

Legislative Analysis



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House Bills 5659 and 5660 as introduced

Sponsor: Rep. Jeff Yarock

Committee: Oversight

Complete to 1-27-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bills 5659 and 5660 would each amend a different act to require the Department of Licensing and Regulatory Affairs (LARA) to submit biannual reports containing inspector feedback and input from inspectors within the Bureau of Community and Health Systems regarding the adequacy of federal and state guidelines pertaining to entities regulated by the bureau. The reports would have to be submitted to the appropriation subcommittees for LARA, the House and Senate Fiscal Agencies, and the state budget director.

House Bill 5659 would add the above requirement to Article 17 (Facilities and Agencies) of the Public Health Code. The term “entity” or “entities” is not defined in the code, so it is unclear as to which regulated bodies contained in Article 17 would be subject to the bill’s requirements. As the Bureau of Community and Health Systems is currently structured, it would appear that “entities” would include nursing homes and homes for the aged. Less clear is whether the term “entities” would encompass other facilities included in the definition of “health care facility or agency” under Article 17. Listed facilities include a county medical care facility, a hospital, a freestanding surgical outpatient facility, a hospice or hospice residence, and any of these that are located in a university, college, or other educational institution.

Proposed MCL 333.20158

House Bill 5660 would add the above requirement to the Adult Foster Care Facility Licensing Act to apply the requirements to adult foster care facilities.

In addition, the act now requires an adult foster care facility to be inspected for fire safety. The Bureau of Fire Services must inspect or have inspected for fire safety a facility licensed or proposed to be licensed for more than six adults. The act allows the bureau to contract with the fire marshal of a city that has a population of at least 600,000 to inspect adult foster care facilities located in that city. The bill would provide that this population threshold is based on the 2010 federal decennial census.

MCL 400.711

FISCAL IMPACT:

House Bills 5659 and 5660 would not have an appreciable fiscal impact on any unit of state or local government. The Department of Licensing and Regulatory Affairs would be

required to submit additional reports under the bills, but any costs associated with this activity would likely be sufficiently absorbed by existing departmental appropriations and resources.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.