

# HOUSE BILL No. 5889

March 13, 2008, Introduced by Reps. Hammon, Constan, Clack, Robert Jones, Hammel, Angerer, Hopgood, Meadows, Polidori, Brown, Lemmons, Byrnes, Alma Smith, Simpson, Jackson, Vagnozzi, Johnson, Bauer, Kathleen Law, Dean, Espinoza and Melton and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding article 16.

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

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**ARTICLE 16. IN-HOME MEDICAL CARE**

**PART 192. AUDITS**

**SEC. 19201. (1) THE DEPARTMENT SHALL PERFORM AN ANNUAL, RANDOM  
AUDIT OF NOT LESS THAN 5% OF ALL HEALTH CARE PROVIDERS WHO PROVIDE  
IN-HOME MEDICAL CARE SERVICES IN THIS STATE AND ARE REIMBURSED IN  
WHOLE OR IN PART FOR THOSE SERVICES WITH STATE OR FEDERAL FUNDS.**

**(2) IF A HEALTH CARE PROVIDER DESCRIBED IN SUBSECTION (1)  
PROVIDES MEDICAL CARE SERVICES OTHER THAN IN-HOME MEDICAL CARE  
SERVICES, THE DEPARTMENT SHALL AUDIT ONLY THOSE MEDICAL CARE**

1 SERVICES THAT ARE PROVIDED IN HOME.

2 (3) THE DEPARTMENT SHALL AUDIT ALL OF THE FOLLOWING UNDER  
3 SUBSECTION (1):

4 (A) FINANCIAL RECORDS.

5 (B) REPORTED ACCIDENTS.

6 (C) REPORTED CASES OF MISUSE OF PATIENT FUNDS.

7 (D) REPORTED CASES OF PATIENT ABUSE.

8 (4) THE DEPARTMENT SHALL PROVIDE COPIES OF THE AUDIT CONDUCTED  
9 PURSUANT TO THIS SECTION TO THE STANDING COMMITTEES IN THE SENATE  
10 AND THE HOUSE OF REPRESENTATIVES WITH JURISDICTION OVER SENIOR  
11 CITIZEN'S HEALTH ISSUES AND UPON REQUEST TO THE PUBLIC.

12 (5) AS USED IN THIS SECTION:

13 (A) "DEPARTMENT" MEANS THE DEPARTMENT OF COMMUNITY HEALTH.

14 (B) "HEALTH CARE PROVIDER" MEANS A HEALTH PROFESSIONAL  
15 LICENSED OR REGISTERED UNDER ARTICLE 15 OR OTHER HEALTH  
16 PROFESSIONAL WHO PROVIDES IN-HOME MEDICAL CARE SERVICES AND A  
17 HEALTH FACILITY OR AGENCY LICENSED UNDER ARTICLE 17 OR OTHER HEALTH  
18 FACILITY THAT PROVIDES IN-HOME MEDICAL CARE SERVICES.

19 (C) "MEDICAL CARE SERVICES" MEANS THOSE SERVICES WITHIN THE  
20 SCOPE OF PRACTICE OF PHYSICIANS LICENSED AND APPROVED BY THE BOARD,  
21 EXCEPT THOSE SERVICES THAT THE BOARD DETERMINES SHALL NOT BE  
22 DELEGATED BY A PHYSICIAN WITHOUT ENDANGERING THE HEALTH AND SAFETY  
23 OF PATIENTS AS PROVIDED FOR IN SECTION 17048(3) OR 17548(3).