

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5523**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2022, from the following funds:

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 1,216,425,200
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1	Interdepartmental grant revenues:		
2	Total interdepartmental grants and		
3	intradepartmental transfers		0
4	ADJUSTED GROSS APPROPRIATION	\$	1,216,425,200
5	Federal revenues:		
6	Total federal revenues		1,216,425,200
7	Special revenue funds:		
8	Total local revenues		0
9	Total private revenues		0
10	Total other state restricted revenues		0
11	State general fund/general purpose	\$	0
12	Sec. 102. CAPITAL OUTLAY		
13	(1) APPROPRIATION SUMMARY		
14	GROSS APPROPRIATION	\$	10,000,000
15	Interdepartmental grant revenues:		0
16	Total interdepartmental grants and		
17	intradepartmental transfers		0
18	ADJUSTED GROSS APPROPRIATION	\$	10,000,000
19	Federal revenues:		
20	Total federal revenues		10,000,000
21	Special revenue funds:		
22	Total local revenues		0
23	Total private revenues		0
24	Total other state restricted revenues		0
25	State general fund/general purpose	\$	0
26	(2) STATE AGENCY PLANNING AUTHORIZATION		



1	New comprehensive state public health and		
2	environmental science laboratory (total		
3	authorized cost \$10,000,000; coronavirus state		
4	fiscal recovery fund \$10,000,000; state		
5	general fund general purpose \$0)	\$	10,000,000
6	GROSS APPROPRIATION	\$	10,000,000
7	Appropriated from:		
8	Federal revenues:		
9	Coronavirus state fiscal recovery fund		10,000,000
10	State general fund/general purpose	\$	0
11	Sec. 103. DEPARTMENT OF EDUCATION		
12	(1) APPROPRIATION SUMMARY		
13	GROSS APPROPRIATION	\$	250,000
14	Interdepartmental grant revenues:		0
15	Total interdepartmental grants and		
16	intradepartmental transfers		0
17	ADJUSTED GROSS APPROPRIATION	\$	250,000
18	Federal revenues:		
19	Total federal revenues		250,000
20	Special revenue funds:		
21	Total local revenues		0
22	Total private revenues		0
23	Total other state restricted revenues		0
24	State general fund/general purpose	\$	0
25	(2) ONE-TIME APPROPRIATIONS		
26	ARP - work-based learning health services		
27	academies	\$	250,000
28	GROSS APPROPRIATION	\$	250,000



1	Appropriated from:	
2	Federal revenues:	
3	Coronavirus state fiscal recovery fund	250,000
4	State general fund/general purpose	\$ 0
5	Sec. 104. DEPARTMENT OF HEALTH AND HUMAN	
6	SERVICES	
7	(1) APPROPRIATION SUMMARY	
8	GROSS APPROPRIATION	\$ 1,206,175,200
9	Interdepartmental grant revenues:	
10	Total interdepartmental grants and	
11	intradepartmental transfers	0
12	ADJUSTED GROSS APPROPRIATION	\$ 1,206,175,200
13	Federal revenues:	
14	Total federal revenues	1,206,175,200
15	Special revenue funds:	
16	Total local revenues	0
17	Total private revenues	0
18	Total other state restricted revenues	0
19	State general fund/general purpose	\$ 0
20	(2) ONE-TIME APPROPRIATIONS	
21	ARP - adult foster care and homes for the aged	
22	COVID-19 relief	\$ 70,000,000
23	ARP - child welfare mitigation payments	19,000,000
24	ARP - cooperative agreement for emergency	
25	response	29,704,700
26	FEMA - COVID-19 early treatment and testing	
27	sites	75,000,000
28	FEMA - COVID-19 early treatments procurements	25,000,000



1	ARP - epidemiology and lab capacity enhancing	
2	detection expansion	367,327,300
3	ARP - epidemiology and lab capacity school	
4	safety	150,799,300
5	ARP - health care recruitment, retention, and	
6	training	300,000,000
7	ARP - homeless shelter repair grants	10,000,000
8	ARP - vaccine support	54,143,900
9	ARP - supplemental payments to private child	
10	caring institutions	8,200,000
11	ARP - health units	4,000,000
12	ARP - Morris Hood kidney foundation	14,000,000
13	ARP - nursing facility room conversion pilot	
14	project	10,000,000
15	ARP - nursing home infection control grants	29,000,000
16	ARP - nursing home respirators	5,000,000
17	ARP - respite services home and community-based	
18	services waiver	20,000,000
19	ARP - hospital airborne pathogen control	
20	program	10,000,000
21	MI Choice waiver program presumptive	
22	eligibility risk pool	5,000,000
23	GROSS APPROPRIATION	\$ 1,206,175,200
24	Appropriated from:	
25	Federal revenues:	
26	Coronavirus state fiscal recovery fund	499,200,000
27	Total other federal revenue	706,975,200
28	State general fund/general purpose	\$ 0
29		



PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

1 Sec. 201. Pursuant to section 30 of article IX of the state
2 constitution of 1963, total state spending from state sources under
3 part 1 for the fiscal year ending September 30, 2022 is \$0.00 and
4 total state spending from state sources to be paid to local units
5 of government is \$0.00.

6 Sec. 202. The appropriations made and expenditures authorized
7 under this part and part 1 and the departments, commissions,
8 boards, offices, and programs for which appropriations are made
9 under this part and part 1 are subject to the management and budget
10 act, 1984 PA 431, MCL 18.1101 to 18.1594.

11 Sec. 203. If the state administrative board, acting under
12 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
13 appropriated under this act, the legislature may, by a concurrent
14 resolution adopted by a majority of the members elected to and
15 serving in each house, inter-transfer funds within this act for the
16 particular department, board, commission, office, or institution.

17 Sec. 204. Funds appropriated in part 1 are subject to
18 applicable federal audit and reporting requirements. Prompt action
19 shall be taken if instances of noncompliance are identified,
20 including noncompliance identified in an audit finding. If any
21 instance of noncompliance is identified, including noncompliance
22 identified in an audit finding, the state budget director shall
23 take necessary and immediate action to rectify it. The state budget
24 director shall notify the senate and house appropriations
25 committees and the senate and house fiscal agencies when an
26 instance of noncompliance is identified.



1 Sec. 205. Funds appropriated in part 1 from the federal
2 American rescue plan act of 2021, Public Law 117-2, must be
3 allocated and expended in a manner consistent with federal rules
4 and regulations.

5 Sec. 206. The state budget director shall report on the status
6 of funds appropriated in part 1, and all funds appropriated related
7 to the coronavirus relief effort, to the senate and house
8 appropriations committees and the senate and house fiscal agencies
9 on a monthly basis until all funds are exhausted.

10

11 **CAPITAL OUTLAY**

12 Sec. 226. (1) The funds appropriated in part 1 for the new
13 comprehensive state public health and environmental science
14 laboratory shall be used for the planning and design of a
15 consolidated, comprehensive, state-of-the-art laboratory to improve
16 laboratory capacity for public health and safety.

17 (2) The department shall submit all of the following to the
18 house and senate appropriations committees and the joint capital
19 outlay subcommittee:

20 (a) Program statements and schematic planning documents,
21 including a comparative assessment of building new laboratories,
22 expanding existing laboratories, renovating existing laboratories,
23 or repurposing another state-owned building.

24 (b) A summary of bid results.

25 (c) A progress report no later than June 1, 2022 and every 6
26 months thereafter.

27

28 **DEPARTMENT OF EDUCATION**

29 Sec. 251. (1) From the funds appropriated in part 1 for ARP -



1 work-based learning health services academies, the department of
2 education shall allocate \$250,000.00 as competitive grants to
3 school districts and intermediate school districts that provide
4 pupils in grades 9 through 12 with expanded opportunities for work-
5 based learning health services academies hosted in partnership with
6 NAF. Programs funded under this subsection are intended to increase
7 the number of pupils who are college- and career-ready after high
8 school graduation.

9 (2) To be eligible for a competitive grant funded under this
10 section, the school district or intermediate school district must
11 demonstrate that it has established a partnership with NAF, has at
12 least 1 business entity on its advisory council, and has a higher
13 education institution or technical school on its advisory council,
14 and submit a spending plan.

15 (3) The department of education shall prioritize competitive
16 grant awards under this section that target critical-need
17 occupations.

18 (4) The department of education may award planning grants not
19 to exceed \$12,000.00 and expense grants for NAF partnerships not to
20 exceed \$3,500.00 a year.

21 (5) The unexpended funds appropriated in part 1 for ARP -
22 work-based learning health services academies are designated as a
23 work project appropriation, and any unencumbered or unallotted
24 funds shall not lapse at the end of the fiscal year and shall be
25 available for expenditures for projects under this section until
26 the projects have been completed. The following is in compliance
27 with section 451a of the management and budget act, 1984 PA 431,
28 MCL 18.1451a:

29 (a) The purpose of the project is to support work-based



1 learning health services academies in partnership with NAF.

2 (b) The project will be accomplished by utilizing competitive
3 grants.

4 (c) The total estimated cost of the project is \$250,000.00.

5 (d) The tentative completion date is September 30, 2023.
6

7 **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

8 Sec. 301. (1) The funds appropriated in part 1 for ARP -
9 cooperative agreement for emergency response must be allocated by
10 the department to local and tribal public health departments,
11 school districts, public school academies, intermediate school
12 districts, and nonpublic schools.

13 (2) Of the funds appropriated in part 1, no less than
14 \$14,900,000.000 shall be appropriated to school districts, public
15 school academies, intermediate school districts, and nonpublic
16 schools to administer and support coronavirus testing of staff and
17 students, including, but not limited to, teachers, counselors,
18 administrators, support staff, aides, bus drivers, coaches,
19 cafeteria staff, custodians, students playing contact sports, and
20 other students as determined by the eligible school district,
21 public school academy, intermediate school district, or nonpublic
22 school.

23 (3) The department shall not allocate funds in this section to
24 local public health departments for which a county board of
25 commissioners has passed a resolution rejecting these funds, if the
26 rejection of these funds has occurred within 30 days of the
27 effective date of this act.

28 (4) The unexpended funds appropriated in part 1 for ARP -
29 cooperative agreement for emergency response are designated as a



1 work project appropriation, and any unencumbered or unallotted
 2 funds shall not lapse at the end of the fiscal year and shall be
 3 available for expenditures for projects under this section until
 4 the projects have been completed. The following is in compliance
 5 with section 451a of the management and budget act, 1984 PA 431,
 6 MCL 18.1451a:

7 (a) The purpose of the project is to conduct activities
 8 necessary to support the efforts of schools and local and tribal
 9 public health officials with respect to coronavirus testing,
 10 contact tracing, vaccine distribution efforts, and the
 11 administration of COVID-19 mitigation efforts.

12 (b) The project will be accomplished by utilizing state
 13 employees or contracts.

14 (c) The total estimated cost of the project is \$29,704,700.

15 (d) The tentative completion date is September 30, 2026.

16 Sec. 302. (1) From the funds appropriated in part 1 for FEMA -
 17 COVID-19 early treatment and testing sites, the department of
 18 health and human services shall allocate \$75,000,000.00 to
 19 establish not less than 1 COVID-19 early treatment and testing site
 20 within each of this state's 8 emergency preparedness regions.

21 (2) An eligible COVID-19 early treatment and testing site may
 22 be a local department of health and human services office, a local
 23 public health department office, or a local health care provider.

24 (3) Not less than \$10,000,000.00 of the funds appropriated
 25 pursuant to this section must be allocated to local health care
 26 providers.

27 (4) An eligible COVID-19 early treatment and testing site must
 28 do all of the following:

29 (a) Maximize the number of COVID-19 therapeutic treatments



1 that can be administered and minimize the time period between known
2 infection and actual administering of the treatment.

3 (b) Utilize eligibility and prioritization criteria for COVID-
4 19 therapeutic treatments that are not more stringent than federal
5 eligibility and prioritization criteria for COVID-19 therapeutic
6 treatments.

7 (c) Prioritize COVID-19 therapeutic treatments for high-risk
8 individuals.

9 (d) Not use an individual's vaccination status as a factor for
10 denying eligibility for COVID-19 therapeutic treatments.

11 (e) Demonstrate the ability to bill public and private
12 insurance for the cost to administer COVID-19 therapeutic
13 treatments.

14 (f) Provide COVID-19 therapeutic treatments at no cost to the
15 individual.

16 (g) Follow informed consent requirements prior to
17 administering a COVID-19 therapeutic treatment, as established by
18 the United States Food and Drug Administration, or described by the
19 emergency use authorization, or both, including providing all of
20 the following:

21 (i) Information on alternatives to receiving a COVID-19
22 therapeutic treatment.

23 (ii) Information on whether the COVID-19 therapeutic treatment
24 has received full or emergency use authorization from the United
25 States Food and Drug Administration.

26 (iii) Information on and in what manner the development of the
27 COVID-19 therapeutic treatment utilized aborted fetal tissue or
28 human embryonic stem cell derivation lines.

29 (iv) Age-appropriate communications.



1 (5) An eligible COVID-19 early treatment and testing site may
2 use funds allocated in this section for facility upgrade and
3 conversion costs, lease and rent costs, staffing costs, personal
4 protection equipment costs, and any other costs associated with
5 providing a COVID-19 therapeutic treatment that is not covered by
6 public or private insurance of the individual that receives the
7 COVID-19 therapeutic treatment.

8 (6) The department of health and human services may set aside
9 not more than 10% of the funds allocated in this section to
10 reimburse eligible COVID-19 treatment sites for the cost of
11 administering COVID-19 therapeutic treatments to individuals
12 without public or private health insurance.

13 (7) As other early treatments for COVID-19 are authorized by
14 the United States Food and Drug Administration, eligible COVID-19
15 early treatment and testing sites may also administer those early
16 treatments, provided that the eligible COVID-19 early treatment and
17 testing sites continue to follow the requirements of this section.

18 (8) As other early treatments for COVID-19 are authorized by
19 the United States Food and Drug Administration, the department of
20 health and human services may utilize the funds set aside in
21 subsection (6) to reimburse eligible COVID-19 early treatment and
22 testing sites for the cost of administering those treatments to
23 individuals without public or private health insurance.

24 (9) As used in this section:

25 (a) "Local health care provider" includes, but is not limited
26 to, a hospital, physician's office, pharmacy, infusion center,
27 blood or plasma donation center, nursing facility, adult day care
28 facility, and program of all-inclusive care for the elderly
29 location.



1 (b) "High-risk individuals" means individuals at higher risk
2 for progression to severe COVID-19, including, but not limited to,
3 individuals classified as higher risk based on definitions and
4 findings from the federal Centers for Disease Control and
5 Prevention.

6 (10) In addition to the funds appropriated in part 1, there is
7 appropriated an amount not to exceed \$75,000,000.00 in American
8 Rescue Plan Act - Coronavirus State Fiscal Recovery Funds for
9 COVID-19 early treatment and testing sites to be used for projects
10 under this section, subject to both of the following:

11 (a) The amount appropriated under this subsection must not be
12 spent or otherwise distributed after the Federal Emergency
13 Management Agency approves a project for COVID-19 early treatment
14 and testing sites.

15 (b) Money appropriated under this subsection that is spent or
16 otherwise distributed before the Federal Emergency Management
17 Agency approves a project for COVID-19 early treatment and testing
18 sites must be offset with Federal Emergency Management Agency funds
19 if received during the fiscal year ending September 30, 2022.

20 Sec. 303. (1) From the funds appropriated in part 1 for FEMA -
21 COVID-19 early treatments procurements, the department of health
22 and human services shall allocate \$25,000,000.00 to purchase
23 additional COVID-19 therapeutic treatments in addition to the
24 supply of federally allocated COVID-19 therapeutic treatments. The
25 department of health and human services shall distribute the
26 additional COVID-19 therapeutic treatments to eligible COVID-19
27 early treatment and testing sites funded in this part and part 1
28 based on need and utilization.

29 (2) In addition to the funds appropriated under part 1, there



1 is appropriated an amount not to exceed \$25,000,000.00 in American
2 Rescue Plan Act - Coronavirus State Fiscal Recovery Funds for
3 COVID-19 early treatments procurements for projects under this
4 section, subject to both of the following:

5 (a) The amount appropriated under this subsection must not be
6 spent or otherwise distributed after the Federal Emergency
7 Management Agency approves a project for COVID-19 early treatments
8 procurements.

9 (b) Money appropriated under this subsection that is spent or
10 otherwise distributed before the Federal Emergency Management
11 Agency approves a project for COVID-19 early treatments
12 procurements must be offset with Federal Emergency Management
13 Agency funds if received during the fiscal year ending September
14 30, 2022.

15 Sec. 304. (1) Funds appropriated in part 1 for ARP -
16 epidemiology and lab capacity enhancing detection expansion must be
17 allocated and expended in a manner consistent with federal rules
18 and regulations.

19 (2) From the funds appropriated in part 1 for ARP -
20 epidemiology and lab capacity enhancing detection expansion, there
21 is allocated an amount not to exceed \$75,000,000.00 for COVID-19
22 early treatment and testing sites for unreimbursed costs from the
23 Federal Emergency Management Agency subject to both of the
24 following:

25 (a) The amount allocated under this subsection must not be
26 spent or otherwise distributed after the Federal Emergency
27 Management Agency approves a project for COVID-19 early treatment
28 and testing sites.

29 (b) Money allocated under this subsection that is spent or



1 otherwise distributed before the Federal Emergency Management
2 Agency approves a project for COVID-19 early treatment and testing
3 sites must be offset with Federal Emergency Management Agency funds
4 if received during the fiscal year ending September 30, 2022.

5 (3) The unexpended funds appropriated in part 1 for ARP -
6 epidemiology and lab capacity enhancing detection expansion are
7 designated as a work project appropriation, and any unencumbered or
8 unallotted funds shall not lapse at the end of the fiscal year and
9 shall be available for expenditures for projects under this section
10 until the projects have been completed. The following is in
11 compliance with section 451a of the management and budget act, 1984
12 PA 431, MCL 18.1451a:

13 (a) The purpose of the project is to continue to monitor,
14 respond to, and prevent COVID-19 by expanding testing, contact
15 tracing, disease investigations and surveillance activities.

16 (b) The project will be accomplished by utilizing state
17 employees or contracts.

18 (c) The total estimated cost of the project is
19 \$367,327,300.00.

20 (d) The tentative completion date is September 30, 2026.

21 Sec. 305. (1) From the funds appropriated in part 1 for ARP -
22 epidemiology and lab capacity school safety, the department of
23 health and human services shall purchase and maintain an inventory
24 of coronavirus testing and contact tracing supplies and equipment,
25 including home test kits, to distribute to school districts, public
26 school academies, intermediate school districts, and nonpublic
27 schools. The coronavirus testing and contact tracing supplies and
28 equipment, including home test kits, shall be used for coronavirus
29 testing and contact tracing staff and students including, but not



1 limited to, teachers, counselors, administrators, support staff,
2 aides, bus drivers, coaches, cafeteria staff, custodians, students
3 playing contact sports, and other students as determined by the
4 eligible school district, public school academy, intermediate
5 school district, or nonpublic school, regardless of the
6 individual's vaccination status.

7 (2) Within 15 calendar days of the effective date of this act,
8 the department of health and human services shall notify school
9 districts, public school academies, intermediate school districts,
10 and nonpublic schools of the option to not participate in the
11 direct distribution of coronavirus testing and contact tracing
12 supplies and equipment, including home test kits, the method by
13 which the school district, public school academy, intermediate
14 school district, or nonpublic school can opt out, and the maximum
15 amount of direct financial reimbursement that each school district,
16 public school academy, intermediate school district, or nonpublic
17 school could receive based on an equitable head count distribution.
18 If a school district, public school academy, intermediate school
19 district, or nonpublic school notifies the department of health and
20 human services and the Michigan Association of Intermediate School
21 Administrators not more than 10 business days after receiving the
22 required notification in this subsection from the department of
23 health and human services that it does not wish to participate in
24 the direct distribution of coronavirus testing and contact tracing
25 supplies and equipment, including home test kits, that school
26 district, public school academy, intermediate school district, or
27 nonpublic school may request to receive direct financial
28 reimbursement from the department of health and human services for
29 coronavirus testing and contact tracing supplies and equipment,



1 including home test kits, purchased directly by that school
2 district, public school academy, intermediate school district, or
3 nonpublic school. A school district, public school academy,
4 intermediate school district, or nonpublic school that opts out as
5 described in this subsection may purchase coronavirus testing and
6 contact tracing supplies and equipment, including home test kits,
7 either directly from the department of health and human services or
8 from another source. The department of health and human services
9 must provide direct financial reimbursement within 30 days of
10 receipt of the request.

11 (3) The department of health and human services must maintain
12 a publicly accessible online list of acceptable coronavirus testing
13 and contact tracing supplies and equipment, including home test
14 kits, that could be purchased with the funds appropriated in this
15 section.

16 (4) No state or local government entity shall confiscate or
17 redistribute coronavirus testing and contact tracing supplies and
18 equipment, including home test kits, from an eligible school
19 district, public school academy, intermediate school district, or
20 nonpublic school without first receiving the consent of that
21 eligible school district, public school academy, intermediate
22 school district, or nonpublic school.

23 (5) The department of health and human services shall
24 collaborate with the Michigan Association of Intermediate School
25 Administrators to establish procedures for the as-needed
26 redistribution of coronavirus testing and contract tracing supplies
27 and equipment, including home kits, from school districts, public
28 school academies, intermediate school districts, and nonpublic
29 schools. The Michigan Association of Intermediate School



1 Administrators shall coordinate the redistribution of coronavirus
2 testing and contact tracing supplies and equipment, including home
3 kits, based on need and after receiving the consent of that school
4 district, public school academy, intermediate school district, or
5 nonpublic school. Not more than 1% of the funds appropriated in
6 part 1 for ARP - epidemiology and lab capacity school safety, or an
7 amount equal to actual costs incurred, whichever is less, may be
8 used by the Michigan Association of Intermediate School
9 Administrators for administrative and logistical costs related to
10 this subsection.

11 (6) Subsections (4) and (5) do not prohibit an eligible school
12 district, public school academy, intermediate school district, or
13 nonpublic school from voluntarily sending coronavirus testing and
14 contact tracing supplies and equipment, including home test kits,
15 in its possession to another eligible school district, public
16 school academy, intermediate school district, or nonpublic school
17 that is in need of additional coronavirus testing and contact
18 tracing supplies and equipment, including home test kits.

19 (7) The department of health and human services shall
20 collaborate with the department of education to effectuate this
21 section.

22 (8) The unexpended funds appropriated in part 1 for ARP -
23 epidemiology and lab capacity school safety are designated as a
24 work project appropriation, and any unencumbered or unallotted
25 funds shall not lapse at the end of the fiscal year and shall be
26 available for expenditures for projects under this section until
27 the projects have been completed. The following is in compliance
28 with section 451a of the management and budget act, 1984 PA 431,
29 MCL 18.1451a:



1 (a) The purpose of the project is to support screening and
2 testing activities to facilitate the safe operations of in-person
3 school instruction at eligible school districts, public school
4 academies, intermediate school districts, and nonpublic schools.

5 (b) The project will be accomplished by utilizing state
6 employees or contracts.

7 (c) The total estimated cost of the project is
8 \$150,799,300.00.

9 (d) The tentative completion date is September 30, 2026.

10 Sec. 306. (1) From the funds appropriated in part 1 for ARP -
11 health care recruitment, retention, and training, the department of
12 health and human services shall allocate \$300,000,000.00 for health
13 care recruitment, retention, and training programming to health
14 care employers that can demonstrate an eligible qualifying need
15 under the rules and regulations of the federal coronavirus state
16 fiscal recovery funding. Additionally, health care employers must
17 not request funds under this section for any investments related to
18 recruitment or retention announced before December 1, 2021.

19 (2) The department of health and human services must allocate
20 75% of the funds appropriated pursuant to this section to the
21 Michigan Health and Hospital Association for administration to
22 acute care and behavioral health care providers, of which not less
23 than 10% appropriated pursuant to this subsection must be allocated
24 to critical access hospitals and small and rural providers that are
25 awarded rural access payments under section 1802(2) of article 6 of
26 2021 PA 87.

27 (3) The department of health and human services must allocate
28 25% of the funds appropriated pursuant to this section to post-
29 acute care providers and federally qualified health centers



1 (FQHCs).

2 (4) If a health care employer receives funds appropriated
3 pursuant to this section and has established a COVID-19 vaccine
4 policy, the policy must allow for an employee exemption for both of
5 the following:

6 (a) Any employee for whom a physician certifies and properly
7 documents that a COVID-19 vaccine is clinically contraindicated for
8 the employee.

9 (b) Any employee who provides a written statement and can
10 document in a manner consistent with the health care employer's
11 policies and procedures that the requirements of the COVID-19
12 vaccine policy cannot be met because of the employee's religious
13 convictions.

14 (5) Health care recruitment, retention, and training
15 programming may include, but is not limited to, cash recruitment
16 bonuses, student loan payment assistance, cash retention bonuses,
17 tuition assistance, and other forms of training programming. The
18 maximum amount any health care employer, except for critical access
19 hospitals and small and rural providers that are awarded rural
20 access payments under section 1802(2) of article 6 of 2021 PA 87,
21 can use for cash recruitment bonuses is 25%, and the maximum amount
22 any health care employer, except for critical access hospitals and
23 small and rural providers that are awarded rural access payments
24 under section 1802(2) of article 6 of 2021 PA 87, can use for cash
25 retention bonuses is 20%.

26 (6) Nothing in this section requires a health care employer
27 that receives funds appropriated in this section to violate any
28 federal rule or regulation on a COVID-19 vaccine policy.

29 (7) If a health care employer receives funds appropriated in



1 this section and has established a COVID-19 vaccine policy, the
2 policy must require the employer to respond in a written statement
3 of an employee's COVID-19 vaccine exemption approval or
4 disapproval.

5 (8) As a condition of receiving funds appropriated in this
6 section, a health care employer must agree to not use an employee's
7 vaccination status as a factor for distributing recruitment,
8 retention, and training program funds under this section.

9 (9) By September 30, 2022, the department of health and human
10 services must provide a report to the house and senate
11 appropriations committees, the house and senate fiscal agencies,
12 and the state budget office on the overall efficacy of the funds
13 appropriated in this section, including, but not limited to, the
14 statewide outcomes of recruitment efforts, retention efforts, and
15 training efforts to reduce statewide health care staffing
16 vacancies. The Michigan Health and Hospital Association and other
17 recipients shall provide data and metrics, in a manner approved by
18 the department, to fulfill the reporting requirements of this
19 section.

20 Sec. 307. From the funds appropriated in part 1 for ARP -
21 nursing facility room conversion pilot project, the department of
22 health and human services shall allocate \$10,000,000.00 as a
23 competitive grant program to reimburse nursing facilities that are
24 awarded these grants for 50% of the cost for nursing facilities to
25 convert multi-resident rooms into single resident rooms. The
26 department of health and human services shall prioritize awarding
27 competitive grants for the conversion of rooms that have more than
28 2 residents into single resident rooms.

29 Sec. 308. From the funds appropriated in part 1 for ARP -



1 nursing home respirators, the department of health and human
2 services shall allocate \$5,000,000.00 to assist nursing facilities,
3 assisted living facilities, and other long-term care facilities in
4 complying with Occupational Safety and Health Administration
5 respiratory protection standards.

6 Sec. 310. (1) The department shall allocate funds appropriated
7 in part 1 for ARP - vaccine support to local public health
8 departments for education, outreach, and other community engagement
9 strategies.

10 (2) To the greatest extent allowed under federal rules and
11 regulations, any vaccine education, outreach, and other community
12 engagement strategies must be inclusive of other broader COVID-19
13 education, outreach, and other community engagement strategies,
14 including early treatment options, testing, and other mitigation
15 strategies.

16 (3) The department shall not allocate funds in this section to
17 local public health departments for which a county board of
18 commissioners has passed a resolution rejecting these funds, if the
19 rejection of these funds has occurred within 30 days of the
20 effective date of this act.

21 (4) A recipient of a COVID-19 vaccine administered from the
22 funds appropriated in part 1 for ARP - vaccine support shall be
23 provided with information regarding or informed if and in what
24 manner the development of the vaccine utilized aborted fetal tissue
25 or human embryonic stem cell derivation lines.

26 (5) The unexpended funds appropriated in part 1 for ARP -
27 vaccine support are designated as a work project appropriation, and
28 any unencumbered or unallotted funds shall not lapse at the end of
29 the fiscal year and shall be available for expenditures for



1 projects under this section until the projects have been completed.
2 The following is in compliance with section 451a of the management
3 and budget act, 1984 PA 431, MCL 18.1451a:

4 (a) The purpose of the project is to increase vaccine
5 education, outreach, and other community engagement strategies and
6 must be inclusive of other broader COVID-19 education, outreach,
7 and other community engagement strategies, including early
8 treatment options, testing, and other mitigation strategies.

9 (b) The project will be accomplished by utilizing local public
10 health departments.

11 (c) The total estimated cost of the project is \$54,143,900.00.

12 (d) The tentative completion date is September 30, 2026.

13 Sec. 311. (1) From the funds appropriated in part 1 for MI
14 Choice waiver program presumptive eligibility risk pool, and to the
15 greatest extent allowable under E-FMAP, the department of health
16 and human services shall allocate \$5,000,000.00 to develop and
17 implement a pilot risk pool in no fewer than 2 service areas to
18 cover 90% of MI Choice waiver agents' exposure to financial losses
19 in those service areas for up to 6 weeks of services costs
20 associated with incorrect presumptive eligibility determinations.

21 (2) Any MI Choice waiver agent in the pilot service areas
22 that, at any point in time, incorrectly presumes eligibility for
23 not less than 20% of its enrollees is not eligible for funding from
24 this project for the balance of this project's term.

25 Sec. 312. (1) From the funds appropriated in part 1 for ARP -
26 Morris Hood kidney foundation, the department of health and human
27 services shall provide \$14,000,000.00 in support to the National
28 Kidney Foundation of Michigan for a multiyear initiative to
29 implement the chronic kidney disease prevention initiative that was



1 adopted by the department of health and human services and the
2 National Kidney Foundation of Michigan in March 2021. This
3 initiative, administered by the National Kidney Foundation of
4 Michigan and its partners, shall be known as the Morris Hood III
5 chronic kidney disease prevention initiative.

6 (2) The Morris Hood III chronic kidney disease prevention
7 initiative shall do all of the following:

8 (a) Create a collaborative and comprehensive kidney disease
9 prevention and awareness system, including a focus on communities
10 at the greatest risk of kidney disease and those facing health
11 disparities.

12 (b) Increase knowledge, awareness, and understanding of
13 preventable kidney disease, increase adoption of evidence-based
14 strategies to reduce chronic kidney disease, and identify financial
15 sustainability strategies for chronic kidney disease detection,
16 management, and prevention.

17 (c) Identify patients at risk of developing chronic kidney
18 disease through collaboration with the department of health and
19 human services making use of Michigan Medicaid data, kidney disease
20 data, lab data, and shared metrics from partner organizations.

21 (d) Develop a cost-benefit analysis on the strategies
22 identified to reduce preventable kidney disease or mitigate the
23 effect of kidney disease.

24 (3) Under the Morris Hood III chronic kidney disease
25 prevention initiative, the department of health and human services
26 shall work with the National Kidney Foundation of Michigan to do
27 all of the following:

28 (a) Establish a statewide advisory committee to assist in the
29 implementation of the initiative, drawing from consumers,



1 providers, and advocates.

2 (b) Cooperate in sharing appropriate and timely data to enable
3 the initiative to target resources effectively.

4 (c) Produce an annual status report to be shared with the
5 legislature and interested parties.

6 (d) Convene periodic meetings with providers to assure
7 awareness of the initiative and its targeted population.

8 (e) Cooperate with Michigan's Medicaid health plans to
9 identify populations most at risk for kidney disease.

10 Sec. 313. From the funds appropriated in part 1 for ARP -
11 hospital airborne pathogen control program, \$10,000,000.00 shall be
12 allocated to hospitals for in-room ceiling installations and
13 internet of things-connected Michigan-based ultraviolet control
14 technology filtration and cleaning systems or other devices that
15 reduce surface pathogens and airborne contaminants for control of
16 harmful pathogens in the air and on settled surfaces. The program
17 shall be designed to meet all of the following parameters:

18 (a) The program shall be a pilot program.

19 (b) Hospitals and health systems that were in the top 10
20 hospitals/health systems in the number of COVID patients treated in
21 the state in calendar year 2021 and that have submitted letters of
22 intent to utilize this technology to the Michigan department of
23 health and human services by March 1, 2022 shall be given priority
24 for allocations.

25 (c) Allocation of these funds should be made through 2 equal
26 grants to qualified applicants.

27 (d) Hospitals participating in the pilot program shall track
28 the outcome metrics as defined during grant submission.

29 Sec. 314. (1) From the funds appropriated in part 1 for ARP -



1 adult foster care and homes for the aged COVID-19 relief, the
2 department of health and human services shall establish a process
3 to provide a \$700.00 per bed grant to eligible facilities as
4 defined in subsection (4) to cover COVID-19 pandemic costs.

5 (2) The department of health and human services shall develop
6 an application form for the funding.

7 (3) Eligible facilities must fill out and submit the
8 application form referenced in subsection (2) to the department of
9 health and human services within 90 days of the effective date of
10 this act.

11 (4) Eligible facilities shall include adult foster care
12 facilities licensed by the department of licensing and regulatory
13 affairs, homes for the aged licensed by the department of licensing
14 and regulatory affairs, facilities with approved status from the
15 department of licensing and regulatory affairs for exemption from
16 the home for the aged licensure, and self-directed and other
17 nonlicensed residential settings for older adults and individuals
18 with disabilities that are not subject to licensure by the
19 department of licensing and regulatory affairs.

20 Sec. 315. (1) From the funds appropriated in part 1 for ARP -
21 health units, the department of health and human services shall
22 allocate \$4,000,000.00 to a public university located in a city
23 with a population greater than 500,000 according to the most recent
24 federal decennial census to help create a Michigan mobile health
25 corps program.

26 (2) The Michigan mobile health corps shall be a collaborative
27 to help address health disparities among populations with limited
28 access to medical care and social services resources in Southeast
29 Michigan.



1 Sec. 316. (1) From the funds appropriated in part 1 for ARP -
2 supplemental payments to private child caring institutions,
3 \$6,200,000.00 shall be awarded as a supplemental payment adjustment
4 to contracted child caring institutions for abuse, neglect, and
5 juvenile justice services to address the economic impact of the
6 COVID-19 public health emergency.

7 (2) From the funds appropriated in part 1 for ARP -
8 supplemental payments to private child caring institutions,
9 \$2,000,000.00 shall be awarded to a qualified residential treatment
10 program that has been in existence for at least 75 years and is
11 located in a city with a population of between 57,000 and 58,000
12 located in a county with a population of greater than 1,500,000
13 according to the 2010 federal decennial census. Funding in this
14 subsection shall be paid to the qualifying entities within 30 days
15 of the effective date of this act.

16 Sec. 317. (1) From the funds appropriated in part 1 for ARP -
17 homeless shelter repair grants, the department of health and human
18 services shall establish a grant program targeted to homeless
19 shelter service providers. In making grants under this section, the
20 department shall maximize to the greatest extent possible broad
21 geographic distribution. Grants are intended to fund necessary
22 physical improvements to homeless shelter facilities, including,
23 but not limited to:

24 (a) Repairs to plumbing, electrical, and heating, ventilation,
25 and air-conditioning systems.

26 (b) Structural improvements to accommodate persons with
27 disabilities.

28 (c) Creation of noncongregate housing spaces for individuals
29 and families.



1 (d) Creation of separate noncongregate spaces for those who
2 are medically recuperating.

3 (e) Installation of necessary safety and security
4 enhancements, including, but not limited to, smoke alarms and fire
5 abatement systems.

6 (2) The unexpended funds appropriated in part 1 for ARP -
7 homeless shelter repair grants are designated as a work project
8 appropriation, and any unencumbered or unallotted funds shall not
9 lapse at the end of the fiscal year and shall be available for
10 expenditures for projects under this section until the projects
11 have been completed. The following is in compliance with section
12 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

13 (a) The purpose of the project is to fund physical
14 improvements to facilities operated by homeless shelter service
15 providers.

16 (b) The project will be accomplished by utilizing state
17 employees or contracts.

18 (c) The total estimated cost of the project is \$10,000,000.00.

19 (d) The tentative completion date is September 30, 2026.

20 Sec. 318. (1) From the funds appropriated in part 1 for ARP -
21 nursing home infection control grants, the department of health and
22 human services shall allocate \$29,000,000.00 in grants to skilled
23 nursing facilities. Grants shall fund structural and operational
24 improvements to skilled nursing facilities that would help reduce
25 the spread of infectious disease. Eligible projects include, but
26 are not limited to, the following:

27 (a) Efforts to improve indoor air quality, including
28 maintenance and improvements to indoor heating, ventilation, and
29 air-conditioning systems.



1 (b) The creation of negative air pressure rooms.

2 (c) The creation of isolation areas in nursing homes for sick
3 residents.

4 (d) The purchase and installation of technologies to reduce
5 the spread of infectious disease.

6 (2) Individual nursing facilities are limited to no more than
7 \$500,000.00 in funds allocated in subsection (1).

8 (3) The unexpended funds appropriated in part 1 for ARP -
9 nursing home infection control grants are designated as a work
10 project appropriation, and any unencumbered or unallotted funds
11 shall not lapse at the end of the fiscal year and shall be
12 available for expenditures for projects under this section until
13 the projects have been completed. The following is in compliance
14 with section 451a of the management and budget act, 1984 PA 431,
15 MCL 18.1451a:

16 (a) The purpose of the project is to support improvements to
17 skilled nursing facilities to reduce the spread of infectious
18 disease.

19 (b) The project will be accomplished by utilizing state
20 employees or contracts.

21 (c) The total estimated cost of the project is \$29,000,000.00.

22 (d) The tentative completion date is September 30, 2026.

23 Sec. 319. (1) From the funds appropriated in part 1 for ARP -
24 child welfare mitigation payments, the department of health and
25 human services shall provide a supplemental payment to licensed
26 foster family homes or foster family group homes and unlicensed
27 relative caregivers who are currently caring for a child placed in
28 foster care and youth currently supported in independent living
29 foster care arrangements.



1 (2) Payment of funds will be set at \$1,500.00 per child in a
2 foster family home, foster family group home, or independent living
3 arrangements.

4 (3) The unexpended funds appropriated in part 1 for ARP -
5 child welfare mitigation payments are designated as a work project
6 appropriation, and any unencumbered or unallotted funds shall not
7 lapse at the end of the fiscal year and shall be available for
8 expenditures for projects under this section until the projects
9 have been completed. The following is in compliance with section
10 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

11 (a) The purpose of the project is to offset the costs to
12 caregivers for children in foster care and those in independent
13 living arrangements associated with the COVID-19 public health
14 emergency.

15 (b) The project will be accomplished by utilizing state
16 employees or contracts.

17 (c) The total estimated cost of the project is \$19,000,000.00.

18 (d) The tentative completion date is September 30, 2026.

19 Sec. 321. (1) From the funds appropriated in part 1 for ARP -
20 respite services home and community-based services waiver, the
21 department of health and human services shall allocate
22 \$20,000,000.00 for respite supports to in-home providers of
23 department of health and human services-funded services to provide
24 respite relief for families providing continuous direct care
25 support to a family member.

26 (2) The unexpended funds appropriated in part 1 for ARP -
27 respite services home and community-based services waiver are
28 designated as a work project appropriation, and any unencumbered or
29 unallotted funds shall not lapse at the end of the fiscal year and



1 shall be available for expenditures for projects under this section
2 until the projects have been completed. The following is in
3 compliance with section 451a of the management and budget act, 1984
4 PA 431, MCL 18.1451a:

5 (a) The purpose of the project is to fund respite services for
6 in-home providers of department of health and human services
7 supports and services.

8 (b) The project will be accomplished by utilizing state
9 employees or contracts.

10 (c) The total estimated cost of the project is \$20,000,000.00.

11 (d) The tentative completion date is September 30, 2026.

