

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 597

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16148 and 17060 (MCL 333.16148 and 333.17060),
section 16148 as amended by 1995 PA 115 and section 17060 as
amended by 1990 PA 247.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16148. (1) Except as **OTHERWISE** provided in **THIS SECTION**
2 **OR** section 17060, ~~only~~ **THE DEPARTMENT, IN CONSULTATION WITH** a
3 board, may promulgate rules to establish standards for the
4 education and training of individuals to be licensed or registered,
5 or whose licenses or registrations are to be renewed, for the
6 purposes of determining whether graduates of a training program
7 have the knowledge and skills requisite for practice of a health
8 profession or use of a title. **BY 2 YEARS AFTER THE EFFECTIVE DATE**

1 OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE, THE DEPARTMENT
2 SHALL PROMULGATE RULES TO INCLUDE TRAINING STANDARDS FOR
3 IDENTIFYING VICTIMS OF HUMAN TRAFFICKING REQUIRED FOR INDIVIDUALS
4 LICENSED OR REGISTERED UNDER THIS ARTICLE, EXCEPT THOSE LICENSED
5 UNDER PART 188 OR SUBJECT TO SECTION 17060. THE TRAINING STANDARDS
6 FOR IDENTIFYING VICTIMS OF HUMAN TRAFFICKING SHALL APPLY FOR A
7 LICENSE OR REGISTRATION RENEWAL BEGINNING WITH THE FIRST RENEWAL
8 CYCLE AFTER THE RULES ARE PROMULGATED AND FOR AN INITIAL LICENSE OR
9 REGISTRATION ISSUED 5 OR MORE YEARS AFTER THE RULES ARE
10 PROMULGATED.

11 (2) Except as **OTHERWISE** provided in section 17060 and subject
12 to ~~subsection~~**SUBSECTIONS (6) AND (7)**, only a board may accredit
13 training programs in hospitals, schools, colleges, universities,
14 and institutions offering training programs meeting educational
15 standards and may deny or withdraw accreditation of training
16 programs for failure to meet established standards. ~~A~~**THE BOARD**
17 **SHALL GIVE A** hospital, school, college, university, or institution
18 that has its program accreditation withdrawn ~~shall have an~~
19 opportunity for a hearing.

20 (3) ~~An action or decision of a board pursuant to~~**THE BOARD**
21 **SHALL TAKE ACTION OR MAKE A DECISION UNDER** subsection (1) or (2)
22 relating to a specific health profession subfield ~~shall be made~~
23 only after consultation with the task force in the affected health
24 profession subfield and with at least 1 of the affected health
25 profession subfield board members present.

26 (4) A member of a licensing board from the health profession
27 subfield shall vote as an equal member in all matters except those

1 issues designated in subsections (1) and (2) that are outside the
2 health profession subfield.

3 (5) A decision of a board on standards for the education and
4 training of individuals or the accreditation of a training program
5 under subsection (1) or (2) ~~shall~~**MUST** be concurred in by a
6 majority of the board members who are not health profession
7 subfield licensees if the decision relates solely to licenses that
8 are not health profession subfield licenses.

9 (6) The requirement of ~~rule 305(2)(b)(iii), being~~**SUBSECTION**
10 **(2)(B)(iii) OF** R 338.10305 of the Michigan administrative code, that
11 each member of the nursing faculty in a program of nursing
12 education for registered nurses who provides instruction in the
13 clinical laboratory or cooperating agencies hold a baccalaureate
14 degree in nursing science does not apply to a member of the nursing
15 faculty described in this subsection who meets both of the
16 following requirements:

17 (a) Was employed by or under contract to a program of nursing
18 education on or before September 1, 1989.

19 (b) Is employed by or under contract to a program of nursing
20 education on ~~the effective date of the amendatory act that added~~
21 ~~this subsection.~~**JUNE 29, 1995.**

22 (7) The requirement of ~~rule 305(2)(c)(ii), being~~**SUBSECTION**
23 **(2)(C)(ii) OF** R 338.10305 of the Michigan administrative code, that
24 each member of the nursing faculty in a program of nursing
25 education for licensed practical nurses hold a baccalaureate degree
26 in nursing science does not apply to a member of the nursing
27 faculty described in this subsection who meets both of the

1 following requirements:

2 (a) Was employed by or under contract to a program of nursing
3 education on or before September 1, 1989.

4 (b) Is employed by or under contract to a program of nursing
5 education on ~~the effective date of the amendatory act that added~~
6 ~~this subsection.~~ **JUNE 29, 1995.**

7 Sec. 17060. The task force shall:

8 (a) Promulgate rules necessary for the implementation of its
9 powers and duties and may perform the acts and make the
10 determinations necessary for the proper implementations of those
11 powers and duties.

12 (b) Promulgate rules to establish the requirements for the
13 education, training, or experience of physician's assistants for
14 licensure in this state. The requirements shall take into account
15 nationally recognized standards for education, training, and
16 experience and the desired utilization of physician's assistants.
17 **BY 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT**
18 **ADDED THIS SENTENCE, THE RULES MUST INCLUDE TRAINING STANDARDS FOR**
19 **IDENTIFYING VICTIMS OF HUMAN TRAFFICKING. THE TRAINING STANDARDS**
20 **FOR IDENTIFYING VICTIMS OF HUMAN TRAFFICKING SHALL APPLY FOR A**
21 **PHYSICIAN'S ASSISTANT LICENSE OR REGISTRATION RENEWAL BEGINNING**
22 **WITH THE FIRST RENEWAL CYCLE AFTER THE RULES ARE PROMULGATED AND**
23 **FOR AN INITIAL LICENSE OR REGISTRATION ISSUED 5 OR MORE YEARS AFTER**
24 **THE RULES ARE PROMULGATED.**

25 (c) Develop and make public guidelines on the appropriate
26 delegation of functions to and supervision of physician's
27 assistants according to the level of education, training, or

1 experience of physician's assistants. The guidelines are not
2 binding, but shall serve to explain how the task force's training
3 criteria coincides with the board's expectation for delegation to
4 and supervision of physician's assistants by physicians.

5 (d) Direct the department to issue licenses to applicants who
6 meet the requirements of this part and the rules promulgated under
7 this part for practice and use of the title of physician's
8 assistant.

9 (e) Promulgate rules to establish criteria for the evaluation
10 of programs for the education and training of physician's
11 assistants for the purpose of determining whether graduates of the
12 programs have the knowledge and skills requisite for practice and
13 use of the title physician's assistant in this state as defined by
14 this part and the rules promulgated under this part. The criteria
15 established shall be substantially consistent with nationally
16 recognized standards for the education and training of physician's
17 assistants. Until the criteria are established, the criteria
18 developed by the advisory commission on physician's assistants
19 shall remain in effect. The task force shall consider and may use
20 where appropriate the criteria established by professional
21 associations, education accrediting bodies, or governmental
22 agencies. In establishing criteria for the evaluation of education
23 and training programs, the task force may seek the advice of the
24 boards and the department of education.

25 (f) Make written recommendations to the boards concerning the
26 rules to be developed for approval by the boards of physicians to
27 supervise physician's assistants, including recommendations for

1 appropriate utilization of physician's assistants by level of
2 preparation where appropriate.

3 (g) File an annual report with the department and the boards
4 containing matters prescribed by the department and boards.

5 Enacting section 1. This amendatory act takes effect 90 days
6 after the date it is enacted into law.