THE DEPARTMENT OF LICENSING
4 AND REGULATORY AFFAIRS MAY PROMULGATE RULES FOR DIALYSIS CENTERS TO
5 FOLLOW REGARDING THE INSTALLATION, CAPACITY, TESTING, AND USE OF
6 BACKUP EMERGENCY GENERATORS REQUIRED UNDER THIS SECTION.

7 (3) ON OR BEFORE JANUARY 1, 2013, THE DEPARTMENT OF LICENSING
8 AND REGULATORY AFFAIRS SHALL SUBMIT A REPORT TO THE LEGISLATURE
9 IDENTIFYING EACH DIALYSIS CENTER OPERATING IN THIS STATE AND THE
10 LEVEL OF COMPLIANCE BY THOSE CENTERS WITH THIS SECTION.

11 (4) AS USED IN THIS SECTION:

12 (A) "DIALYSIS" MEANS A PROCESS BY WHICH DISSOLVED SUBSTANCES
13 ARE REMOVED FROM A PATIENT'S BODY BY DIFFUSION FROM 1 FLUID
14 COMPARTMENT TO ANOTHER ACROSS A SEMIPERMEABLE MEMBRANE. DIALYSIS
15 INCLUDES HEMODIALYSIS AND PERITONEAL DIALYSIS.

16 (B) "DIALYSIS CENTER" MEANS A NONHOSPITAL OUTPATIENT DIALYSIS
17 UNIT THAT PROVIDES DIALYSIS TREATMENT ON AN OUTPATIENT BASIS OR
18 TRAINING FOR HOME DIALYSIS.

19 (C) "DIALYSIS TREATMENT" MEANS EITHER OF THE FOLLOWING:

20 (i) CHRONIC DIALYSIS GIVEN TO END-STAGE RENAL DISEASE PATIENTS.

21 (ii) ACUTE DIALYSIS GIVEN TO PATIENTS WHO REQUIRE DIALYSIS
22 BECAUSE OF TEMPORARY KIDNEY FAILURE.

23 (D) "END-STAGE RENAL DISEASE" MEANS THAT STATE OF RENAL
24 IMPAIRMENT THAT APPEARS IRREVERSIBLE AND PERMANENT AND REQUIRES A
25 REGULAR COURSE OF DIALYSIS OR KIDNEY TRANSPLANTATION TO MAINTAIN
26 LIFE.