

# HOUSE BILL No. 5030

September 27, 2017, Introduced by Reps. Liberati, Green, Schor, Bizon, Peterson, Yanez, Brann, Sowerby, Hughes, Lucido, Pagan, Maturen, Wittenberg, Ellison, Noble, Chang, Yaroch, Farrington, Lasinski, Geiss, Camilleri and Jones and referred to the Committee on Law and Justice.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17309 and 17313 (MCL 333.17309 and 333.17313), as added by 2001 PA 139, and by adding section 17312.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 17309. (1) The department shall issue a ~~license~~  
2 **CERTIFICATE OF LICENSURE** as a nursing home administrator to a  
3 ~~person~~**AN INDIVIDUAL** who fulfills the requirements of this section  
4 or section 17315.

5           (2) An applicant for licensure as a nursing home administrator  
6 shall have satisfactorily completed a course of instruction and  
7 training approved by the department, which course shall be designed

1 as to content and be administered as to present sufficient  
2 knowledge of **ALL OF** the following:

3 (a) The needs properly to be served by a nursing home.

4 (b) The laws governing the operation of a nursing home and the  
5 protection of the interests of a patient in a nursing home.

6 (c) The elements of good nursing home administration.

7 (3) An applicant for licensure as a nursing home administrator  
8 shall present evidence satisfactory to the department of sufficient  
9 education and training in the fields of study described in  
10 subsection (2) or shall have been employed as a chief executive or  
11 administrative officer at a hospital licensed under article 17 for  
12 not less than 5 of the 7 years immediately preceding the date of  
13 application for a license under this part.

14 (4) Subject to section 16178, an applicant for licensure as a  
15 nursing home administrator shall also present evidence acceptable  
16 to the department of having passed an examination acceptable to the  
17 board and the department. The examination shall be designed to test  
18 for competence in the fields of study described in subsection (2).

19 (5) An applicant for licensure as a nursing home administrator  
20 shall be of good moral character and meet any additional  
21 qualifications as may be required by rule of the department and  
22 board, **INCLUDING, BUT NOT LIMITED TO, THE TRAINING REQUIRED UNDER**  
23 **SECTION 17312.**

24 **SEC. 17312. (1) THE DEPARTMENT, IN CONSULTATION WITH THE**  
25 **BOARD, SHALL PROMULGATE RULES REQUIRING AN APPLICANT FOR INITIAL**  
26 **LICENSURE OR FOR LICENSE RENEWAL TO COMPLETE TRAINING ON**  
27 **IDENTIFYING A PATIENT OF A NURSING HOME WHO IS AN ADULT IN NEED OF**

1 PROTECTIVE SERVICES. THE TRAINING DESCRIBED IN THIS SECTION APPLIES  
2 TO A LICENSE RENEWAL BEGINNING WITH THE FIRST RENEWAL CYCLE AFTER  
3 THE RULES ARE PROMULGATED AND FOR AN INITIAL LICENSE GRANTED 5 OR  
4 MORE YEARS AFTER THE RULES ARE PROMULGATED.

5 (2) AS USED IN THIS SECTION, "ADULT IN NEED OF PROTECTIVE  
6 SERVICES" MEANS THAT TERM AS DEFINED IN SECTION 11 OF THE SOCIAL  
7 WELFARE ACT, 1939 PA 280, MCL 400.11.

8 Sec. 17313. (1) Subject to sections 16201 and 16204, the  
9 department shall not issue a renewal license unless the licensee  
10 presents satisfactory evidence to the department that the licensee  
11 has participated in continuing education courses of not less than  
12 18 clock hours' duration approved by the board and department, for  
13 each year subsequent to the expiration of the individual's last  
14 license.

15 (2) The continuing education courses required under subsection  
16 (1) shall contain subjects related to the practice of nursing home  
17 administration acceptable to the board and the department **AND SHALL**  
18 **INCLUDE THE TRAINING REQUIRED UNDER SECTION 17312.**

19 Enacting section 1. This amendatory act takes effect 90 days  
20 after the date it is enacted into law.