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NURSING HOMES: REQUIRE BACK-UP GENERATORS

House Bills 4765 and 4766

Sponsor: Rep. John Pastor

Committee: Senior Health, Security and
Retirement

Complete to 9-17-03

A SUMMARY OF HOUSE BILLS 4765 AND 4766 AS INTRODUCED 5-28-03

The bills would require that a nursing home or home for the aged be required to install and maintain a back-up generator to supply electricity during a power outage or other emergency. The bills are tie-barred to each other. Specifically, the bills would do the following:

House Bill 4765 would amend the Stille-DeRossett-Hale Single State Construction Code Act (MCL 125.1513e). Beginning June 1, 2003, each nursing home or home for the aged would have to install and maintain one or more generators to supply sufficient power in case of a power outage, gray-out, or other emergency to operate the facility's major systems. The State Construction Code Commission and the Department of Consumer and Industry Services would have to adopt standards for the installation and maintenance of the generators by promulgating departmental rules. The rules could provide for a variation in standards between structures existing on the bill's effective date and proposed structures. The commission could incorporate these rules in the next Mechanical Code update. The terms "nursing home" and "home for the aged" would mean those terms as defined in the Public Health Code (MCL 333.20109 and 333.20106, respectively).

House Bill 4766 would amend the Public Health Code (MCL 333.20144a) to specify that nursing homes and homes for the aged that did not comply with the requirements of House Bill 4765 to install a generator would be in violation of the code. (In general, a violation of Article 17 of the health code, which regulates health facilities and health agencies, or a rule promulgated under it that doesn't specify a particular penalty, is a misdemeanor punishable by a fine of not more than \$1,000 for each day the violation continues.)

House Bills 4765 and 4766 (9-17-03)

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