

Act No. 250  
Public Acts of 2024  
Approved by the Governor  
January 21, 2025  
Filed with the Secretary of State  
January 21, 2025  
EFFECTIVE DATE: April 2, 2025

**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2024**

**Introduced by Reps. Hope, Rheingans, Brenda Carter, Arbit, Brabec, Edwards, Price, Brixie, Young, Glanville, Stone, Miller, Farhat, Steckloff, Byrnes, Wilson and Fitzgerald**

# **ENROLLED HOUSE BILL No. 5173**

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 20165 (MCL 333.20165), as amended by 2008 PA 39, and by adding section 21537.

*The People of the State of Michigan enact:*

Sec. 20165. (1) Except as otherwise provided in this section, after notice of intent to an applicant or licensee to deny, limit, suspend, or revoke the applicant’s application or licensee’s license or certification and an opportunity for a hearing, the department may deny, limit, suspend, or revoke the application, license, or certification or impose an administrative fine on a licensee if 1 or more of the following exist:

- (a) Fraud or deceit in obtaining or attempting to obtain a license or certification or in the operation of the licensed health facility or agency.
- (b) A violation of this article or a rule promulgated under this article.
- (c) False or misleading advertising.
- (d) Negligence or failure to exercise due care, including negligent supervision of employees and subordinates.
- (e) Permitting a license or certificate to be used by an unauthorized health facility or agency.
- (f) Evidence of abuse regarding a patient’s health, welfare, or safety or the denial of a patient’s rights.

(g) Failure to comply with section 10115.

(h) Failure to comply with part 222 or a term, condition, or stipulation of a certificate of need issued under part 222, or both.

(i) A violation of section 20197(1).

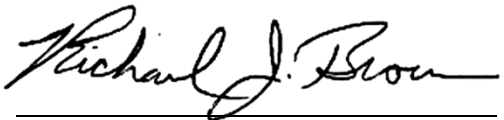
(2) The department may deny an application for a license or certification based on a finding of a condition or practice that would constitute a violation of this article if the applicant were a licensee.

(3) Denial, suspension, or revocation of an individual emergency medical services personnel license under part 209 is governed by section 20958.

(4) If the department determines under subsection (1) that a health facility or agency has violated section 20197(1), the department shall impose an administrative fine of \$5,000,000.00 on the health facility or agency.

Sec. 21537. (1) If a live child born in a hospital is not covered under a health benefit plan, the hospital shall provide to a parent or guardian of the child the informational document on the insurance enrollment process developed under subsection (2).

(2) The department of insurance and financial services, in consultation with the department of health and human services, shall develop and make available to hospitals an informational document on the insurance enrollment process for coverage of a newborn.

  
Clerk of the House of Representatives

  
Secretary of the Senate

Approved \_\_\_\_\_

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Governor