

HOUSE BILL No. 5653

February 8, 2006, Introduced by Reps. Taub, Marleau, Stahl, Vander Veen, Elsenheimer, Newell, Nofs, Hildenbrand, Stakoe, Sheen, Stewart, Hune, Moore, Pastor, Brandenburg, LaJoy, Drolet, Huizenga, Garfield, Shaffer, Amos, Gaffney and Acciavatti and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 5119, 16337, 17001, 17008, 17025, 17066, 17074, 17078, 17501, 17745a, 17745b, 18001, 18011, and 18021 (MCL 333.2701, 333.5119, 333.16337, 333.17001, 333.17008, 333.17025, 333.17066, 333.17074, 333.17078, 333.17501, 333.17745a, 333.17745b, 333.18001, 333.18011, and 333.18021), section 2701 as added by 1990 PA 16, section 5119 as amended by 2000 PA 209, section 16337 as added by 1993 PA 79, sections 17001 and 17501 as amended by 2005 PA 264, section 17025 as amended by 1980 PA 146, sections 17066, 17074, and 17078 as amended by 1990 PA 247, section 17745a as amended by 1999 PA 190, section 17745b as added by 1993 PA 306, and section 18021 as amended by 1993 PA 79, and by adding sections

18048, 18049, 18050, 18054, and 18056; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2701. As used in this part:

2 (a) "Board certified" means certified to practice in a
3 particular medical ~~speciality~~ **SPECIALTY** by a national board
4 recognized by the American board of medical specialties or the
5 American osteopathic association.

6 (b) "Certified nurse midwife" means an individual licensed as
7 a registered professional nurse under part 172 who has been issued
8 a specialty certification in the practice of nurse midwifery by the
9 board of nursing under section 17210.

10 (c) "Certified nurse practitioner" means an individual
11 licensed as a registered professional nurse under part 172 who has
12 been issued a specialty certification as a nurse practitioner by
13 the board of nursing under section 17210.

14 (d) "Designated nurse" means a certified nurse midwife or
15 certified nurse practitioner.

16 (e) "Designated physician" means a physician qualified in 1 of
17 the physician specialty areas identified in section 2711.

18 (f) "Designated professional" means a designated physician,
19 designated nurse, or physician's assistant.

20 (g) "Health resource shortage area" means a geographic area,
21 population group, or health facility designated by the department
22 under section 2717.

23 (h) "Medicaid" means benefits under the program of medical
24 assistance established under title XIX of the social security act,

1 ~~42 U.S.C. 1396 to 1396d, 1396f to 1396g, and 1396i to 1396s~~ **42 USC**
2 **1396 TO 1396V**, and administered by the department of ~~social~~ **HUMAN**
3 services under the social welfare act, ~~Act No. 280 of the Public~~
4 ~~Acts of 1939, being sections 400.1 to 400.121 of the Michigan~~
5 ~~Compiled Laws 1939 PA 280, MCL 400.1 TO 400.119B.~~

6 (i) "Medical school" means an accredited program for the
7 training of individuals to become physicians.

8 (j) "Medicare" means benefits under the federal medicare
9 program established under title XVIII of the social security act,
10 ~~42 U.S.C. 1395 to 1395b, 1395b-2 to 1395i, 1395i-1a to 1395i-2,~~
11 ~~1395j to 1395dd, 1395ff to 1395mm, and 1395oo to 1395eee~~ **42 USC**
12 **1395 TO 1395HHH.**

13 (k) "National health service corps" means the agency
14 established under section 331 of title III of the public health
15 service act, 42 ~~U.S.C.~~ **USC** 254d.

16 (l) "Nurse" means an individual licensed to engage in the
17 practice of nursing under part 172.

18 (m) "Nursing program" means an accredited program for the
19 training of individuals to become nurses.

20 (n) "Physician" means an individual licensed as a physician
21 under part 170 or an osteopathic physician under part 175.

22 (o) "Physician's assistant" means an individual licensed as a
23 physician's assistant under part 170. ~~or part 175.~~

24 (p) "Physician's assistant program" means an accredited
25 program for the training of individuals to become physician's
26 assistants.

27 (q) "Service obligation" means the contractual obligation

1 undertaken by an individual under section 2705 or section 2707 to
2 provide health care services for a determinable time period at a
3 site designated by the department.

4 Sec. 5119. (1) An individual applying for a marriage license
5 shall be advised through the distribution of written educational
6 materials by the county clerk regarding prenatal care and the
7 transmission and prevention of venereal disease and HIV infection.
8 The written educational materials shall describe the availability
9 to the applicant of tests for both venereal disease and HIV
10 infection. The information shall include a list of locations where
11 HIV counseling and testing services funded by the department are
12 available. The written educational materials shall be approved or
13 prepared by the department.

14 (2) A county clerk shall not issue a marriage license to an
15 applicant who fails to sign and file with the county clerk an
16 application for a marriage license that includes a statement with a
17 check-off box indicating that the applicant has received the
18 educational materials regarding the transmission and prevention of
19 both venereal disease and HIV infection and has been advised of
20 testing for both venereal disease and HIV infection, pursuant to
21 subsection (1).

22 (3) If either applicant for a marriage license undergoes a
23 test for HIV or an antibody to HIV, and if the test results
24 indicate that an applicant is HIV infected, the physician or a
25 designee of the physician, the physician's assistant, the certified
26 nurse midwife, or the certified nurse practitioner or the local
27 health officer or designee of the local health officer

1 administering the test immediately shall inform both applicants of
2 the test results, and shall counsel both applicants regarding the
3 modes of HIV transmission, the potential for HIV transmission to a
4 fetus, and protective measures.

5 (4) As used in this section:

6 (a) "Certified nurse midwife" means an individual licensed as
7 a registered professional nurse under part 172 who has been issued
8 a specialty certification in the practice of nurse midwifery by the
9 board of nursing under section 17210.

10 (b) "Certified nurse practitioner" means an individual
11 licensed as a registered professional nurse under part 172 who has
12 been issued a specialty certification as a nurse practitioner by
13 the board of nursing under section 17210.

14 (c) "Physician" means an individual licensed as a physician
15 under part 170 or an osteopathic physician under part 175.

16 (d) "Physician's assistant" means an individual licensed as a
17 physician's assistant under part 170. ~~or part 175.~~

18 Sec. 16337. Fees for a person licensed or seeking licensure
19 **UNDER PART 170** to engage in practice as a physician's assistant
20 under ~~either~~ part 170, ~~or~~ part 175, **OR PART 180** are as follows:

21	(a) Application processing fee	\$ 30.00
22	(b) License fee, per year	50.00
23	(c) Temporary license	35.00
24	(d) Limited license, per year	25.00

25 Sec. 17001. (1) As used in this part:

26 (a) "Academic institution" means either of the following:

27 (i) A medical school approved by the board.

1 (ii) A hospital licensed under article 17 that meets all of the
2 following requirements:

3 (A) Was the sole sponsor or a co-sponsor, if each other co-
4 sponsor is either a medical school approved by the board or a
5 hospital owned by the federal government and directly operated by
6 the United States department of veterans' affairs, of not less than
7 4 postgraduate education residency programs approved by the board
8 under section 17031(1) for not less than the 3 years immediately
9 preceding the date of an application for a limited license under
10 section 16182(2)(c) or an application for a full license under
11 section 17031(2), provided that at least 1 of the residency
12 programs is in the specialty area of medical practice, or in a
13 specialty area that includes the subspecialty of medical practice,
14 in which the applicant for a limited license proposes to practice
15 or in which the applicant for a full license has practiced for the
16 hospital.

17 (B) Has spent not less than \$2,000,000.00 for medical
18 education during each of the 3 years immediately preceding the date
19 of an application for a limited license under section 16182(2)(c)
20 or an application for a full license under section 17031(2). As
21 used in this subparagraph, "medical education" means the education
22 of physicians and candidates for degrees or licenses to become
23 physicians, including, but not limited to, physician staff,
24 residents, interns, and medical students.

25 (b) "Electrodiagnostic studies" means the testing of
26 neuromuscular functions utilizing nerve conduction tests and needle
27 electromyography. It does not include the use of surface

1 electromyography.

2 (c) "Medical care services" means those services within the
3 scope of practice of physicians licensed by the board, except those
4 services that the board determines shall not be delegated by a
5 physician without endangering the health and safety of patients as
6 provided for in section 17048(3).

7 (d) "Physician" means an individual licensed under this
8 article to engage in the practice of medicine.

9 **(E) "PODIATRIST" MEANS AN INDIVIDUAL LICENSED UNDER THIS**
10 **ARTICLE TO ENGAGE IN THE PRACTICE OF PODIATRIC MEDICINE AND**
11 **SURGERY.**

12 **(F) —(e)—** "Practice of medicine" means the diagnosis,
13 treatment, prevention, cure, or relieving of a human disease,
14 ailment, defect, complaint, or other physical or mental condition,
15 by attendance, advice, device, diagnostic test, or other means, or
16 offering, undertaking, attempting to do, or holding oneself out as
17 able to do, any of these acts.

18 **(G) —(f)—** "Practice as a physician's assistant" means the
19 practice of medicine, ~~or~~ osteopathic medicine and surgery, **OR**
20 **PODIATRIC MEDICINE AND SURGERY** performed under the supervision of a
21 physician or ~~physicians~~ **PODIATRIST** licensed under this ~~part or~~
22 ~~part 175~~ **ARTICLE.**

23 **(H) —(g)—** "Supervision" means that term as defined in section
24 16109, except that it also includes the existence of a
25 predetermined plan for emergency situations, including, but not
26 limited to, the designation of a physician to supervise a
27 physician's assistant in the absence of the primary supervising

1 physician.

2 (I) ~~(h)~~ "Task force" means the joint task force created in
3 ~~sections~~ **SECTION** 17025. ~~and 17525.~~

4 (2) In addition to the definitions in this part, article 1
5 contains definitions and principles of construction applicable to
6 all articles in this code and part 161 contains definitions
7 applicable to this part.

8 Sec. 17008. Practice as a physician's assistant is a health
9 profession subfield of the practice of medicine, ~~and~~ osteopathic
10 medicine and surgery, **AND PODIATRIC MEDICINE AND SURGERY.**

11 Sec. 17025. (1) A joint task force is created for the health
12 profession subfields licensed under this part. ~~and part 175.~~ The
13 task force shall consist of the following ~~9~~ **10** members, who shall
14 meet the requirements of part 161: 1 member each from the board of
15 medicine, ~~and~~ the board of osteopathic medicine and surgery, **AND**
16 **THE BOARD OF PODIATRIC MEDICINE AND SURGERY** holding a license other
17 than a health profession subfield license, 5 physician's
18 assistants, and 2 public members.

19 (2) The requirement of section 16135(d) that a task force
20 member shall have practiced that profession for 2 years immediately
21 before appointment is waived until October 1, 1980 for members of
22 the board licensed in a health profession subfield created by this
23 part.

24 Sec. 17066. The standards and decisions regarding the
25 qualifications of physician's assistants shall be designed to
26 determine that each physician's assistant has the necessary
27 knowledge and skill to perform in a safe and competent manner with

1 due regard to the complexity and risks attendant to activities that
2 may be delegated by a physician **OR PODIATRIST** to a physician's
3 assistant.

4 Sec. 17074. (1) A physician's assistant shall not undertake or
5 represent that he or she is qualified to undertake provision of a
6 medical care service that he or she knows or reasonably should know
7 to be outside his or her competence or is prohibited by law.

8 (2) A physician's assistant shall not:

9 (a) Perform acts, tasks, or functions to determine the
10 refractive state of a human eye or to treat refractive anomalies of
11 the human eye, or both.

12 (b) Determine the spectacle or contact lens prescription
13 specifications required to treat refractive anomalies of the human
14 eye, or determine modification of spectacle or contact lens
15 prescription specifications, or both.

16 (3) A physician's assistant may perform routine visual
17 screening or testing, postoperative care, or assistance in the care
18 of medical diseases of the eye under the supervision of a
19 physician.

20 **(4) A PHYSICIAN'S ASSISTANT ACTING UNDER THE SUPERVISION OF A**
21 **PODIATRIST SHALL ONLY PERFORM THOSE DUTIES INCLUDED WITHIN THE**
22 **SCOPE OF PRACTICE OF THAT SUPERVISING PODIATRIST.**

23 Sec. 17078. (1) A physician's assistant is the agent of the
24 supervising physician **OR SUPERVISING PODIATRIST**. A communication
25 made to a physician's assistant that would be a privileged
26 communication if made to the supervising physician **OR SUPERVISING**
27 **PODIATRIST** is a privileged communication to the physician's

1 assistant and the supervising physician **OR SUPERVISING PODIATRIST**
2 to the same extent as if the communication were made to the
3 supervising physician **OR SUPERVISING PODIATRIST**.

4 (2) A physician's assistant shall conform to minimal standards
5 of acceptable and prevailing practice for the supervising physician
6 **OR SUPERVISING PODIATRIST**.

7 Sec. 17501. (1) As used in this part:

8 (a) "Electrodiagnostic studies" means the testing of
9 neuromuscular functions utilizing nerve conduction tests and needle
10 electromyography. It does not include the use of surface
11 electromyography.

12 (b) "Medical care services" means those services within the
13 scope of practice of physicians licensed and approved by the board,
14 except those services that the board determines shall not be
15 delegated by a physician without endangering the health and safety
16 of patients as provided for in section 17548(3).

17 (c) "Physician" means an individual licensed under this
18 article to engage in the practice of osteopathic medicine and
19 surgery.

20 (d) "Practice of osteopathic medicine and surgery" means a
21 separate, complete, and independent school of medicine and surgery
22 utilizing full methods of diagnosis and treatment in physical and
23 mental health and disease, including the prescription and
24 administration of drugs and biologicals, operative surgery,
25 obstetrics, radiological and other electromagnetic emissions, and
26 placing special emphasis on the interrelationship of the
27 musculoskeletal system to other body systems.

1 (e) "Practice as a physician's assistant" means the practice
 2 of **MEDICINE**, osteopathic medicine **AND SURGERY, AND PODIATRIC**
 3 **MEDICINE AND SURGERY** performed under the supervision of a physician
 4 **OR PODIATRIST** licensed under this ~~part or part 170~~ **ARTICLE**.

5 (f) "Supervision" has the meaning ascribed to it in section
 6 16109 except that it includes the existence of a predetermined plan
 7 for emergency situations, including, but not limited to, the
 8 designation of a physician to supervise a physician's assistant in
 9 the absence of the primary supervising physician.

10 (g) "Task force" means the joint task force created in
 11 ~~sections~~ **SECTION** 17025. ~~and 17525.~~

12 (2) In addition to the definitions in this part, article 1
 13 contains general definitions and principles of construction
 14 applicable to all articles in the code and part 161 contains
 15 definitions applicable to this part.

16 Sec. 17745a. (1) As used in this section:

17 (a) "Medicaid" means the program of medical assistance
 18 established under title XIX of the social security act, ~~chapter~~
 19 ~~531, 49 Stat. 620, 42 U.S.C. 1396 to 1396f, 1396g-1 to 1396r-6, and~~
 20 ~~1396r-8~~ **42 USC 1396** to 1396v.

21 (b) "Medicare" means the federal medicare program established
 22 under title XVIII of the social security act, ~~chapter 531, 49~~
 23 ~~Stat. 620, 42 U.S.C. 1395 to 1395b, 1395b-2, 1395b-6 to 1395b-7,~~
 24 ~~1395e to 1395i, 1395i-2 to 1395i-5, 1395j to 1395t, 1395u to 1395w,~~
 25 ~~1395w-2 to 1395w-4, 1395w-21 to 1395w-28, 1395x to 1395yy, and~~
 26 ~~1395bbb to 1395ggg~~ **42 USC 1395 TO 1395HHH**.

27 (c) "Public health program" means 1 of the following:

1 (i) A local health department.

2 (ii) A migrant health center or a community health center as
3 defined under sections 329 and 330 of subpart I of part C of title
4 III of the public health service act, 42 ~~U.S.C.~~ **USC** 254b and
5 254c.

6 (iii) A family planning program designated by the ~~family~~
7 ~~independence agency~~ **DEPARTMENT OF HUMAN SERVICES** as a provider
8 type 23 under the social welfare act, 1939 PA 280, MCL 400.1 to
9 400.119b, and verified by the department of community health.

10 (iv) A methadone treatment program licensed under article 6.

11 (v) A rural health clinic.

12 (vi) A hospice rendering emergency care services in a patient's
13 home as described in section 17746.

14 (d) "Rural health clinic" means a rural health clinic as
15 defined in section 1861 of part C of title XVIII of the social
16 security act, 42 ~~U.S.C.~~ **USC** 1395x, that is certified to
17 participate in medicaid and medicare.

18 (2) Except as otherwise provided in subsections (3) and (4),
19 in a public health program without an on-site pharmacy, a
20 dispensing prescriber may delegate the dispensing of prescription
21 drugs only to the following individuals:

22 (a) A registered professional nurse licensed under part 172.

23 (b) A physician's assistant licensed under part 170, ~~or part~~
24 ~~175,~~ if the delegating dispensing prescriber is responsible for
25 the clinical supervision of the physician's assistant.

26 (3) In a public health program without an on-site pharmacy, a
27 dispensing prescriber may delegate the delivery of prescription

1 drugs consisting only of prelabeled, prepackaged oral
2 contraceptives under the following circumstances:

3 (a) The delivery is delegated to an appropriately trained
4 individual.

5 (b) The delivery is performed pursuant to specific, written
6 protocols.

7 (4) In a methadone treatment program licensed under article 6
8 without an on-site pharmacy, a dispensing prescriber may delegate
9 the delivery of a prescription drug consisting only of 1 or more
10 single doses of methadone, up to the maximum number of single doses
11 allowed by law, to a registered client of the methadone treatment
12 program, if all of the following requirements are met:

13 (a) The delivery is delegated to 1 of the following
14 individuals:

15 (i) A registered professional nurse or a licensed practical
16 nurse licensed under part 172.

17 (ii) A physician's assistant licensed under part 170, ~~or part~~
18 ~~175,~~ but only if the delegating dispensing prescriber is
19 responsible for the clinical supervision of the physician's
20 assistant.

21 (b) The delivery is performed pursuant to specific, written
22 protocols.

23 (c) The prescription drug described in this subsection is
24 labeled in accordance with section 17745.

25 Sec. 17745b. (1) Subject to subsection (3), in an industrial
26 clinic or other prescriber practice location without an on-site
27 pharmacy, a dispensing prescriber may delegate the dispensing of

1 prescription drugs only to the following individuals:

2 (a) A registered professional nurse licensed under part 172.

3 (b) A physician's assistant licensed under part 170, ~~or part~~
4 ~~175,~~ if the dispensing prescriber is responsible for the clinical
5 supervision of the physician's assistant.

6 (2) In an industrial clinic or other prescriber practice
7 location without an on-site pharmacy, if a dispensing prescriber
8 does not delegate the dispensing of a prescription drug, the
9 dispensing prescriber shall do both of the following:

10 (a) Be physically present at the time the prescription drug is
11 dispensed.

12 (b) Immediately before the prescription drug is dispensed,
13 perform a final inspection of the type of prescription drug,
14 labeling, dosage, and amount of the prescription drug dispensed.

15 (3) A dispensing prescriber who delegates the dispensing of a
16 prescription drug to a patient in an industrial clinic or other
17 prescriber practice location without an on-site pharmacy shall not
18 delegate the dispensing of more than a 72-hour supply of the
19 prescription drug.

20 (4) Before dispensing a prescription drug to a patient in an
21 industrial clinic or other prescriber practice location without an
22 on-site pharmacy, a dispensing prescriber who intends to charge for
23 dispensing the drug shall give a written prescription to the
24 patient and shall instruct the patient that he or she may elect to
25 have the prescription filled by the dispensing prescriber or the
26 patient's pharmacy of choice.

27 (5) If a dispensing prescriber intends to charge for

1 dispensing a prescription drug to a patient in an industrial clinic
2 or other prescriber practice location without an on-site pharmacy,
3 the dispensing prescriber shall inform the patient of that fact
4 before dispensing the prescription drug to the patient. The
5 dispensing prescriber also shall list the charge for dispensing the
6 prescription drug as a separate item on the patient's bill.

7 (6) This section does not apply to public health programs as
8 defined in section 17745a.

9 Sec. 18001. (1) As used in this part:

10 (a) "Podiatrist" means a physician and surgeon licensed under
11 this article to engage in the practice of podiatric medicine and
12 surgery.

13 **(B) "PRACTICE AS A PHYSICIAN'S ASSISTANT" MEANS THE PRACTICE**
14 **OF MEDICINE, OSTEOPATHIC MEDICINE AND SURGERY, AND PODIATRIC**
15 **MEDICINE AND SURGERY UNDER THE SUPERVISION OF A PHYSICIAN OR**
16 **PODIATRIST LICENSED UNDER THIS ARTICLE.**

17 **(C) —(b)—** "Practice of podiatric medicine and surgery" means
18 the examination, diagnosis, and treatment of abnormal nails,
19 superficial excrescences occurring on the human hands and feet,
20 including corns, warts, callosities, and bunions, and arch troubles
21 or the treatment medically, surgically, mechanically, or by
22 physiotherapy of ailments of human feet or ankles as they affect
23 the condition of the feet. It does not include amputation of human
24 feet, or the use or administration of anesthetics other than local.

25 **(D) "SUPERVISION" MEANS THAT TERM AS DEFINED UNDER SECTION**
26 **16109 EXCEPT THAT IT INCLUDES THE EXISTENCE OF A PREDETERMINED PLAN**
27 **FOR EMERGENCY SITUATIONS INCLUDING, BUT NOT LIMITED TO, THE**

1 DESIGNATION OF A PODIATRIST TO SUPERVISE A PHYSICIAN'S ASSISTANT IN
2 THE ABSENCE OF THE PRIMARY SUPERVISING PODIATRIST.

3 (E) "TASK FORCE" MEANS THE JOINT TASK FORCE CREATED IN SECTION
4 17025.

5 (2) In addition to the definitions in this part, article 1
6 contains general definitions and principles of construction
7 applicable to all articles in this code and part 161 contains
8 definitions applicable to this part.

9 Sec. 18011. A person shall not engage in the practice of
10 podiatric medicine and surgery **OR PRACTICE AS A PHYSICIAN'S**
11 **ASSISTANT** unless licensed or otherwise authorized by this article.

12 Sec. 18021. (1) The Michigan board of podiatric medicine and
13 surgery is created in the department and shall consist of the
14 following 9 voting members who shall meet the requirements of part
15 161: 5 podiatrists and 4 public members.

16 (2) **THE BOARD OF PODIATRIC MEDICINE AND SURGERY DOES NOT HAVE**
17 **THE POWERS AND DUTIES VESTED IN THE TASK FORCE BY SECTIONS 17060 TO**
18 **17084.**

19 **SEC. 18048. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,**
20 **A PODIATRIST WHO IS A SOLE PRACTITIONER OR WHO PRACTICES IN A GROUP**
21 **OF PODIATRISTS AND TREATS PATIENTS ON AN OUTPATIENT BASIS SHALL NOT**
22 **SUPERVISE MORE THAN 4 PHYSICIAN'S ASSISTANTS. IF A PODIATRIST**
23 **DESCRIBED IN THIS SUBSECTION SUPERVISES PHYSICIAN'S ASSISTANTS AT**
24 **MORE THAN 1 PRACTICE SITE, THE PODIATRIST SHALL NOT SUPERVISE MORE**
25 **THAN 2 PHYSICIAN'S ASSISTANTS BY A METHOD OTHER THAN THE**
26 **PODIATRIST'S ACTUAL PHYSICAL PRESENCE AT THE PRACTICE SITE.**

27 (2) **A PODIATRIST WHO IS EMPLOYED BY OR UNDER CONTRACT OR**

1 SUBCONTRACT TO OR HAS PRIVILEGES AT A HEALTH FACILITY LICENSED
2 UNDER ARTICLE 17 MAY SUPERVISE MORE THAN 4 PHYSICIAN'S ASSISTANTS
3 AT THE HEALTH FACILITY OR AGENCY.

4 (3) THE DEPARTMENT MAY PROMULGATE RULES FOR THE APPROPRIATE
5 DELEGATION AND UTILIZATION OF A PHYSICIAN'S ASSISTANT BY A
6 PODIATRIST, INCLUDING, BUT NOT LIMITED TO, RULES TO PROHIBIT OR
7 OTHERWISE RESTRICT THE DELEGATION OF CERTAIN PODIATRIC SERVICES OR
8 REQUIRE HIGHER LEVELS OF SUPERVISION IF THE BOARD DETERMINES THAT
9 SUCH SERVICES REQUIRE EXTENSIVE TRAINING, EDUCATION, OR ABILITY OR
10 POSE SERIOUS RISKS TO THE HEALTH OR SAFETY OF PATIENTS.

11 SEC. 18049. (1) IN ADDITION TO THE OTHER REQUIREMENTS OF THIS
12 SECTION AND SUBJECT TO SUBSECTION (5), A PODIATRIST WHO SUPERVISES
13 A PHYSICIAN'S ASSISTANT IS RESPONSIBLE FOR ALL OF THE FOLLOWING:

14 (A) VERIFICATION OF THE PHYSICIAN'S ASSISTANT'S CREDENTIALS.

15 (B) EVALUATION OF THE PHYSICIAN'S ASSISTANT'S PERFORMANCE.

16 (C) MONITORING THE PHYSICIAN'S ASSISTANT'S PRACTICE AND
17 PROVISION OF PODIATRIC SERVICES.

18 (2) SUBJECT TO SECTION 18048, A PODIATRIST WHO SUPERVISES A
19 PHYSICIAN'S ASSISTANT MAY ONLY DELEGATE TO THE PHYSICIAN'S
20 ASSISTANT THE PERFORMANCE OF PODIATRIC SERVICES FOR A PATIENT WHO
21 IS UNDER THE CASE MANAGEMENT RESPONSIBILITY OF THE PODIATRIST, IF
22 THE DELEGATION IS CONSISTENT WITH THE PHYSICIAN'S ASSISTANT'S
23 TRAINING. A PODIATRIST SHALL ONLY SUPERVISE A PHYSICIAN'S ASSISTANT
24 IN THE PERFORMANCE OF THOSE DUTIES INCLUDED WITHIN HIS OR HER SCOPE
25 OF PRACTICE.

26 (3) A PODIATRIST WHO SUPERVISES A PHYSICIAN'S ASSISTANT IS
27 RESPONSIBLE FOR THE CLINICAL SUPERVISION OF EACH PHYSICIAN'S

1 ASSISTANT TO WHOM THE PHYSICIAN DELEGATES THE PERFORMANCE OF
2 PODIATRIC SERVICES UNDER SUBSECTION (2).

3 (4) SUBJECT TO SUBSECTION (5), A PODIATRIST WHO SUPERVISES A
4 PHYSICIAN'S ASSISTANT SHALL KEEP ON FILE IN THE PHYSICIAN'S OFFICE
5 OR IN THE HEALTH FACILITY OR AGENCY IN WHICH THE PODIATRIST
6 SUPERVISES THE PHYSICIAN'S ASSISTANT A PERMANENT, WRITTEN RECORD
7 THAT INCLUDES THE PODIATRIST'S NAME AND LICENSE NUMBER AND THE NAME
8 AND LICENSE NUMBER OF EACH PHYSICIAN'S ASSISTANT SUPERVISED BY THE
9 PODIATRIST.

10 (5) A GROUP OF PODIATRISTS PRACTICING OTHER THAN AS SOLE
11 PRACTITIONERS MAY DESIGNATE 1 OR MORE PODIATRISTS IN THE GROUP TO
12 FULFILL THE REQUIREMENTS OF SUBSECTIONS (1) AND (4).

13 SEC. 18050. IN ADDITION TO ITS OTHER POWERS AND DUTIES UNDER
14 THIS ARTICLE, THE BOARD MAY PROHIBIT A PODIATRIST FROM SUPERVISING
15 1 OR MORE PHYSICIAN'S ASSISTANTS FOR ANY OF THE GROUNDS SET FORTH
16 IN SECTION 16221 OR FOR FAILURE TO SUPERVISE A PHYSICIAN'S
17 ASSISTANT IN ACCORDANCE WITH THIS PART AND RULES PROMULGATED UNDER
18 THIS PART.

19 SEC. 18054. THE BOARD SHALL MAKE WRITTEN RECOMMENDATIONS ON
20 CRITERIA FOR THE APPROVAL OF PHYSICIAN'S ASSISTANTS AND ON CRITERIA
21 FOR THE VALUATION OF PHYSICIAN'S ASSISTANTS TRAINING PROGRAMS TO
22 THE TASK FORCE ON PHYSICIAN'S ASSISTANTS.

23 SEC. 18056. THIS PART DOES NOT APPLY TO A STUDENT IN TRAINING
24 TO BECOME A PHYSICIAN'S ASSISTANT WHILE PERFORMING DUTIES ASSIGNED
25 AS PART OF THE TRAINING.

26 Enacting section 1. Sections 17508 and 17525 of the public
27 health code, 1978 PA 368, MCL 333.17508 and 333.17525, are

1 repealed.