

**MINUTES OF THE COMMITTEE
ON
FAMILIES, CHILDREN, AND SENIORS**

Tuesday, May 15, 2012

10:30 a.m.

Room 327 House Office Building

The House Standing Committee on Families, Children, and Seniors was called to order by the Chair.

The Chair placed the committee at ease, the time being 10:32 a.m.

The Chair brought the committee back to order, the time being 10:40 a.m.

Members present: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.

Member absent/excused: None.

Representative Rendon moved to approve the minutes of the May 8, 2012 meeting. There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 454, SB 457, SB 462, SB 464 and SB 468 before the committee:

SB 454	Nofs	Civil procedure; evidence; testimony of a vulnerable adult; allow to be presented by videotape or closed-circuit television.
SB 457	Colbeck	Counties; employees and officers; county medical examiner to establish an elder death review team; allow.
SB 462	Bieda	Health facilities; nursing homes; reporting requirements for abuse or neglect in nursing homes; modify.
SB 464	Schuitmaker	Criminal procedure; other; development of investigative protocols and abuse and neglect interview protocols for vulnerable adults; require by certain local agencies.
SB 468	Hansen	Criminal procedure; arrests; complainant's signature requirement to file a criminal complaint in cases alleging vulnerable adult abuse; prohibit magistrate from refusing to accept complaint because signed upon information and belief by individual other than the victim.

Representative Rendon moved to adopt substitute (H-1) to SB 454. The motion prevailed 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.

Nays: None.
Pass: None.

Representative O'Brien moved to report out SB 454 with recommendation as substitute (H-1).
The motion prevailed 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.
Nays: None.
Pass: None.

Representative Lane moved to adopt substitute (H-2) to SB 457. The motion prevailed 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.
Nays: None.
Pass: None.

Representative Rendon moved to report out SB 457 with recommendation as substitute (H-2).
The motion prevailed 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.
Nays: None.
Pass: None.

Representative Haines moved to report out SB 462 with recommendation. The motion prevailed 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.
Nays: None.
Pass: None.

Representative Slavens moved to report out SB 464 with recommendation. The motion prevailed 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.
Nays: None.
Pass: None.

Representative Heise moved to report out SB 468 with recommendation. The motion prevailed 9-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Slavens, Lane, Stapleton.
Nays: None.
Pass: None.

The following people submitted cards in support of the bills, but did not wish to speak:

Rebecca DeVooght, representing Senator Schuitmaker's Office.
Michael Markey, M.O., representing the Michigan Association of Medical Examiners.
Mary Pollock, representing the Michigan State Employee Retires Association.
Ruth Linnemann, representing the National Multiple Sclerosis Society of Michigan.
Brad Vauter, representing the Elder Law of Michigan.
Steve Japina, representing the Michigan State Medical Society.
Felicia Wasson, representing the AARP.
Sara Wick, representing the Kalamazoo County Advocates for Senior Issues.
John Hilliard, representing the Kalamazoo County Advocates for Senior Issues.

The Chair laid the committee at ease, the time being 10:47 a.m.

The Chair brought the committee back to order, the time being 10:50 a.m.

The Chair laid HB 5223 before the committee:

HB 5223	Farrington	Human services; services or financial assistance; applicant substance abuse testing; include in eligibility criteria for family independence assistance program benefits.
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Substitute (H-1) was previously adopted on 05/08/2012.

Representative Slavens moved to adopt substitute (H-2) to HB 5223. The motion did not prevail 3-6-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.
Nays: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.
Pass: None.

Representative Slavens offered the following amendments to HB 5223 (H-1):

1. Amend page 2, line 14, after "**SECTION**" by striking out the balance of the line through "**FOLLOWING:**" on line 15 and inserting "**ACCORDING TO A PROTOCOL THAT INCLUDES THE FOLLOWING STEPS:**".
2. Amend page 2, line 20, by striking out the balance of the subsection and inserting:
"**(B) IF THE DEPARTMENT EMPLOYEE ADMINISTERING THE SUBSTANCE ABUSE SURVEY HAS REASONABLE SUSPICION OF SUBSTANCE ABUSE BY THE APPLICANT OR RECIPIENT, A SUBSTANCE ABUSE PROFESSIONAL SHALL SCREEN THE APPLICANT OR RECIPIENT FOR SUSPICION OF SUBSTANCE**

ABUSE USING AN EMPIRICALLY VALIDATED SUBSTANCE ABUSE SCREENING TOOL IN A 1-ON-1 CONTACT.

(C) THE SUBSTANCE ABUSE PROFESSIONAL DESCRIBED IN SUBDIVISION (B) SHALL GATHER ADDITIONAL INFORMATION ABOUT THE APPLICANT OR APPLICANT, INCLUDING INFORMATION GATHERED FROM A DRUG-SCREENING TEST.

(D) THE SUBSTANCE ABUSE PROFESSIONAL SHALL DETERMINE THE LEVEL OF TREATMENT NEEDED AND MAKE THE APPROPRIATE REFERRAL FOR THE APPLICANT OR RECIPIENT."

Representative Slavens moved to adopt the amendments to HB 5223 (H-1). The motion did not prevail 3-6-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Pass: None.

Representative Lane offered the following amendment to HB 5223 (H-1):

1. Amend page 3, line 2, by striking out the balance of line 2 through "(8)" on line 9 and inserting:

"(7) IF A SUBSTANCE ABUSE TEST IS REQUIRED UNDER SUBSECTION (6), 1 OF THE FOLLOWING APPLIES:

(A) IF THE APPLICANT OR RECIPIENT REFUSES TO TAKE A SUBSTANCE ABUSE TEST AFTER REASONABLE SUSPICION HAS BEEN ESTABLISHED, HE OR SHE IS INELIGIBLE FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE BUT MAY REAPPLY AFTER 6 MONTHS. THE APPLICANT OR RECIPIENT MUST TEST NEGATIVE FOR ILLEGAL USE OF A CONTROLLED SUBSTANCE IN ORDER TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE.

(B) IF THE APPLICANT OR RECIPIENT TESTS POSITIVE FOR ILLEGAL USE OF A CONTROLLED SUBSTANCE AFTER REASONABLE SUSPICION HAS BEEN ESTABLISHED, HE OR SHE MUST PARTICIPATE IN SUBSTANCE ABUSE TREATMENT AT A LEVEL RECOMMENDED BY THE DEPARTMENT. IF THE APPLICANT OR RECIPIENT PARTICIPATES IN SUBSTANCE ABUSE TREATMENT AT THE LEVEL RECOMMENDED BY THE DEPARTMENT, HE OR SHE SHALL CONTINUE TO BE ELIGIBLE FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE. IF HE OR SHE DOES NOT PARTICIPATE IN SUBSTANCE ABUSE TREATMENT AT THE LEVEL RECOMMENDED BY THE DEPARTMENT, HE OR SHE IS INELIGIBLE FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE BUT MAY REAPPLY AFTER 6 MONTHS. THE APPLICANT OR RECIPIENT MUST TEST NEGATIVE FOR ILLEGAL USE OF A CONTROLLED SUBSTANCE IN ORDER TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE.

(C)" and renumbering the remaining subsections.

Representative Lane moved to adopt the amendment to HB 5223 (H-1). The motion did not

prevail 3-4-2.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: Reps. Kurtz, Heise, Hooker, Rendon.

Pass: Reps. O'Brien, Haines.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 3, following line 26, by inserting:

"(10) IF A PARENT IS INELIGIBLE FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE AS A RESULT OF THIS SECTION, ALL OF THE FOLLOWING APPLY:

(A) THE PARENT'S DEPENDENT CHILD'S ELIGIBILITY FOR FAMILY INDEPENDENCE PROGRAM ASSISTANCE IS NOT AFFECTED.

(B) AN APPROPRIATE PROTECTIVE PAYEE SHALL BE DESIGNATED TO RECEIVE BENEFITS ON BEHALF OF THE CHILD.

(C) THE PARENT MAY CHOOSE TO DESIGNATE ANOTHER INDIVIDUAL TO RECEIVE BENEFITS FOR THE PARENT'S DEPENDENT CHILD. THE DESIGNATED INDIVIDUAL MUST BE AN IMMEDIATE FAMILY MEMBER OR, IF AN IMMEDIATE FAMILY MEMBER IS NOT AVAILABLE OR THE FAMILY MEMBER DECLINES THE OPTION, ANOTHER INDIVIDUAL APPROVED BY THE DEPARTMENT." and renumbering the remaining subsections.

Representative Slavens moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-6-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Pass: None.

The Chair laid the committee at ease, the time being 10:56 a.m.

The Chair brought the committee back to order, the time being 11:23 a.m.

Representative Stapleton offered the following amendments to HB 5223 (H-1):

1. Amend page 3, line 12, after "**BE**" by striking out the balance of the sentence and inserting "**PAID FOR BY THE STATE.**".

2. Amend page 3, line 18, after "**BE**" by striking out the balance of the subsection and inserting "**PAID FOR BY THE STATE.**".

Representative Stapleton moved to adopt the amendments to HB 5223 (H-1). The motion did not prevail 3-6-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Pass: None.

Representative Stapleton offered the following amendment to HB 5223 (H-1):

1. Amend page 4, following line 4, by inserting:

"SEC. 57W. (1) THE LEGISLATIVE COUNCIL SHALL ESTABLISH AND ADMINISTER SUSPICION-BASED SUBSTANCE ABUSE SCREENING AND TESTING FOR THE USE OF A CONTROLLED SUBSTANCE BY A MEMBER OF THE LEGISLATURE.

(2) THE PROGRAM ESTABLISHED IN SUBSECTION (1) MUST INCLUDE OR DO BOTH OF THE FOLLOWING:

(A) REQUIRE SUBSTANCE ABUSE TESTING FOR MEMBERS WHOM EITHER THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, THE MAJORITY LEADER OF THE SENATE, OR THE MINORITY LEADER OF THE SENATE BELIEVES, BASED ON REASONABLE SUSPICION, ARE ENGAGED IN THE ILLEGAL USE OF A CONTROLLED SUBSTANCE.

(B) IF DUE TO REASONABLE SUSPICION, A MEMBER IS REQUIRED TO SUBMIT TO SUBSTANCE ABUSE TESTING, THAT SUBSTANCE ABUSE TESTING MUST BE COMPLETED WITHIN 12 HOURS OF THE MEMBER BEING NOTIFIED.

(3) IF A MEMBER REFUSES TO TAKE A SUBSTANCE ABUSE TEST OR TESTS POSITIVE FOR THE ILLEGAL USE OF A CONTROLLED SUBSTANCE, THE MEMBER MAY NOT RECEIVE ANY OF THE FOLLOWING PRIVILEGES PROVIDED TO MEMBERS:

(A) PARTISAN STAFF.

(B) RESERVED PARKING AT THE CAPITOL.

(C) FULL OFFICE FUNDING ALLOCATION. IN THIS CASE, THE OFFICE FUNDING ALLOCATION SHALL BE CUT BY 10% OF THE FULL FUNDING AMOUNT.

(D) MEMBERSHIP ON COMMITTEES OR LEADERSHIP POSITION ON COMMITTEES.

(4) IF A MEMBER IS REQUIRED TO SUBMIT TO SUBSTANCE ABUSE TESTING, THE COST OF ADMINISTERING THE TEST SHALL BE DEDUCTED OUT OF HIS OR HER SALARY.

(5) THE FOLLOWING LISTS SHALL BE MADE AVAILABLE TO THE PUBLIC ONLINE:

(A) THE NAMES OF ALL THE MEMBERS WHO ARE REQUESTED TO SUBMIT TO SUBSTANCE ABUSE TESTING DUE TO A REASONABLE SUSPICION.

(B) THE NAMES OF MEMBERS WHO REFUSE TO CONSENT TO SUBSTANCE ABUSE TESTING.

(C) THE NAMES OF EACH MEMBER TESTED FOR ILLEGAL USE OF A CONTROLLED SUBSTANCE BASED ON REASONABLE SUSPICION.

(D) THE NAMES OF EACH MEMBER WHO TESTS POSITIVE FOR THE

ILLEGAL USE OF A CONTROLLED SUBSTANCE.

(E) THE NAMES OF EACH MEMBER WHO TESTS NEGATIVE FOR THE ILLEGAL USE OF A CONTROLLED SUBSTANCE.

(6) AS USED IN THIS SECTION, "MEMBER" MEANS A MEMBER OF THE STATE HOUSE OF REPRESENTATIVES OR THE STATE SENATE."

Representative Stapleton moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 4, following line 4, by inserting:

"Enacting section 1. This amendatory act takes effect only if a law is enacted in this state that requires members of the legislature to be tested for illegal use of a controlled substance as a condition of holding office under article IV of the state constitution of 1963."

Representative Slavens moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 4, following line 4, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5527 of the 96th Legislature is enacted into law."

Representative Slavens moved to withdraw her amendment. Without objection, so ordered.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 3, following line 26, by inserting:

"(10) INFORMATION COLLECTED REGARDING THE APPLICANT OR RECIPIENT, INCLUDING RESULTS OF ANY SUBSTANCE ABUSE TESTING, SHALL BE KEPT CONFIDENTIAL AND MAINTAINED IN ACCORDANCE WITH THE STANDARDS OF THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, PUBLIC LAW 104-191." and renumbering the remaining subsections.

Representative Slavens moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 2-0-7.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon, Lane.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 3, following line 26, by inserting:

"(10) IF THE LEVEL OF APPLICANTS OR RECIPIENTS WHO TEST POSITIVE FOR ILLEGAL SUBSTANCE ABUSE IS BELOW 10%, THE DEPARTMENT SHALL DISCONTINUE THE PROGRAM ESTABLISHED UNDER THIS SECTION. IF THE DEPARTMENT CONTINUES THE PROGRAM ESTABLISHED UNDER THIS SECTION, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE LEGISLATURE ANNUALLY ON, AT LEAST, ALL OF THE FOLLOWING:

(A) THE NUMBER OF INDIVIDUALS TESTED, THE SUBSTANCES TESTED FOR, THE RESULTS OF THE TESTING, AND THE NUMBER OF REFERRALS FOR TREATMENT.

(B) THE COSTS OF THE TESTING AND THE RESULTING TREATMENT.

(C) SANCTIONS, IF ANY, THAT HAVE BEEN IMPOSED ON RECIPIENTS AS A RESULT OF THE TESTING PROGRAM.

(D) THE PERCENTAGE AND NUMBER OF HOUSEHOLDS RECEIVING FAMILY INDEPENDENCE PROGRAM ASSISTANCE THAT INCLUDE AN INDIVIDUAL WHO HAS TESTED POSITIVE FOR ILLEGAL USE OF A CONTROLLED SUBSTANCE UNDER THE PROGRAM AND THAT ALSO INCLUDE AN INDIVIDUAL WHO HAS BEEN NAMED AS THE PERPETRATOR IN A CASE CLASSIFIED AS A CENTRAL REGISTRY CASE UNDER THE CHILD PROTECTION LAW, 1975 PA 238, MCL 722.621 TO 722.638." and renumbering the remaining subsections.

Representative Slavens moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 2-4-3.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Stapleton.

Nays: Reps. O'Brien, Heise, Hooker, Rendon.

Pass: Reps. Kurtz, Haines, Lane.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 3, following line 26, by inserting:

"(10) THE DEPARTMENT SHALL SUBMIT A REPORT TO THE LEGISLATURE ANNUALLY ON, AT LEAST, ALL OF THE FOLLOWING:

(A) THE NUMBER OF INDIVIDUALS TESTED, THE SUBSTANCES TESTED FOR, THE RESULTS OF THE TESTING, AND THE NUMBER OF REFERRALS FOR TREATMENT.

(B) THE COSTS OF THE TESTING AND THE RESULTING TREATMENT.

(C) SANCTIONS, IF ANY, THAT HAVE BEEN IMPOSED ON RECIPIENTS AS A RESULT OF THE TESTING PROGRAM.

(D) THE PERCENTAGE AND NUMBER OF HOUSEHOLDS RECEIVING FAMILY INDEPENDENCE PROGRAM ASSISTANCE THAT INCLUDE AN INDIVIDUAL WHO HAS TESTED POSITIVE FOR ILLEGAL USE OF A CONTROLLED SUBSTANCE UNDER THE PROGRAM AND THAT ALSO INCLUDE AN INDIVIDUAL WHO HAS BEEN NAMED AS THE PERPETRATOR IN A CASE CLASSIFIED AS A CENTRAL REGISTRY CASE UNDER THE CHILD PROTECTION LAW, 1975 PA 238, MCL 722.621 TO 722.638." and renumbering the remaining subsections.

Representative Slavens moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Stapleton offered the following amendments to HB 5223 (H-1):

1. Amend page 4, line 2, after "**THIS**" by striking out "**SECTION, "CONTROLLED**" and inserting "**SECTION:**

(A) "CONTROLLED".

2. Amend page 4, following line 4, by inserting:

"(B) "TESTS NEGATIVE" MEANS THAT AN INDIVIDUAL TESTS NEGATIVE FOR THE PRESENCE OF A CONTROLLED SUBSTANCE IN THE INDIVIDUAL'S BODY OR TESTS POSITIVE FOR THE PRESENCE OF A CONTROLLED SUBSTANCE IN THE INDIVIDUAL'S BODY, BUT HAS A VALID PRESCRIPTION OR AN ORDER OF A PRACTITIONER ACTING IN THE COURSE OF THE PRACTITIONER'S PROFESSIONAL PRACTICE.

(C) "TESTS POSITIVE" MEANS THAT AN INDIVIDUAL TESTS POSITIVE FOR THE PRESENCE OF A CONTROLLED SUBSTANCE IN THE INDIVIDUAL'S BODY AND DOES NOT POSSESS A VALID PRESCRIPTION OR AN ORDER OF A PRACTITIONER ACTING IN THE COURSE OF THE PRACTITIONER'S PROFESSIONAL PRACTICE."

Representative Stapleton moved to adopt the amendments to HB 5223 (H-1). The motion did not prevail 3-1-5.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: Rep. O'Brien.

Pass: Reps. Kurtz, Haines, Heise, Hooker, Rendon.

Representative Slavens offered the following amendments to HB 5223 (H-1):

1. Amend page 2, line 3, after "1," by striking out "2014" and inserting "2016".
2. Amend page 2, line 8, after "1," by striking out "2014" and inserting "2016".
3. Amend page 2, line 9, after "1," by striking out "2015" and inserting "2017".

Representative Slavens moved to adopt the amendments to HB 5223 (H-1). The motion did not prevail 2-3-4.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Stapleton.

Nays: Reps. O'Brien, Heise, Hooker.

Pass: Reps. Kurtz, Haines, Rendon, Lane.

Representative Stapleton offered the following amendment to HB 5223 (H-1):

1. Amend page 2, line 2, after "SUBSECTION" by inserting "**BY DIVIDING ALL THE COUNTIES IN THIS STATE INTO THE FOLLOWING 3 GROUPS AND SELECTING AT LEAST 1 COUNTY FROM EACH GROUP:**
(A) TWENTY-SEVEN COUNTIES WITH THE GREATEST POPULATIONS.
(B) TWENTY-SEVEN COUNTIES WITH THE LOWEST POPULATIONS.
(C) ALL OTHER COUNTIES IN THIS STATE THAT ARE NOT INCLUDED IN SUBDIVISIONS (A) AND (B)".

Representative Stapleton moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Stapleton offered the following amendment to HB 5223 (H-1):

1. Amend page 3, following line 26, by inserting:
"(10) THE SUSPICION-BASED SUBSTANCE ABUSE SCREENING AND TESTING PROGRAM DEVELOPED BY THE DEPARTMENT SHALL INCLUDE AN APPEALS PROCESS FOR APPLICANTS AND RECIPIENTS." and renumbering the remaining subsections.

Representative Stapleton moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 3, line 1, after "**TEST.**" by inserting "**THE DEPARTMENT MUST DOCUMENT THE BEHAVIOR, ACTIONS, OR OTHER CAUSE TO HAVE REASONABLE SUSPICION THAT THE APPLICANT OR RECIPIENT HAS ENGAGED IN THE ILLEGAL USE OF A CONTROLLED SUBSTANCE. THE INFORMATION MUST BE PROVIDED TO THE APPLICANT OR RECIPIENT.**".

Representative Slavens moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Slavens offered the following amendment to HB 5223 (H-1):

1. Amend page 4, line 1, after "**OLDER**" by inserting "**AND UNDER 65 YEARS OF AGE**".

Representative Slavens moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Stapleton offered the following amendment to HB 5223 (H-1):

1. Amend page 3, following line 26, by inserting:
"**(10) THE DEPARTMENT SHALL ENSURE THAT, AT THE TIME OF INITIAL APPLICATION OR REDETERMINATION, AN APPLICANT OR RECIPIENT IS AWARE THAT HE OR SHE MAY BE SUBJECT TO SUSPICION-BASED SUBSTANCE ABUSE SCREENING AND TESTING.**" and renumbering the remaining subsections.

Representative Stapleton moved to adopt the amendment to HB 5223 (H-1). The motion did not prevail 3-0-6.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: None.

Pass: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Representative Slavens moved to table HB 5223. The motion did not prevail 3-6-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Slavens, Lane, Stapleton.

Nays: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Pass: None.

Representative Rendon moved to report out HB 5223 with recommendation as substitute (H-1). The motion prevailed 6-2-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kurtz, O'Brien, Haines, Heise, Hooker, Rendon.

Nays: Reps. Slavens, Stapleton.

Pass: Rep. Lane.

Mel Haga, representing the Michigan County Social Services Association, submitted a card with a neutral position, but did not wish to speak.

The following people submitted cards in opposition to the bill, but did not wish to speak:

Tom Hickson, representing the Michigan Catholic Conference.

Alan Bolter, representing the Michigan Association of Community Mental Health Boards.

Michael Reagan, representing Cherry Street Health Services.

Mary Pollock, representing the Michigan National Organization for Women.

Shelli Weisberg, representing the American Civil Liberties Union of Michigan.

Rachael Sieman, representing herself.

Isabella Terry, representing herself, submitted a card in support of the bill, but did not wish to speak.

There being no further business before the committee, the Chair adjourned the meeting at 11:48 a.m.

Representative Kenneth Kurtz, Chair _____

Angie Lake, Committee Clerk

House Families, Children, and Seniors Committee

alake@house.mi.gov

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