

Legislative Analysis



EMERGENCY SUSPENSION OF HEALTH CARE PRACTICE AND LICENSING REQUIREMENTS

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House Bill 5715 (H-2) as reported from committee
Sponsor: Rep. Jason M. Sheppard
Committee: Government Operations
Complete to 12-2-20

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

SUMMARY:

House Bill 5615 would amend the Public Health Code to temporarily suspend certain provisions regarding licensure, use of temporary or mobile health care facilities, and fingerprinting.

Through June 30, 2021, the following would apply:

Any law or regulation would be suspended to the extent that it requires fingerprinting of individuals for employment with, independently contracting with, or granting clinical privileges to a *covered facility*.

Covered facility is defined in the code as a health facility or agency that is a nursing home, county medical care facility, hospice, hospital that provides swing bed services, home for the aged, or home health agency.

The Department of Licensing and Regulatory Affairs (LARA) could grant and renew waivers to allow licensed hospitals in Michigan to construct, acquire, or operate a temporary or mobile facility for any health care purpose, regardless of where the facility or hospital is located or the number of beds the hospital has. (Section 21564 of the Public Health Code, under which the waivers are granted, ordinarily limits eligibility to nonurban hospitals with fewer than 100 beds.)

LARA could issue a temporary registration as a certified nurse to an applicant regardless of whether the applicant demonstrates that he or she has successfully completed the examination requirements of sections 21911 and 21913 of the Public Health Code. The temporary registration would be valid for 28 days, and LARA could renew it through June 30, 2021.

MCL 333.20173a et seq.

FISCAL IMPACT:

House Bill 5715 would not have a significant fiscal impact on LARA. By allowing for the temporary suspension of laws and regulations requiring fingerprinting of individuals for employment with, independent contracting with, or clinical privileges to a covered facility, there would be a temporary reduction in fees associated with fingerprinting. The fee for fingerprinting and a background check currently totals \$42 (\$30 state-level for the

Michigan State Police check and \$12 for the Federal Bureau of Investigation check). While revenues would be temporarily reduced, the volume of fingerprints processed by the MSP would also be temporarily reduced.

POSITIONS:

The following entities indicated support for the bill (12-1-20):

- Mackinac Center
- Michigan Health and Hospital Association

Legislative Analysts: Jenny McInerney
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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.