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Senate Bill 569 (as introduced 6-24-21)  
Sponsor: Senator Dale W. Zorn  
Committee: Health Policy and Human Services

*(Senate-passed version)*

Date Completed: 10-7-21

### **CONTENT**

**The bill would amend the Social Welfare Act to transfer oversight for a county infirmary from the Department of Licensing and Regulatory Affairs to the county board of commissioners in the county in which the county infirmary was located.**

Section 14 of the Act prescribes certain powers and duties of the LARA,<sup>1</sup> which include the inspection of county infirmaries for the purpose of obtaining facts pertaining to the usefulness and proper management of the infirmaries, and of promoting proper, efficient, and humane administration of those infirmaries.

Section 45 prescribes the powers and duties of county boards (county social services boards or Family Independence Agency boards), which include the supervision of and responsibility for the administration of a county infirmary.

Section 55 requires a county department (county family independence agency or county department of social services) to administer a public welfare program to supervise and be responsible for the operation of a county infirmary and county medical care facility, among other things.

The bill would delete references to county infirmaries from Sections 14, 45, and 55.

Section 58 allows a county board of commissioners to determine to erect a county infirmary or county medical care facilities for the reception and care of the poor and unfortunate of the county.

Before any county infirmary or county medical care facility is erected or any existing buildings are remodeled, added to, or substantially altered, before plans for the county infirmary or county medical care facilities are finally accepted, and before any contract is entered into for construction, the plans must be submitted to the LARA for examination and approval. The determination reached must be certified to the county clerk and presented to the county board of commissioners at the next regular meeting of the board of commissioners. A county infirmary or county medical care facility may not be constructed unless the plans have been certified. A contract for the erection of a county infirmary or county medical care facility is not valid or binding unless the plans referred to in the contract and actually followed in the construction have been approved. Money may not be paid from county funds for construction until the plans have been approved and the determination filed. The bill would delete

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<sup>1</sup> Through a series of Executive Reorganization Orders, the oversight and licensing of county infirmaries was transferred to what is now the Department of Licensing and Regulatory Affairs.

references to a county infirmary. Section 58 also requires the LARA to review the proposals and plans of a county board submitted in connection with an application for the establishment, extension, and operation of a county medical care facility or county infirmary and to consult with and give advice to the county department as to plans, procedures, and programs required for the proper establishment, extension, and operation of the county medical care facility or county infirmary. The bill would delete references to county infirmary.

Additionally, under Section 58, any reasonable order of the LARA for the establishment, extension, operation, or closing of a county infirmary or county medical care facility may be enforced by mandamus or injunction in the circuit court for the county where the facility is located in proceedings instituted by the Attorney General on behalf of the Department. The bill would delete the reference to county infirmary.

Under the bill, beginning the bill's effective date, oversight for a county infirmary would be transferred from the LARA to the county board of commissioners in the county in which the county infirmary was located.

MCL 400.14 et al.

Legislative Analyst: Stephen Jackson

### **FISCAL IMPACT**

The bill would have no fiscal impact on the State and would have an indeterminate fiscal impact on local governments. The bill's provisions would transfer the authority to inspect infirmaries to counties. Local units that do not have an infirmary located within their boundaries would incur no expenses. To the extent that a "county infirmary" is still operating, the net fiscal impact likely would be approximately zero.

Fiscal Analyst: Elizabeth Raczkowski

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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.