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## NURSING HOME COMPLAINT INVESTIGATIONS

**House Bill 5769**

**Sponsor: Rep. Gloria Schermesser**

**Committee: Senior Health Security and  
Retirement**

**Complete to 7-10-00**

### A SUMMARY OF HOUSE BILL 5769 AS INTRODUCED 5-11-00

Under the Public Health Code, any person who believes that the statute, an administrative rule, or a federal certification regulation has been violated by a nursing home may make a complaint to the Department of Consumer and Industry Services. If the complaint is not in writing, the statute requires the department to assist the person in reducing an oral request to a written complaint within 7 days after the oral request is made. Further, the department is required to determine whether there has been a violation, and must investigate the complaint “according to the urgency determined by the department”. In every case, however, initiation of a complaint investigation must commence within 15 days after receipt of the written complaint.

House Bill 5769 would amend this provision to require, in addition, that the department initiate an investigation of a complaint within 24 hours under certain circumstances, including receipt of a complaint regarding:

- failure of a facility to readmit a resident following hospitalization;
- failure of a facility to follow state guidelines for holding a patient’s bed;
- an involuntary transfer;
- voluntary or involuntary closure of a facility, or relocation of a facility;
- an allegation of involuntary transfer due to a change in a patient’s payment source;
- an allegation of a violation of a rule; or,
- denial of admission to a facility.

MCL 333.21799a

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