

# SENATE BILL No. 807

October 29, 2003, Introduced by Senators BROWN, BASHAM, McMANUS, VAN  
WOERKOM, HAMMERSTROM, STAMAS and GOSCHKA and referred to the  
Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 22224a (MCL 333.22224a), as added by 2002 PA  
619.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 22224a. (1) A person seeking to initiate, expand,  
2 replace, relocate, or acquire a fixed or mobile magnetic  
3 resonance imager service within a county that has a population of  
4 more than 160,000 but does not have at least 2 magnetic resonance  
5 imager units may file a letter of intent with the department  
6 prior to the initiation, expansion, replacement, relocation, or  
7 acquisition of a fixed or mobile magnetic resonance imager unit  
8 within that county instead of obtaining a certificate of need.

9       (2) Within 30 days after receiving the letter of intent **under**  
10 **subsection (1)**, if the department verifies that the county has a

1 population of more than 160,000 and that the county does not  
2 already have 2 magnetic resonance imager units, the department  
3 shall send a written acknowledgment to the person approving the  
4 initiation, expansion, replacement, relocation, or acquisition of  
5 a fixed or mobile magnetic resonance imager unit.

6 (3) A person shall not initiate, expand, replace, relocate,  
7 or acquire a fixed or mobile magnetic resonance imager unit under  
8 this section without a certificate of need unless that person  
9 receives a written acknowledgment of approval from the department  
10 under subsection (2) or (6).

11 (4) A person seeking to initiate, expand, replace, relocate,  
12 or acquire a fixed or mobile magnetic resonance imager service  
13 under this section shall be a nonprofit organization and shall  
14 demonstrate that the service shall be accessible to all patients  
15 regardless of his or her ability to pay and shall participate in  
16 title XIX of the social security act, ~~chapter 531, 49 Stat. 620,~~  
17 ~~42 U.S.C. 1396 to 1396r-8 to 1396v~~ 42 USC 1396 to 1396v.

18 (5) Subject to subsections (3) and (4), if a rural county  
19 does not have a fixed magnetic resonance imager unit, a hospital  
20 located within that county may file a letter of intent with the  
21 department to obtain a fixed magnetic resonance imager unit and  
22 initiate a fixed magnetic resonance imager service within its  
23 facility without obtaining a certificate of need if it satisfies  
24 each of the following criteria:

25 (a) Performed a minimum of 4,000 magnetic resonance imaging  
26 adjusted procedures at its facility from a mobile magnetic  
27 resonance imager unit within the most recent 12-month period.

1           (b) Performed an investigation and determined that a fixed  
2 magnetic resonance imager unit is economically viable and  
3 necessary to provide patients located within that county with  
4 magnetic resonance imager services that are safe and reasonably  
5 accessible.

6           (6) Within 30 days after receiving the letter of intent under  
7 subsection (5), if the department verifies that the rural county  
8 does not have a fixed magnetic resonance imager unit and that the  
9 hospital satisfied the conditions prescribed under subsection  
10 (5), the department shall send a written acknowledgment approving  
11 the acquisition of a fixed magnetic resonance imager unit and the  
12 initiation of a fixed magnetic resonance imager service.