

**SUBSTITUTE FOR
HOUSE BILL NO. 4537**

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 20188.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20188. (1) THE GOVERNOR'S COMMISSION ON PATIENT SAFETY
2 IS CREATED IN THE DEPARTMENT OF COMMUNITY HEALTH. THE GOVERNOR
3 SHALL APPOINT THE COMMISSION ON PATIENT SAFETY. THE COMMISSION
4 ON PATIENT SAFETY SHALL CONSULT WITH OR SEEK INPUT FROM THE
5 PUBLIC AND FROM ALL OF THE FOLLOWING ORGANIZATIONS THAT HAVE AN
6 INTEREST IN PATIENT SAFETY:
7 (A) THE MICHIGAN HOSPITAL ASSOCIATION OR ITS SUCCESSOR
8 ORGANIZATION.
9 (B) THE MICHIGAN STATE MEDICAL SOCIETY OR ITS SUCCESSOR
10 ORGANIZATION.

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1 (C) THE MICHIGAN OSTEOPATHIC ASSOCIATION OR ITS SUCCESSOR
2 ORGANIZATION.

3 (D) THE EMERGENCY PHYSICIANS ASSOCIATION OR ITS SUCCESSOR
4 ORGANIZATION.

5 (E) THE MICHIGAN NURSES ASSOCIATION OR ITS SUCCESSOR
6 ORGANIZATION.

7 (F) THE EMERGENCY NURSES ASSOCIATION OR ITS SUCCESSOR
8 ORGANIZATION.

9 (G) THE MICHIGAN ASSOCIATION OF EMERGENCY MEDICAL TECHNI-
10 CIANS OR ITS SUCCESSOR ORGANIZATION.

11 (H) THE MICHIGAN PHARMACISTS ASSOCIATION OR ITS SUCCESSOR
12 ORGANIZATION.

13 (I) THE MICHIGAN SOCIETY FOR CLINICAL LABORATORY SCIENCES OR
14 ITS SUCCESSOR ORGANIZATION.

15 (J) THE MICHIGAN ACADEMY OF PHYSICIAN ASSISTANTS OR ITS SUC-
16 CESSOR ORGANIZATION.

17 (K) THE MICHIGAN SOCIETY OF HEALTHCARE RISK MANAGEMENT OR
18 ITS SUCCESSOR ORGANIZATION.

19 (L) THE MICHIGAN ASSOCIATION OF HEALTH PLANS OR ITS SUCCES-
20 SOR ORGANIZATION.

21 (M) THE AMERICAN SOCIETY OF CLINICAL PATHOLOGISTS OR ITS
22 SUCCESSOR ORGANIZATION.

23 (N) THE MICHIGAN PHYSICAL THERAPY ASSOCIATION OR ITS SUCCES-
24 SOR ORGANIZATION.

25 (O) THE MICHIGAN SPEECH-LANGUAGE-HEARING ASSOCIATION OR ITS
26 SUCCESSOR ORGANIZATION.

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1 (P) THE AMERICAN DIETETICS ASSOCIATION OR ITS SUCCESSOR
2 ORGANIZATION.

3 (Q) THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, MICHIGAN
4 CHAPTER OR ITS SUCCESSOR ORGANIZATION.

5 (R) THE MENTAL HEALTH ASSOCIATION OF MICHIGAN OR ITS SUCCES-
6 SOR ORGANIZATION.

7 (S) THE MICHIGAN OCCUPATIONAL THERAPY ASSOCIATION OR ITS
8 SUCCESSOR ORGANIZATION.

[(T) HEALTH CARE ASSOCIATION OF MICHIGAN OR ITS SUCCESSOR
ORGANIZATION.

(U) MICHIGAN ASSOCIATION FOR LOCAL PUBLIC HEALTH OR ITS SUCCESSOR
ORGANIZATION.

(V) MICHIGAN HOSPICE AND PALLIATIVE CARE ORGANIZATION OR ITS
SUCCESSOR ORGANIZATION.

(W) MICHIGAN SOCIETY OF ANESTHESIOLOGISTS OR ITS SUCCESSOR
ORGANIZATION.]

9 [(X)] THE MICHIGAN HOME HEALTH ASSOCIATION OR ITS SUCCESSOR
10 ORGANIZATION.

11 (2) THE COMMISSION ON PATIENT SAFETY SHALL MEET AND APPOINT
12 A CHAIRPERSON WITHIN 30 DAYS AFTER ALL MEMBERS ARE APPOINTED BY
13 THE GOVERNOR. SUBSEQUENTLY, THE COMMISSION SHALL MEET AT THE
14 CALL OF THE CHAIRPERSON OR AT THE REQUEST OF A MAJORITY OF THE
15 COMMISSION. A MAJORITY OF THE COMMISSION CONSTITUTES A QUORUM
16 FOR THE TRANSACTION OF BUSINESS. A MEMBER OF THE COMMISSION
17 SHALL SERVE FOR A TERM OF 1 YEAR. A VACANCY ON THE COMMISSION
18 SHALL BE FILLED BY THE GOVERNOR IN THE SAME MANNER AND FROM THE
19 SAME CATEGORY AS THE ORIGINAL APPOINTMENT.

20 (3) THE COMMISSION SHALL REVIEW INFORMATION FROM OTHER
21 PATIENT SAFETY INITIATIVES AND STUDY THE CAUSES OF MEDICAL ERRORS
22 OCCURRING IN THE CONTINUUM OF CARE, INCLUDING IN HEALTH FACILI-
23 TIES AND IN PRIVATE PRACTICES. NOT LATER THAN THE EXPIRATION OF
24 1 YEAR AFTER THE COMMISSION IS APPOINTED BY THE GOVERNOR, THE
25 COMMISSION SHALL ISSUE A WRITTEN REPORT. THE REPORT SHALL CON-
26 TAIN RECOMMENDATIONS FOR IMPROVEMENTS IN MEDICAL PRACTICE AND A

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1 SYSTEM FOR REDUCING MEDICAL ERRORS, BOTH IN HEALTH FACILITIES AND
2 IN PRIVATE PRACTICE.

3 (4) THE BUSINESS THAT THE PATIENT SAFETY COMMISSION PERFORMS
4 SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE COMMISSION HELD IN
5 COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO
6 15.275. PUBLIC NOTICE OF THE TIME, DATE, AND PLACE OF THE MEET-
7 ING SHALL BE GIVEN IN THE MANNER REQUIRED BY THE OPEN MEETINGS
8 ACT, 1976 PA 267, MCL 15.261 TO 15.275.

9 (5) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF,
10 OR RETAINED BY THE PATIENT SAFETY COMMISSION IN THE PERFORMANCE
11 OF AN OFFICIAL FUNCTION SHALL BE MADE AVAILABLE TO THE PUBLIC IN
12 COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT, 1976 PA 442,
13 MCL 15.231 TO 15.246.