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BILL ANALYSIS



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Senate Bill 1160 (as enacted)
Sponsor: Senator Rick Outman
Senate Committee: Health Policy and Human Services
House Committee: Government Operations

PUBLIC ACT 333 of 2020

Date Completed: 8-16-21

CONTENT

The bill amended the Public Health Code to modify provisions pertaining to a certificate of need for an extended care services program.

The Code specifies that a hospital that applies to the Department of Health and Human Services (DHHS) for a certificate of need and meets certain criteria must be granted a certificate of need for an extended care services program with up to 10 licensed hospital beds. "Extended care services program" means a program by a hospital to provide extended care services to a patient through the use of swing beds under 42 USC 1395tt, which governs hospitals providers of extended care services.

Previously, among the required criteria was that the hospital had to provide satisfactory evidence to the DHHS that it had had difficulty in placing patients in skilled nursing home beds during the 12 months immediately preceding the date of application. The bill deleted this requirement.

The Code requires a hospital that is granted a certificate of need for an extended care services program to comply with certain requirements.

Formerly, those requirements included that it provide data to the DHHS considered necessary by the Department to evaluate the extended care services program, including the total number of patients admitted to the hospital's extended care services program during the period specified by the Department, the total number of extended care services patient days for the period specified by the Department, and information identifying the type of care to which patients in the extended care services program were released. The bill deleted this requirement.

Under the bill, beginning January 1, 2021, a hospital that is granted a certificate of need for an extended care services program must submit to the DHHS a report in a form and manner prescribed by the Department that includes all of the following information:

- The total number of patients admitted to the hospital's extended care services program during the period specified by the Department.
- The total number of extended care services patient days for the period specified by the Department.
- Information identifying the type of care to which patients in the extended care services program are released.

- Any other information considered necessary to the Department to evaluate the extended care services program.

The bill took effect on December 29, 2020.

MCL 333.22210

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill removed one criterion for a certificate of need for extended care beds. While this may lead to more of these beds being allowed through the certificate of need process, any fiscal impact will be minor. The bill also will require hospitals to file a report with the DHHS; this provision will have no fiscal impact.

Fiscal Analyst: Steve Angelotti

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.