



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON HEALTH POLICY

REP. HANK VAUPEL

CHAIR

## COMMITTEE MEETING MINUTES

Tuesday, July 21, 2020                      12:00 PM                      Room 352, House Appropriations, State Capitol Building

The House Committee on Health Policy was called to order by Chair Vaupel.

The Chair requested attendance be called:

Present: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone, Witwer.

Absent: None.

Excused: None.

Representative Frederick moved to adopt the meeting minutes from July 15, 2020. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5298 before the committee:

HB 5298 (Rep. Whiteford)

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b and 100c (MCL 330.1100b and 330.1100c), section 100b as amended by 2014 PA 200 and section 100c as amended by 2016 PA 320, and by adding section 137a.

The following people submitted a card in support of HB 5298, but did not wish to speak:

Robert Kosowski, representing the Michigan Psychiatric Society.

Amy Zaagman, representing the Michigan Council for Maternal and Child Health.

Representative Lower moved to adopt substitute (H-2) to HB 5298. The motion prevailed 19-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone, Witwer.  
Nays: None.  
Pass: None.

Representative Whiteford moved to refer House Bill No. 5298 to the Committee on Ways and Means, with recommendation as substitute (H-2). The motion prevailed 19-0-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone, Witwer.  
Nays: None.  
Pass: None.

The Chair laid HB 5767 before the committee:

HB 5767 (Rep. Yaroch)	A bill to amend 1976 PA 390, entitled "Emergency management act," (MCL 30.401 to 30.421) by adding section 7b.
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The following people submitted a card in support of HB 5767, but did not wish to speak:

Rhonda Grant, representing Mopec.

Representative Filler moved to adopt substitute (H-1) to HB 5767. The motion prevailed 19-0-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone, Witwer.  
Nays: None.  
Pass: None.

Representative Filler moved to refer House Bill No. 5767 to the Committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 17-1-1:

#### FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Koleszar, Pohutsky, Stone, Witwer.  
Nays: Rep. Ellison.  
Pass: Rep. Clemente.

The Chair laid SB 956 before the committee:

SB 956 (Sen. Lucido)	A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21717 (MCL
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333.21717), as amended by 2014 PA 66, and by adding section 5145.

Alison Hirschel, representing the Michigan Elder Justice Initiative and the Michigan Long Term Care Ombudsman Program, testified in opposition to SB 956.

Representative Frederick moved to adopt substitute (H-1) to SB 956. The motion prevailed 17-1-1:

#### FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Ellison, Koleszar, Pohutsky, Witwer.

Nays: Rep. Clemente.

Pass: Rep. Stone.

Representative Clemente offered the following amendments to SB 956 (H-1):

1. Amend page 2, line 6, after "**shall**" by striking out "**describe**" and inserting "**do both of the following:**

**(a) Describe"**.

2. Amend page 2, line 11, following "**facility.**" by inserting:

**"(b) Provide for all of the following:**

**(i) Twenty-four hour notice to the individual, the individual's family members, or the individual's legal representative regarding the transfer of the individual to a dedicated facility described in subdivision (a).**

**(ii) The ability for an individual described in subparagraph (i) to have a choice in the location of the transfer.**

**(iii) The ability for an individual described in subparagraph (i) to appeal a decision regarding the transfer to a dedicated facility described in subdivision (a). The department shall develop an appeals process for purposes of this subparagraph that includes a timeframe to file an appeal and that designates where the individual who is the subject of the transfer may reside while the appeal is pending.**

**(3)"** and renumbering the remaining subsection.

3. Amend page 2, line 12, after "**under**" by striking out "**this**".

4. Amend page 2, line 12, after "**subsection**" by inserting "**(2)**".

Representative Clemente moved to adopt the amendments to SB 956 (H-1). The motion did not prevail 8-11-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone, Witwer.

Nays: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak.

Pass: None.

Representative Stone offered the following amendments to SB 956 (H-1):

1. Amend page 2, line 6, after "**shall**" by striking out "**describe**" and inserting "**do both of the following:**

**(a) Describe**".

2. Amend page 2, line 11, following "**facility.**" by inserting:

**"(b) Include both of the following:**

**(i) That if an individual tests positive for coronavirus and needs to be transferred to a dedicated facility described in subdivision (a), a physician shall provide, in writing and in a timeframe and manner determined by the department, that the individual is medically stable for the transfer to the dedicated facility. The plan must specify where the individual may reside while awaiting a physician's determination.**

**(ii) That the individual be transferred to a dedicated facility described in subdivision (a) by a paramedic as that term is defined in section 20908.**

**(3)"** and renumbering the remaining subsection.

3. Amend page 2, line 12, after "**under**" by striking out "**this**".

4. Amend page 2, line 12, after "**subsection**" by inserting "**(2)**".

Representative Stone moved to adopt the amendments to SB 956 (H-1). The motion did not prevail 8-11-0:

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Liberati, Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone, Witwer.

Nays: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak.

Pass: None.

Representative Alexander moved to refer Senate Bill No. 956 to the Committee on Ways and Means, with recommendation as substitute (H-1). The motion prevailed 14-3-2:

#### FAVORABLE ROLL CALL

Yeas: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Koleszar, Pohutsky, Witwer.

Nays: Reps. Liberati, Clemente, Ellison.

Pass: Reps. Garrett, Stone.

There being no further business before the committee, Chair Vaupel adjourned the meeting at 12:31 PM.

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Representative Hank Vaupel, Chair

Melissa Sweet  
Committee Clerk  
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