

SUBSTITUTE FOR
SENATE BILL NO. 956

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 21717 (MCL 333.21717), as amended by 2014 PA
66, and by adding section 5145.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5145. (1) The department, in consultation with the
2 department of licensing and regulatory affairs, shall do all of the
3 following:

4 (a) By July 31, 2020, conduct an evaluation of the operation,
5 efficacy, clinical outcomes, and performance of each COVID-19
6 regional hub that was implemented and operating during this state's
7 response to coronavirus in nursing homes and provide a detailed
8 report on its evaluation to the house and senate standing

committees on health policy.

(b) By August 15, 2020, develop and submit a plan to the house and senate standing committees on health policy, **constructed in conjunction with relevant and updated guidance issued by the federal Centers for Disease Control and Prevention**, describing a process to ensure that by September 15, 2020 there are dedicated facilities available for use for only coronavirus-positive patients in each of the 8 health care regions of this state to provide care to individuals who test positive for coronavirus and are ineligible for admission at a hospital, nursing home, or adult foster care facility. If the plan uses the regional hub design described in subdivision (a), the plan must incorporate any enhancement that the department considers appropriate to prevent the spread of coronavirus in nursing homes based on the evaluation conducted by the department under this section.

(2) As used in this section:

(a) "Coronavirus" means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(b) "Health care region" means a health care region as described by the department.

Sec. 21717. (1) An individual shall not be admitted or retained for care in a nursing home ~~who~~ **if either of the following applies:**

(a) **The individual** requires special medical or surgical treatment, or treatment for acute mental illness, developmental disability, communicable tuberculosis, or a communicable disease, unless the home is able to provide an area and a program for the care. The department shall approve both the area and the program.

(b) **Beginning September 15, 2020, the individual has tested**

1 positive for coronavirus unless either of the following applies:

2 (i) The individual has since recovered from coronavirus.

3 (ii) The nursing home is able to provide a designated area and
4 a program to demonstrate its ability to retain the individual in
5 its facility and provide the appropriate care necessary for the
6 individual consistent with adequate supply, staffing, and
7 operational capacity at the nursing home at the time of the
8 individual's diagnosis. The department shall approve the nursing
9 home's designated area and the program before the nursing home is
10 permitted to retain residents under this subparagraph in its care.

11 (2) As used in this section, "coronavirus" means severe acute
12 respiratory syndrome coronavirus 2 (SARS-CoV-2).