

HOUSE BILL No. 5147

October 8, 2003, Introduced by Reps. Reeves, Sak, Spade, Brandenburg, Vagnozzi, Voorhees, Wojno, Hunter, Kooiman, O'Neil, Murphy, Dennis, Stallworth, Byrum, Jamnick, Cheeks, Tobocman, Gillard, Sheltroun, Ehardt, Shaffer, Newell, Palsrok, Walker, Waters, Phillips, Williams, Gleason and Daniels and referred to the Committee on Health Policy.

A bill to amend 1981 PA 180, entitled
"Older Michiganians act,"
by amending section 2 (MCL 400.582), as amended by 1987 PA 35,
and by adding section 6d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Area agency on aging" means an agency designated by the
3 commission under section 4(i).

4 (b) "Chief elected official administrative officer" means any
5 of the following:

6 (i) The president of a village.

7 (ii) The mayor of a city.

8 (iii) The supervisor of a township.

9 (iv) The elected county executive or appointed county manager
10 of a county; or if the county has not adopted an optional unified

1 form of county government, the chairperson of the county board of
2 commissioners of the county.

3 (c) "Commission" means the commission on services to the
4 aging established under section 3.

5 (d) "Director" means the director of the office of services
6 to the aging.

7 (e) "Federal poverty guidelines" means the poverty guidelines
8 published annually in the federal register by the United States
9 department of health and human services under its authority to
10 revise the poverty line under section 673(2) of subtitle B of
11 title VI of the omnibus budget reconciliation act of 1981, Public
12 Law 97-35, 42 U.S.C. 9902.

13 (f) "Household income" means all income received by all
14 persons of a household in a tax year while members of a
15 household.

16 (g) ~~(e)~~ "Long-term care facility" means 1 or more of the
17 following:

18 (i) A home for the aged as defined in section 20106(3) of the
19 public health code, ~~Act No. 368 of the Public Acts of 1978,~~
20 ~~being section 333.20106 of the Michigan Compiled Laws 1978 PA~~
21 ~~368, MCL 333.20106.~~

22 (ii) An adult foster care facility as defined in section 3(4)
23 of the adult foster care facility licensing act, ~~Act No. 218 of~~
24 ~~the Public Acts of 1979, being section 400.703 of the Michigan~~
25 ~~Compiled Laws 1979 PA 218, MCL 400.703.~~

26 (iii) A nursing home as defined in section 20109(1) of ~~Act~~
27 ~~No. 368 of the Public Acts of 1978, being section 333.20109 of~~

1 ~~the Michigan Compiled Laws~~ **the public health code, 1978 PA 368,**
2 **MCL 333.20109.**

3 (iv) A county medical care facility as defined in
4 section 20104(4) of ~~Act No. 368 of the Public Acts of 1978,~~
5 ~~being section 333.20104 of the Michigan Compiled Laws~~ **the public**
6 **health code, 1978 PA 368, MCL 333.20104.**

7 (v) A hospital long-term care unit as defined in
8 section 20106(6) of ~~Act No. 368 of the Public Acts of 1978~~ **the**
9 **public health code, 1978 PA 368, MCL 333.20106.**

10 (h) ~~(f)~~ "Office" means the office of services to the aging
11 created by section 5.

12 (i) ~~(g)~~ "Older person" means a state resident who is 60
13 years of age or older, and the spouse of the older person,
14 regardless of age.

15 **Sec. 6d. (1) The senior Rx program is established in the**
16 **office of services to the aging to help older persons access and**
17 **apply for manufacturers' discount cards and pharmaceutical**
18 **assistance programs.**

19 (2) To be eligible for the senior Rx program established in
20 subsection (1), an individual must meet all of the following
21 criteria:

22 (a) Meet the definition of "older person" as defined in
23 section 2.

24 (b) Have a household income below 300% of the federal poverty
25 guidelines.

26 (c) Have not voluntarily canceled a state or federal
27 prescription drug program or private prescription reimbursement

1 plan within 6 months before applying for enrollment in the senior
2 Rx program.

3 (3) Subject to an annual appropriation for the senior Rx
4 program and after determining eligibility, the office shall
5 assist eligible older persons by assisting them in accessing
6 manufacturers' pharmaceutical assistance programs and by
7 assisting them in applying for manufacturers' pharmaceutical
8 assistance programs.

9 (4) The office may seek and receive voluntary funds from any
10 source including federal funds and gifts that are to be expended
11 for the purposes of this program. The office may accept grants
12 available to build community public sector and private sector
13 partnerships. The office shall include within the development of
14 the program the assistance of foundations, community groups, area
15 agencies on aging, corporations, hospitals, physicians, or any
16 other entity that can advance the intent of the program.

17 (5) The office shall prepare and submit a quarterly report on
18 the program to the governor, the legislature, the chairpersons of
19 the committees on appropriations, and the chairpersons of the
20 committees that have jurisdiction over issues dealing with older
21 persons.