

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Rep. Shaffer

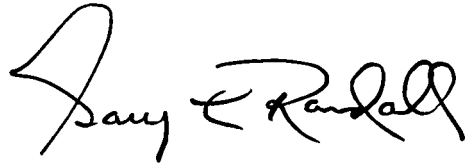
ENROLLED HOUSE BILL No. 5745

AN ACT to amend 1978 PA 368, entitled "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 provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; 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 the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; 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," by amending section 2233 (MCL 333.2233), as amended by 1996 PA 67.

The People of the State of Michigan enact:

Sec. 2233. The department may promulgate rules necessary or appropriate to implement and carry out the duties or functions vested by law in the department. A rule promulgated under this act or an exception to a rule promulgated under this act shall not discriminate in favor of or against any provider, facility, or employer licensed under this act

based on the presence of, or lack of, a collective bargaining agreement with employees, nor shall collective bargaining status, level of wages, or fringe benefits be used to demonstrate or excuse compliance with state licensing or regulatory standards or requirements.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor