

Act No. 27
Public Act of 1989
May 24, 1989
Filed by the Secretary of State
May 24, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Reps. Bennane, Hertel, Muxlow, Law, Stallworth, Gire, Palamara and DeMars

ENROLLED HOUSE BILL No. 4403

AN ACT to amend section 21513 of Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," as amended by Act No. 178 of the Public Acts of 1987, being section 333.21513 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 21513 of Act No. 368 of the Public Acts of 1978, as amended by Act No. 178 of the Public Acts of 1987, being section 333.21513 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 21513. The owner, operator, and governing body of a hospital licensed under this article:

(a) Are responsible for all phases of the operation of the hospital, selection of the medical staff, and quality of care rendered in the hospital.

(b) Shall cooperate with the department in the enforcement of this part, and require that the physicians, dentists, and other personnel working in the hospital and for whom a license or registration is required be currently licensed or registered.

(c) Shall assure that physicians and dentists admitted to practice in the hospital are granted hospital privileges consistent with their individual training, experience, and other qualifications.

(d) Shall assure that physicians and dentists admitted to practice in the hospital are organized into a medical staff to enable an effective review of the professional practices in the hospital for the purpose of reducing morbidity and mortality and improving the care provided in the hospital for patients. This review shall include the quality and necessity of the care provided and the preventability of complications and deaths occurring in the hospital.

(e) Shall notify the appropriate board as to disciplinary action taken by the hospital for any of the grounds set forth in section 16221 which results in a change of employment status or privileges of practice of a physician or dentist admitted to practice in the hospital, including an offer by the hospital to permit the physician or dentist to resign in lieu of the hospital taking disciplinary action against the physician or dentist. The notice shall contain a summary of the information pertinent to the change and shall be transmitted in writing to the appropriate board within 30 days after the change occurs. As used in this subdivision, "board" means a licensing board created pursuant to article 15.

(f) Shall not discriminate because of race, religion, color, national origin, age, or sex in the operation of the hospital including employment, patient admission and care, room assignment, and professional or nonprofessional selection and training programs, and shall not discriminate in the selection and appointment of individuals to the physician staff of the hospital or its training programs on the basis of licensure or registration or professional education as doctors of medicine, osteopathic medicine and surgery, or podiatry.

Section 2. This amendatory act shall take effect December 31, 1989.

This act is ordered to take immediate effect.

.....
Clerk of the House of Representatives.

.....
Secretary of the Senate.

Approved.....

.....
Governor.