

# HOUSE BILL No. 4531

April 28, 2015, Introduced by Reps. Lyons, Schor, Darany, Irwin, Dillon and Crawford and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 16348a and part 186.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 16348A. THE DEPARTMENT SHALL ANNUALLY ESTABLISH A  
2 SCHEDULE OF FEES FOR AN INDIVIDUAL LICENSED OR SEEKING A LICENSE AS  
3 A NATUROPATHIC PHYSICIAN UNDER PART 186 TO OFFSET THE DEPARTMENT'S  
4 ADMINISTRATIVE EXPENSES UNDER THAT PART.

**PART 186**

**NATUROPATHIC PHYSICIANS**

7           SEC. 18601. (1) FOR PURPOSES OF THIS PART, THE WORDS AND  
8 PHRASES DEFINED IN SECTIONS 18603 TO 18609 HAVE THE MEANINGS  
9 ASCRIBED TO THEM IN THOSE SECTIONS.

10           (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1  
11 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION

1 APPLICABLE TO ALL ARTICLES IN THE CODE AND PART 161 CONTAINS  
2 DEFINITIONS APPLICABLE TO THIS PART.

3 SEC. 18603. (1) "APPROVED NATUROPATHIC MEDICAL PROGRAM" MEANS  
4 ANY OF THE FOLLOWING:

5 (A) A NATUROPATHIC MEDICAL EDUCATION PROGRAM THAT IS LOCATED  
6 IN THE UNITED STATES, THAT PROVIDES THE DEGREE OF DOCTOR OF  
7 NATUROPATHY OR DOCTOR OF NATUROPATHIC MEDICINE, AND THAT MEETS ALL  
8 OF THE FOLLOWING REQUIREMENTS:

9 (i) OFFERS GRADUATE-LEVEL FULL-TIME DIDACTIC AND SUPERVISED  
10 CLINICAL TRAINING.

11 (ii) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR  
12 ACCREDITATION BY THE CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED  
13 ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE  
14 BOARD.

15 (iii) IS AN INSTITUTION OR PART OF AN INSTITUTION OF HIGHER  
16 EDUCATION THAT IS ACCREDITED OR IS A CANDIDATE FOR ACCREDITATION BY  
17 A REGIONAL OR NATIONAL INSTITUTIONAL ACCREDITING AGENCY RECOGNIZED  
18 BY THE UNITED STATES SECRETARY OF EDUCATION.

19 (B) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A  
20 DEGREE-GRANTING COLLEGE OR UNIVERSITY THAT WAS IN EXISTENCE BEFORE  
21 THE EXISTENCE OF THE CNME AND THAT MEETS ALL OF THE FOLLOWING  
22 REQUIREMENTS:

23 (i) OFFERED A FULL-TIME STRUCTURED CURRICULUM IN BASIC  
24 SCIENCES AND SUPERVISED PATIENT CARE COMPRISING A DOCTORAL  
25 NATUROPATHIC MEDICAL EDUCATION.

26 (ii) WAS AT LEAST 132 WEEKS IN DURATION AND REQUIRED  
27 COMPLETION OF THE PROGRAM WITHIN A PERIOD OF AT LEAST 35 MONTHS AS

1 A PREREQUISITE TO GRADUATION.

2 (iii) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT WAS  
3 REPUTABLE AND IN GOOD STANDING IN THE JUDGMENT OF THE BOARD.

4 (iv) IF THE PROGRAM IS STILL OFFERED, IT IS ACCREDITED BY THE  
5 CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED ACCREDITING BODY FOR  
6 NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE BOARD.

7 (C) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A  
8 DIPLOMA-GRANTING, DEGREE-EQUIVALENT COLLEGE OR UNIVERSITY LOCATED  
9 IN CANADA THAT WAS OFFERED BEFORE THE EXISTENCE OF THE CNME AND  
10 THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

11 (i) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT HAD PROVINCIAL  
12 APPROVAL FOR PARTICIPATION IN GOVERNMENT-FUNDED STUDENT AID  
13 PROGRAMS.

14 (ii) OFFERED A FULL-TIME STRUCTURED CURRICULUM IN BASIC  
15 SCIENCES AND SUPERVISED PATIENT CARE COMPRISING A DOCTORAL  
16 NATUROPATHIC MEDICAL EDUCATION.

17 (iii) WAS AT LEAST 132 WEEKS IN DURATION AND REQUIRED  
18 COMPLETION OF THE PROGRAM WITHIN A PERIOD OF AT LEAST 35 MONTHS AS  
19 A PREREQUISITE TO GRADUATION.

20 (iv) WAS OFFERED BY A COLLEGE OR UNIVERSITY THAT WAS REPUTABLE  
21 AND IN GOOD STANDING IN THE JUDGMENT OF THE BOARD.

22 (v) IF THE PROGRAM IS STILL OFFERED, IT IS ACCREDITED BY THE  
23 CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED ACCREDITING BODY FOR  
24 NATUROPATHIC MEDICAL PROGRAMS, APPROVED BY THE BOARD.

25 (vi) IF THE PROGRAM IS STILL OFFERED, THE COLLEGE OR  
26 UNIVERSITY HAS PROVINCIAL APPROVAL FOR PARTICIPATION IN GOVERNMENT-  
27 FUNDED STUDENT AID PROGRAMS.

1 (D) A NATUROPATHIC MEDICAL EDUCATION PROGRAM OFFERED BY A  
2 DIPLOMA-GRANTING, DEGREE-EQUIVALENT COLLEGE OR UNIVERSITY LOCATED  
3 IN CANADA THAT PROVIDES THE DEGREE OF DOCTOR OF NATUROPATHY OR  
4 DOCTOR OF NATUROPATHIC MEDICINE AND THAT MEETS ALL OF THE FOLLOWING  
5 REQUIREMENTS:

6 (i) OFFERS GRADUATE-LEVEL FULL-TIME DIDACTIC AND SUPERVISED  
7 CLINICAL TRAINING.

8 (ii) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR  
9 ACCREDITATION BY THE CNME OR AN EQUIVALENT FEDERALLY RECOGNIZED  
10 ACCREDITING BODY FOR NATUROPATHIC MEDICAL PROGRAMS APPROVED BY THE  
11 BOARD.

12 (iii) IS OFFERED BY A COLLEGE OR UNIVERSITY THAT HAS  
13 PROVINCIAL APPROVAL FOR PARTICIPATION IN GOVERNMENT-FUNDED STUDENT  
14 AID PROGRAMS.

15 (2) "BOARD" MEANS THE BOARD OF NATUROPATHIC MEDICINE CREATED  
16 IN SECTION 18623.

17 (3) "CNME" MEANS THE COUNCIL ON NATUROPATHIC MEDICAL  
18 EDUCATION.

19 SEC. 18605. "MINOR OFFICE PROCEDURE" MEANS ANY OF THE  
20 FOLLOWING:

21 (A) THE USE OF OPERATIVE, ELECTRICAL, OR OTHER METHODS FOR THE  
22 REPAIR AND CARE INCIDENTAL TO SUPERFICIAL LACERATIONS AND  
23 ABRASIONS, SUPERFICIAL LESIONS, AND THE REMOVAL OF FOREIGN BODIES  
24 LOCATED IN THE SUPERFICIAL TISSUES AND THE USE OF ANTISEPTICS AND  
25 LOCAL TOPICAL ANESTHETICS IN CONNECTION WITH THOSE METHODS.

26 (B) OBTAINING SPECIMENS TO DIAGNOSE, ASSESS, AND TREAT  
27 DISEASE.

1           SEC. 18607. (1) "NATUROPATHIC FORMULARY" OR "FORMULARY" MEANS  
2 THE LIST OF MEDICINES, NONPRESCRIPTION AND PRESCRIPTION, THAT  
3 NATUROPATHIC PHYSICIANS USE IN THE PRACTICE OF THEIR PROFESSION, AS  
4 DETERMINED BY THE FORMULARY COUNCIL AND REVIEWED BY THE BOARD.

5           (2) "NATUROPATHIC FORMULARY COUNCIL" OR "FORMULARY COUNCIL"  
6 MEANS THE FORMULARY COUNCIL CREATED IN SECTION 18627 TO DETERMINE  
7 AND AUTHORIZE THE NATUROPATHIC FORMULARY.

8           (3) "NATUROPATHIC MEDICINE" MEANS A SYSTEM OF PRACTICE THAT IS  
9 BASED ON THE NATURAL HEALING CAPACITY OF INDIVIDUALS FOR THE  
10 DIAGNOSIS, TREATMENT, AND PREVENTION OF DISEASES.

11           (4) "NATUROPATHIC PHYSICIAN" MEANS AN INDIVIDUAL WHO ENGAGES  
12 IN THE PRACTICE OF NATUROPATHIC MEDICINE AND WHO IS REQUIRED TO BE  
13 LICENSED OR OTHERWISE AUTHORIZED UNDER THIS PART TO ENGAGE IN THAT  
14 PRACTICE.

15           SEC. 18609. (1) "PRACTICE OF NATUROPATHIC MEDICINE" MEANS  
16 PERFORMING ANY OF THE TASKS, FUNCTIONS, OR DUTIES THAT ARE  
17 CONSISTENT WITH THE INDIVIDUAL'S NATUROPATHIC EDUCATION AND  
18 TRAINING AND DESCRIBED IN SECTION 18615.

19           (2) "PRESCRIPTION DRUG" MEANS THAT TERM AS DEFINED IN SECTION  
20 17708.

21           SEC. 18611. (1) BEGINNING 180 DAYS AFTER THE EFFECTIVE DATE OF  
22 THIS SECTION, AND EXCEPT AS OTHERWISE PROVIDED IN THIS PART, AN  
23 INDIVIDUAL SHALL NOT ENGAGE IN THE PRACTICE OF NATUROPATHIC  
24 MEDICINE UNLESS LICENSED OR OTHERWISE AUTHORIZED UNDER THIS  
25 ARTICLE.

26           (2) SUBJECT TO SUBSECTION (3), THE FOLLOWING WORDS, TITLES, OR  
27 LETTERS OR COMBINATION OF THE FOLLOWING WORDS, TITLES, OR LETTERS,

1 WITH OR WITHOUT QUALIFYING WORDS OR PHRASES, ARE RESTRICTED IN USE  
2 TO ONLY THOSE INDIVIDUALS AUTHORIZED UNDER THIS PART TO USE THE  
3 TERMS AND IN A WAY PRESCRIBED IN THIS PART: "DOCTOR OF NATUROPATHIC  
4 MEDICINE", "DOCTOR OF NATUROPATHY", "NATUROPATHIC PHYSICIAN",  
5 "NATUROPATHIC DOCTOR", "NATUROPATHIC MEDICAL DOCTOR", "NATUROPATHIC  
6 MEDICINE", "N.D.", AND "N.M.D.".

7 (3) IF HE OR SHE DOES NOT USE THE WORD OR TITLE "DOCTOR",  
8 "PHYSICIAN", "MEDICAL DOCTOR", OR "MEDICINE", SUBSECTION (2) DOES  
9 NOT RESTRICT THE USE OF ANY OF THE FOLLOWING WORDS OR TITLES BY AN  
10 INDIVIDUAL DESCRIBED IN SECTION 18619(1)(G) OR (H) IN CONNECTION  
11 WITH HIS OR HER PRACTICE: "NATUROPATHY", "NATUROPATHIC HEALTH  
12 CARE", "NATUROPATH", "NATUROPATHIC PRACTITIONER", OR "TRADITIONAL  
13 NATUROPATHIC PRACTITIONER".

14 SEC. 18613. (1) TO BE ELIGIBLE FOR A LICENSE TO ENGAGE IN THE  
15 PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE, AN APPLICANT SHALL  
16 SUBMIT ALL OF THE FOLLOWING TO THE BOARD, AS APPLICABLE:

17 (A) AN APPLICATION FOR LICENSURE DESIGNED AND APPROVED BY THE  
18 DEPARTMENT.

19 (B) EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION (C), EVIDENCE  
20 THAT HE OR SHE IS A GRADUATE OF AN APPROVED NATUROPATHIC MEDICAL  
21 PROGRAM AND THAT HE OR SHE HAS SUCCESSFULLY PASSED A COMPETENCY-  
22 BASED NATIONAL NATUROPATHIC PHYSICIANS LICENSING EXAMINATION  
23 ADMINISTERED BY THE NORTH AMERICAN BOARD OF NATUROPATHIC EXAMINERS,  
24 OR BY A SUCCESSOR AGENCY THAT IS NATIONALLY RECOGNIZED TO  
25 ADMINISTER A NATUROPATHIC PHYSICIANS LICENSING EXAMINATION THAT  
26 REPRESENTS FEDERAL STANDARDS OF EDUCATION AND TRAINING AND THAT IS  
27 APPROVED BY THE BOARD.

1 (C) FOR A GRADUATE OF AN APPROVED NATUROPATHIC MEDICAL PROGRAM  
2 DESCRIBED IN SECTION 18603(1) (B) OR (C), EVIDENCE OF SUCCESSFUL  
3 PASSAGE OF A BOARD-APPROVED STATE COMPETENCY EXAMINATION OR  
4 CANADIAN PROVINCIAL EXAMINATION.

5 (D) ANY OTHER INFORMATION OR DOCUMENTS REQUIRED UNDER THIS  
6 ARTICLE OR REQUIRED BY THE BOARD.

7 (2) TO BE ELIGIBLE FOR A LICENSE TO ENGAGING IN THE PRACTICE  
8 OF NATUROPATHIC MEDICINE IN THIS STATE, AN APPLICANT MUST BE  
9 PHYSICALLY AND MENTALLY CAPABLE OF SAFELY ENGAGING IN THE PRACTICE  
10 OF NATUROPATHIC MEDICINE WITH OR WITHOUT REASONABLE ACCOMMODATION.

11 (3) AN APPLICANT IS NOT ELIGIBLE FOR A LICENSE TO ENGAGE IN  
12 THE PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE IF HE OR SHE  
13 HAS HAD A LICENSE TO PRACTICE NATUROPATHIC MEDICINE OR OTHER HEALTH  
14 CARE LICENSE, REGISTRATION, OR CERTIFICATE REFUSED, REVOKED, OR  
15 SUSPENDED BY ANY OTHER JURISDICTION FOR REASONS THAT RELATE TO THE  
16 APPLICANT'S ABILITY TO SKILLFULLY AND SAFELY PRACTICE NATUROPATHIC  
17 MEDICINE UNLESS THAT LICENSE, REGISTRATION, OR CERTIFICATION HAS  
18 BEEN RESTORED TO GOOD STANDING BY THAT JURISDICTION.

19 SEC. 18615. A NATUROPATHIC PHYSICIAN MAY DO ANY OF THE  
20 FOLLOWING, CONSISTENT WITH HIS OR HER NATUROPATHIC EDUCATION AND  
21 TRAINING:

22 (A) ORDER AND PERFORM PHYSICAL AND LABORATORY EXAMINATIONS FOR  
23 DIAGNOSTIC PURPOSES, INCLUDING, BUT NOT LIMITED TO, PHLEBOTOMY,  
24 CLINICAL LABORATORY TESTS, ORIFICIAL EXAMINATIONS, OR PHYSIOLOGICAL  
25 FUNCTION TESTS.

26 (B) ORDER DIAGNOSTIC IMAGING STUDIES.

27 (C) DISPENSE, ADMINISTER, ORDER, OR PRESCRIBE OR PERFORM ANY

1 OF THE FOLLOWING:

2 (i) FOOD, EXTRACTS OF FOOD, NUTRACEUTICALS, VITAMINS, AMINO  
3 ACIDS, MINERALS, ENZYMES, BOTANICALS AND THEIR EXTRACTS, BOTANICAL  
4 MEDICINES, HOMEOPATHIC MEDICINES, ALL DIETARY SUPPLEMENTS, OR  
5 NONPRESCRIPTION DRUGS AS DEFINED BY THE FEDERAL FOOD, DRUG, AND  
6 COSMETIC ACT, 21 USC 301 TO 399D.

7 (ii) PRESCRIPTION OR NONPRESCRIPTION MEDICINES AS DESIGNATED  
8 BY THE NATUROPATHIC FORMULARY COUNCIL.

9 (iii) HOT OR COLD HYDROTHERAPY; NATUROPATHIC PHYSICAL  
10 MEDICINE; ELECTROMAGNETIC ENERGY; OR THERAPEUTIC EXERCISE.

11 (iv) DEVICES, INCLUDING, BUT NOT LIMITED TO, THERAPEUTIC  
12 DEVICES, BARRIER CONTRACEPTION, OR DURABLE MEDICAL EQUIPMENT.

13 (v) HEALTH EDUCATION OR HEALTH COUNSELING.

14 (vi) REPAIR AND CARE INCIDENTAL TO SUPERFICIAL LACERATIONS OR  
15 ABRASIONS.

16 (vii) MUSCULOSKELETAL MANIPULATION.

17 (D) UTILIZE ROUTES OF ADMINISTRATION THAT INCLUDE, BUT ARE NOT  
18 LIMITED TO, ORAL, NASAL, AURICULAR, OCULAR, RECTAL, VAGINAL,  
19 TRANSDERMAL, INTRADERMAL, SUBCUTANEOUS, INTRAVENOUS, OR  
20 INTRAMUSCULAR CONSISTENT WITH HIS OR HER NATUROPATHIC EDUCATION AND  
21 TRAINING.

22 (E) OTHER NATUROPATHIC THERAPIES AS APPROVED BY THE BOARD.

23 SEC. 18617. A NATUROPATHIC PHYSICIAN SHALL NOT DO ANY OF THE  
24 FOLLOWING:

25 (A) PRESCRIBE, DISPENSE, OR ADMINISTER ANY CONTROLLED  
26 SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL CONTROLLED SUBSTANCES  
27 ACT, 21 USC 801 TO 971, EXCEPT AS AUTHORIZED UNDER THIS PART.

1 (B) PERFORM SURGICAL PROCEDURES EXCEPT, SUBJECT TO SECTION  
2 18625(H), MINOR OFFICE PROCEDURES.

3 (C) ENGAGE IN THE PRACTICE OF OR CLAIM TO ENGAGE IN THE  
4 PRACTICE OF ANY OTHER HEALTH PROFESSION UNLESS LICENSED TO ENGAGE  
5 IN THAT HEALTH PROFESSION UNDER THIS ARTICLE.

6 (D) USE GENERAL OR SPINAL ANESTHETICS.

7 (E) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR THERAPEUTIC  
8 PURPOSES.

9 (F) PERFORM SURGICAL PROCEDURES USING A LASER DEVICE.

10 (G) PERFORM SURGICAL PROCEDURES INVOLVING THE EYE, EAR,  
11 TENDONS, NERVES, VEINS, OR ARTERIES.

12 (H) PERFORM CHIROPRACTIC ADJUSTMENTS UNLESS LICENSED AS A  
13 CHIROPRACTOR UNDER PART 164.

14 SEC. 18619. (1) THIS PART DOES NOT PROHIBIT OR RESTRICT ANY OF  
15 THE FOLLOWING:

16 (A) THE PRACTICE OF A PROFESSION OR OCCUPATION BY AN  
17 INDIVIDUAL WHO IS LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE  
18 AUTHORIZED UNDER THIS ACT OR OTHER LAWS OF THIS STATE AND WHO IS  
19 PERFORMING SERVICES WITHIN HIS OR HER AUTHORIZED SCOPE OF PRACTICE.

20 (B) THE PRACTICE OF NATUROPATHIC MEDICINE BY AN INDIVIDUAL  
21 EMPLOYED BY THE GOVERNMENT OF THE UNITED STATES WHILE THE  
22 INDIVIDUAL IS ENGAGED IN THE PERFORMANCE OF DUTIES PRESCRIBED BY  
23 THE LAWS AND REGULATIONS OF THE UNITED STATES.

24 (C) THE PRACTICE OF NATUROPATHIC MEDICINE BY STUDENTS ENROLLED  
25 IN AN APPROVED NATUROPATHIC MEDICAL PROGRAM. THE PERFORMANCE OF  
26 SERVICES MUST BE PURSUANT TO A COURSE OF INSTRUCTION OR ASSIGNMENTS  
27 FROM AN INSTRUCTOR AND UNDER THE SUPERVISION OF THE INSTRUCTOR. THE

1 INSTRUCTOR MUST BE A NATUROPATHIC PHYSICIAN LICENSED UNDER THIS  
2 PART OR A DULY LICENSED PROFESSIONAL IN THE FIELD OF INSTRUCTION.

3 (D) SELF-CARE BY A PATIENT OR UNCOMPENSATED CARE BY A FRIEND  
4 OR FAMILY MEMBER WHO DOES NOT REPRESENT OR HOLD HIMSELF OR HERSELF  
5 OUT TO BE A NATUROPATHIC PHYSICIAN.

6 (E) AN INDIVIDUAL WHO SELLS VITAMINS AND HERBS FROM PROVIDING  
7 INFORMATION ABOUT HIS OR HER PRODUCTS.

8 (F) AN INDIVIDUAL FROM ADVISING IN THE USE OF A THERAPY,  
9 INCLUDING, BUT NOT LIMITED TO, HERBAL MEDICINE, HOMEOPATHY,  
10 NUTRITION, OR OTHER NONDRUG OR NONSURGICAL THERAPY THAT IS WITHIN  
11 THE SCOPE OF PRACTICE OF NATUROPATHIC PHYSICIANS UNDER THIS PART,  
12 IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

13 (i) THE INDIVIDUAL IS NOT A HEALTH PROFESSIONAL AND THE  
14 THERAPY IS WITHIN THAT INDIVIDUAL'S LAWFUL RIGHTS TO PERFORM UNDER  
15 A HEALTH OCCUPATION. IF THE INDIVIDUAL IS A HEALTH PROFESSIONAL,  
16 THE THERAPY MUST BE WITHIN THE SCOPE OF PRACTICE OF THAT PROFESSION  
17 UNDER THIS ARTICLE.

18 (ii) THE INDIVIDUAL IS NOT USING A WORD, A TITLE, OR LETTERS  
19 PROTECTED UNDER THIS PART AND DOES NOT REPRESENT OR HOLD HIMSELF OR  
20 HERSELF OUT TO BE A NATUROPATHIC PHYSICIAN.

21 (G) AN INDIVIDUAL WHO IS EDUCATED AND TRAINED IN NATUROPATHY  
22 OR NATUROPATHIC HEALTH CARE AND PROVIDES NATUROPATHIC THERAPY  
23 WITHIN THE SCOPE OF THAT EDUCATION AND TRAINING.

24 (H) AN INDIVIDUAL WHO IS EDUCATED AND TRAINED AS A NATUROPATH,  
25 NATUROPATHIC PRACTITIONER, OR TRADITIONAL NATUROPATHIC PRACTITIONER  
26 AND PROVIDES NATUROPATHIC THERAPY WITHIN THE SCOPE OF THAT  
27 EDUCATION AND TRAINING.

1           (2) THIS PART DOES NOT PROHIBIT AN INDIVIDUAL WHO IS LICENSED  
2 TO PRACTICE AS A NATUROPATHIC PHYSICIAN IN ANY OTHER STATE OR  
3 DISTRICT IN THE UNITED STATES FROM ENTERING THIS STATE TO CONSULT  
4 WITH A NATUROPATHIC PHYSICIAN IN THIS STATE, AS LONG AS THAT  
5 CONSULTATION IS LIMITED TO EXAMINATION, RECOMMENDATION, OR  
6 TESTIMONY IN LITIGATION.

7           SEC. 18621. (1) THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING:

8           (A) PROMULGATE ALL RULES AND CONDUCT ALL HEARINGS THAT ARE  
9 REQUIRED UNDER THIS PART.

10           (B) ADOPT THE COMPETENCY-BASED NATIONAL EXAMINATION CONSISTENT  
11 WITH THE REQUIREMENTS DESCRIBED IN SECTION 18613(1)(B) AND (C) AND  
12 APPROVED BY THE BOARD AS THE NATUROPATHIC LICENSING EXAMINATION.

13           (C) FORMULATE RULES AND GUIDELINES WITH APPROPRIATE NOTICE TO  
14 THOSE AFFECTED IF NOTICE CAN REASONABLY BE GIVEN.

15           (D) DESIGNATE THE APPLICATION FORM USED BY APPLICANTS AND  
16 PROCESS ALL APPLICATIONS.

17           (E) ISSUE LICENSES AND LICENSE RENEWALS TO ALL INDIVIDUALS WHO  
18 MEET THE QUALIFICATIONS FOR LICENSURE AS DESCRIBED IN THIS PART AND  
19 AS RECOMMENDED BY THE BOARD.

20           (F) ESTABLISH PROCEDURES FOR THE ISSUANCE OF LICENSES AND  
21 LICENSE RENEWALS TO APPLICANTS WHO QUALIFY FOR LICENSURE BY  
22 RECIPROCITY IN THIS STATE, IN LIEU OF TAKING THE WRITTEN  
23 EXAMINATION TAKEN BY ALL OTHER INDIVIDUALS APPLYING FOR LICENSURE  
24 IN ANY OTHER STATE, IF THE EDUCATIONAL AND EXAMINATION REQUIREMENTS  
25 FOR THE STATE ISSUING THE ORIGINAL LICENSE ARE EQUIVALENT TO THOSE  
26 DESCRIBED IN THIS PART.

27           (G) DETERMINE THE MALPRACTICE LIABILITY COVERAGE REQUIREMENTS

1 FOR NATUROPATHIC PHYSICIANS.

2 (H) INVESTIGATE COMPLAINTS OF UNPROFESSIONAL OR ILLEGAL  
3 CONDUCT BY A NATUROPATHIC PHYSICIAN.

4 (I) DETERMINE WHETHER A NATUROPATHIC PHYSICIAN WILL BE THE  
5 SUBJECT OF A DISCIPLINARY HEARING.

6 (J) DESIGNATE AND IMPOSE SANCTIONS AND PENALTIES FOR VIOLATION  
7 OF THIS PART OR RULES PROMULGATED UNDER THIS PART.

8 (K) PROVIDE FOR THE RULES FOR CONTINUING EDUCATION OF  
9 NATUROPATHIC PHYSICIANS.

10 (L) BRING PROCEEDINGS IN THE COURTS FOR THE ENFORCEMENT OF  
11 THIS PART.

12 (M) ESTABLISH PROCEDURES TO GOVERN MATTERS, DIRECTLY OR  
13 INDIRECTLY, INVOLVING ANY INDIVIDUAL RELATED TO THE DIRECTOR IN ANY  
14 WAY BY BLOOD OR MARRIAGE.

15 (N) DELEGATE TO THE BOARD THE PERFORMANCE OF ANY  
16 ADMINISTRATIVE, NONDISCIPLINARY, AND NON-RULE-MAKING FUNCTIONS  
17 ASSIGNED TO THE DIRECTOR UNDER THIS PART.

18 (2) THE DIRECTOR SHALL CONSULT THE BOARD ON MATTERS INVOLVING  
19 ALL OF THE FOLLOWING:

20 (A) THE QUALIFICATIONS OF CANDIDATES WHO APPLY FOR LICENSURE  
21 TO ENGAGE IN THE PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE.

22 (B) THE CONTENT OF ANY CLINICAL, PRACTICAL, OR RESIDENCY  
23 REQUIREMENT.

24 (C) THE CONTENT OF RULES AND GUIDELINES AND PROPOSED RULES AND  
25 GUIDELINES GOVERNING THE PRACTICE OF NATUROPATHIC MEDICINE IN THIS  
26 STATE.

27 (D) THE INVESTIGATION OF ALL CREDIBLE COMPLAINTS FROM

1 NATUROPATHIC PHYSICIANS AND THE PUBLIC AND ON THE TECHNICAL ASPECTS  
2 OF THE COMPLAINT.

3 (E) THE REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES  
4 UNDER THIS PART.

5 (3) THE DIRECTOR SHALL NOT DISCRIMINATE AGAINST ANY INDIVIDUAL  
6 HOLDING OR APPLYING FOR A LICENSE TO ENGAGE IN THE PRACTICE OF  
7 NATUROPATHIC MEDICINE BY REASON OF SEX, AGE, RACE, COLOR, CREED, OR  
8 NATIONAL ORIGIN.

9 SEC. 18623. (1) THE BOARD OF NATUROPATHIC MEDICINE IS CREATED  
10 IN THE DEPARTMENT. THE BOARD CONSISTS OF 7 MEMBERS APPOINTED BY THE  
11 GOVERNOR, AS FOLLOWS:

12 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, 3  
13 NATUROPATHIC PHYSICIANS WHO ARE LICENSED AND IN GOOD STANDING IN  
14 THIS STATE. FOR THE INITIAL BOARD, A NATUROPATHIC PHYSICIAN  
15 LICENSED AND IN GOOD STANDING IN ANOTHER STATE MAY BE APPOINTED TO  
16 THE BOARD IF HE OR SHE IS A RESIDENT OF THIS STATE AND HAS BEEN  
17 ENGAGED IN THE PRACTICE OR INSTRUCTION OF NATUROPATHIC MEDICINE FOR  
18 AT LEAST 5 YEARS.

19 (B) TWO PHYSICIANS WHO ARE LICENSED UNDER PART 170 OR 175.

20 (C) TWO MEMBERS OF THE GENERAL PUBLIC WHO ARE NOT AND NEVER  
21 HAVE BEEN LICENSED HEALTH PROFESSIONALS UNDER THIS ACT AND WHO DO  
22 NOT HAVE A FINANCIAL OR LEGAL INTEREST IN NATUROPATHIC EDUCATION,  
23 BUSINESS, OR PRACTICE.

24 (2) THE GOVERNOR SHALL APPOINT NATUROPATHIC PHYSICIANS TO THE  
25 BOARD FROM A LIST OF NATUROPATHIC PHYSICIANS ELIGIBLE TO SERVE ON  
26 THE BOARD THAT IS SUBMITTED TO THE GOVERNOR BY THE MICHIGAN  
27 ASSOCIATION OF NATUROPATHIC PHYSICIANS OR THE AMERICAN ASSOCIATION

1 OF NATUROPATHIC PHYSICIANS OR A SUCCESSOR TO THOSE ASSOCIATIONS.

2 (3) FOR THE PURPOSE OF STAGGERING TERMS, THE GOVERNOR SHALL  
3 INITIALLY APPOINT TO THE BOARD 3 MEMBERS FOR TERMS OF 4 YEARS EACH,  
4 2 MEMBERS FOR TERMS OF 3 YEARS EACH, AND 2 MEMBERS FOR TERMS OF 2  
5 YEARS EACH. AS THE TERMS OF BOARD MEMBERS EXPIRE, THE GOVERNOR  
6 SHALL APPOINT SUCCESSORS FOR TERMS OF 4 YEARS, AND THOSE MEMBERS  
7 SHALL SERVE UNTIL THEIR SUCCESSORS ARE APPOINTED.

8 (4) THE GOVERNOR MAY REMOVE ANY MEMBER OF THE BOARD FOR CAUSE  
9 BEFORE THE EXPIRATION OF THE MEMBER'S TERM.

10 (5) WITHIN 30 DAYS AFTER ITS APPOINTMENT, AND AT LEAST  
11 ANNUALLY THEREAFTER, THE BOARD SHALL HOLD A MEETING AND ELECT A  
12 CHAIRPERSON. THE BOARD MAY HOLD ADDITIONAL MEETINGS ON THE CALL OF  
13 THE CHAIR OR AT THE WRITTEN REQUEST OF ANY 2 MEMBERS OF THE BOARD.  
14 THE BOARD MAY APPOINT ANY COMMITTEES THAT IT CONSIDERS NECESSARY TO  
15 CARRY OUT ITS DUTIES. A MAJORITY OF THE BOARD CONSTITUTES A QUORUM.

16 (6) THE BOARD POSITIONS ARE UNCOMPENSATED POSITIONS UNLESS AND  
17 UNTIL THE DIRECTOR CONSIDERS COMPENSATION APPROPRIATE.

18 SEC. 18625. THE BOARD MAY ADOPT ANY POLICIES AND PROCEDURES  
19 NECESSARY TO CARRY OUT THE PURPOSES OF THIS PART AND MAY RECOMMEND  
20 DISCIPLINARY ACTION AS PROVIDED UNDER THIS PART. THE BOARD SHALL DO  
21 ALL OF THE FOLLOWING:

22 (A) PERFORM ANY ADMINISTRATIVE, NONDISCIPLINARY, AND NON-RULE-  
23 MAKING FUNCTIONS ASSIGNED TO THE BOARD BY THE DIRECTOR AS PROVIDED  
24 UNDER THIS PART.

25 (B) DETERMINE THE QUALIFICATIONS OF INDIVIDUALS APPLYING FOR  
26 LICENSURE UNDER THIS PART AND DEFINE, BY RULE, THE APPROPRIATE  
27 SCOPE OF PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE. HOWEVER,

1 THE SCOPE OF PRACTICE OF NATUROPATHIC MEDICINE MUST NOT EXCEED THE  
2 TASKS, FUNCTIONS, AND DUTIES DESCRIBED IN SECTION 18615.

3 (C) REVIEW THE CONTENT OF RULES AND PROPOSED RULES GOVERNING  
4 THE PRACTICE OF NATUROPATHIC MEDICINE IN THIS STATE.

5 (D) EVALUATE THE CONTENT OF ANY CLINICAL, PRACTICAL, OR  
6 RESIDENCY REQUIREMENT.

7 (E) PROVIDE ANY OTHER SERVICES AND PERFORM ANY OTHER FUNCTIONS  
8 AS ARE NECESSARY AND DESIRABLE TO FULFILL ITS PURPOSES.

9 (F) PROPOSE TO THE DEPARTMENT RULES FOR EXAMINATION STANDARDS,  
10 CONSISTENT WITH THE STANDARDS UNDER THIS PART, FOR LICENSURE AND  
11 WHEN THOSE EXAMINATIONS WILL BE PROVIDED.

12 (G) ESTABLISH A MINIMUM AMOUNT AND KIND OF CONTINUING  
13 EDUCATION TO BE REQUIRED ANNUALLY FOR EACH NATUROPATHIC PHYSICIAN  
14 SEEKING LICENSURE RENEWAL.

15 (H) LIMIT THE PERFORMANCE OF MINOR OFFICE PROCEDURES TO A  
16 NATUROPATHIC PHYSICIAN WHO HAS GRADUATED FROM AN APPROVED  
17 NATUROPATHIC MEDICAL PROGRAM THAT INCLUDED MINOR OFFICE PROCEDURES  
18 AS PART OF ITS CURRICULUM OR WHO HAS UP-TO-DATE CERTIFICATION OF  
19 EQUIVALENT TRAINING, AS DETERMINED BY THE BOARD, IF HE OR SHE  
20 GRADUATED FROM AN APPROVED NATUROPATHIC MEDICAL PROGRAM THAT DID  
21 NOT INCLUDE MINOR OFFICE PROCEDURES AS PART OF THE CURRICULUM.

22 (I) LIMIT THE PRESCRIBING AUTHORITY FOR PRESCRIPTION DRUGS TO  
23 A NATUROPATHIC PHYSICIAN WHO HAS GRADUATED FROM AN APPROVED  
24 NATUROPATHIC MEDICAL PROGRAM THAT INCLUDED PHARMACOLOGY AS PART OF  
25 ITS CURRICULUM OR WHO HAS UP-TO-DATE CERTIFICATION OF EQUIVALENT  
26 TRAINING, AS DETERMINED BY THE BOARD, IF HE OR SHE GRADUATED FROM  
27 AN APPROVED NATUROPATHIC MEDICAL PROGRAM THAT DID NOT INCLUDE

1 PHARMACOLOGY AS PART OF THE CURRICULUM.

2 (J) INVESTIGATE ALL CREDIBLE COMPLAINTS FROM NATUROPATHIC  
3 PHYSICIANS AND THE PUBLIC AS DIRECTED BY THE DIRECTOR.

4 (K) PROPOSE TO THE DEPARTMENT RULES TO ESTABLISH GUIDELINES  
5 FOR THE DISPOSITION OF DISCIPLINARY CASES INVOLVING SPECIFIC TYPES  
6 OF VIOLATIONS. THE GUIDELINES MAY INCLUDE MINIMUM AND MAXIMUM  
7 FINES, PERIODS OF SUPERVISION OR PROBATION, OR CONDITIONS OF  
8 PROBATION OR REISSUANCE OF A LICENSE.

9 (L) PROVIDE EVALUATIONS REGARDING THE REQUIREMENTS FOR  
10 ISSUANCE AND RENEWAL OF NATUROPATHIC MEDICAL LICENSES TO THE  
11 DEPARTMENT.

12 SEC. 18627. (1) THE NATUROPATHIC FORMULARY COUNCIL IS CREATED.  
13 THE FORMULARY COUNCIL IS SEPARATE AND DISTINCT FROM THE BOARD AND  
14 IS COMPOSED OF 5 MEMBERS, AS FOLLOWS:

15 (A) TWO NATUROPATHIC PHYSICIANS APPOINTED BY THE BOARD.

16 (B) TWO PHARMACISTS LICENSED UNDER PART 177, APPOINTED BY THE  
17 BOARD FROM A LIST OF NOMINEES PROVIDED BY THE MICHIGAN BOARD OF  
18 PHARMACY.

19 (C) ONE PHYSICIAN LICENSED UNDER PART 170 OR 175, APPOINTED BY  
20 THE BOARD FROM A LIST OF NOMINEES PROVIDED BY THE MICHIGAN BOARD OF  
21 MEDICINE OR THE MICHIGAN BOARD OF OSTEOPATHIC MEDICINE AND SURGERY.

22 (2) THE NATUROPATHIC FORMULARY COUNCIL SHALL ESTABLISH A  
23 NATUROPATHIC FORMULARY FOR USE BY NATUROPATHIC PHYSICIANS. WHEN IT  
24 ADOPTS OR REVISES THE FORMULARY, THE FORMULARY COUNCIL SHALL  
25 IMMEDIATELY TRANSMIT THE FORMULARY TO THE BOARD. THE BOARD SHALL  
26 REQUEST THAT THE DEPARTMENT ADOPT THE FORMULARY BY RULE.

27 (3) THE FORMULARY COUNCIL SHALL REVIEW THE NATUROPATHIC

1 FORMULARY ANNUALLY OR AT ANY TIME AT THE REQUEST OF THE BOARD.

2 (4) THE NATUROPATHIC FORMULARY MUST NOT GO BEYOND THE SCOPE OF  
3 NATURAL MEDICINES OR PRESCRIPTION DRUGS AND DEVICES COVERED BY  
4 APPROVED NATUROPATHIC EDUCATION AND TRAINING OR BOARD-APPROVED  
5 CONTINUING EDUCATION.

6 (5) THE NATUROPATHIC FORMULARY MUST NOT INCLUDE MEDICINES OR  
7 DEVICES THAT ARE INCONSISTENT WITH THE TRAINING PROVIDED BY  
8 APPROVED NATUROPATHIC MEDICAL PROGRAMS.

9 (6) THIS SECTION DOES NOT ALLOW A NATUROPATHIC PHYSICIAN TO  
10 DISPENSE, ADMINISTER, OR PRESCRIBE ANY PRESCRIPTION DRUG OR DEVICE  
11 AS DEFINED IN PART 177, UNLESS THAT PRESCRIPTION DRUG OR DEVICE IS  
12 SPECIFICALLY INCLUDED IN THE NATUROPATHIC FORMULARY.

13 SEC. 18631. A NATUROPATHIC PHYSICIAN SHALL OBSERVE AND IS  
14 SUBJECT TO ALL STATE, COUNTY, AND MUNICIPAL RULES, ORDINANCES, OR  
15 REGULATIONS IN REGARD TO THE CONTROL OF CONTAGIOUS AND INFECTIOUS  
16 DISEASES, THE REPORTING OF BIRTHS AND DEATHS, AND ANY AND ALL OTHER  
17 MATTERS PERTAINING TO THE PUBLIC HEALTH IN THE SAME MANNER AS IS  
18 REQUIRED OF OTHER HEALTH PROFESSIONALS UNDER THIS ACT. A VIOLATION  
19 OF ANY STATE, COUNTY, OR MUNICIPAL RULE, ORDINANCE, OR REGULATION  
20 DESCRIBED IN THIS SECTION IS CONSIDERED A VIOLATION OF THIS ACT  
21 SUBJECT TO THE INVESTIGATION AND SANCTION PROVISIONS OF SECTIONS  
22 16221 AND 16226. THE PENALTIES AND REMEDIES UNDER THIS PART ARE  
23 INDEPENDENT AND CUMULATIVE. THE USE OF 1 REMEDY BY A PERSON DOES  
24 NOT BAR THE USE OF OTHER LAWFUL PENALTIES OR REMEDIES BY THAT  
25 PERSON OR THE USE OF A LAWFUL PENALTY OR REMEDY BY ANOTHER PERSON.

26 SEC. 18633. THE BOARD SHALL NOT REINSTATE THE LICENSE OF A  
27 NATUROPATHIC PHYSICIAN UNTIL THE BOARD IS SATISFIED THAT THE

1 INDIVIDUAL HAS COMPLIED WITH ALL OF THE TERMS AND CONDITIONS SET  
2 FORTH IN THE FINAL ORDER AND THAT HE OR SHE IS CAPABLE OF SAFELY  
3 ENGAGING IN THE PRACTICE OF NATUROPATHIC MEDICINE.

4 SEC. 18635. (1) THE BOARD MAY ISSUE A LICENSE WITHOUT  
5 ADDITIONAL EXAMINATION TO AN APPLICANT WHO SUBMITS AN APPLICATION  
6 FOR LICENSURE TOGETHER WITH THE APPROPRIATE FEE AND PROOF  
7 ACCEPTABLE TO THE DEPARTMENT OF CURRENT NATUROPATHIC MEDICINE  
8 LICENSURE IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF  
9 COLUMBIA, OR A TERRITORY OF THE UNITED STATES, WHOSE STANDARDS FOR  
10 LICENSURE ARE AT LEAST EQUIVALENT TO THOSE OF THIS STATE.

11 (2) AN APPLICANT SEEKING A LICENSE WITHOUT ADDITIONAL  
12 EXAMINATION UNDER THIS SECTION SHALL PROVIDE PROOF OF LICENSURE IN  
13 GOOD STANDING IN ALL JURISDICTIONS IN WHICH HE OR SHE IS OR HAS  
14 BEEN LICENSED.

15 SEC. 18637. (1) EACH LICENSE ISSUED OR RENEWED UNDER THIS PART  
16 EXPIRES 2 YEARS FOLLOWING ITS ISSUANCE OR LAST RENEWAL.

17 (2) THE DIRECTOR MAY RENEW THE LICENSE OF ANY LICENSEE WHOSE  
18 LICENSE HAS EXPIRED IF HE OR SHE DOES ALL OF THE FOLLOWING:

19 (A) SUBMITS AN APPLICATION FOR RENEWAL.

20 (B) PAYS THE RENEWAL FEE.

21 (C) MEETS THE QUALIFICATIONS FOR LICENSURE UNDER THIS PART.

22 (D) MEETS THE CONTINUING EDUCATION REQUIREMENTS ESTABLISHED BY  
23 THE BOARD.

24 SEC. 18639. AN INDIVIDUAL WHO ENGAGES IN THE PRACTICE OF  
25 NATUROPATHIC MEDICINE AFTER THE INDIVIDUAL'S LICENSE IS REVOKED IS  
26 ENGAGING IN THE PRACTICE OF NATUROPATHIC MEDICINE WITHOUT A  
27 LICENSE. HOWEVER, AT ANY TIME AFTER THE EXPIRATION OF 6 MONTHS

1 AFTER THE DATE OF THE CONVICTION THAT RESULTED IN THE LICENSE  
2 REVOCATION, THE DEPARTMENT MAY REINSTATE THE INDIVIDUAL'S LICENSE  
3 AND RESTORE TO HIM OR HER ALL THE RIGHTS AND PRIVILEGES OF AND  
4 PERTAINING TO THE PRACTICE OF NATUROPATHIC MEDICINE UNDER THIS  
5 PART. THE REINSTATEMENT FEE SHALL BE SET BY THE BOARD, IN AN AMOUNT  
6 THAT DOES NOT EXCEED \$150.00.

7 SEC. 18641. (1) ANY PERSON MAY REPORT TO THE DEPARTMENT IN  
8 WRITING ANY INFORMATION THE PERSON HAS REASON TO BELIEVE INDICATES  
9 THAT A NATUROPATHIC PHYSICIAN IS OR MAY BE MEDICALLY OR LEGALLY  
10 INCOMPETENT, ENGAGED IN THE UNAUTHORIZED OR ILLEGAL PRACTICE OF  
11 NATUROPATHIC MEDICINE, GUILTY OF UNPROFESSIONAL CONDUCT, OR  
12 MENTALLY OR PHYSICALLY UNABLE TO ENGAGE SAFELY IN THE PRACTICE OF  
13 NATUROPATHIC MEDICINE.

14 (2) EACH OF THE FOLLOWING PERSONS SHALL REPORT TO THE  
15 DEPARTMENT IN WRITING ANY INFORMATION THE PERSON HAS REASON TO  
16 BELIEVE INDICATES THAT A NATUROPATHIC PHYSICIAN IS OR MAY BE  
17 MEDICALLY OR LEGALLY INCOMPETENT, ENGAGED IN THE UNAUTHORIZED  
18 PRACTICE OF NATUROPATHIC MEDICINE, GUILTY OF UNPROFESSIONAL  
19 CONDUCT, OR MENTALLY OR PHYSICALLY UNABLE TO ENGAGE SAFELY IN THE  
20 PRACTICE OF NATUROPATHIC MEDICINE, WITHIN 30 DAYS OF BECOMING AWARE  
21 OF THAT INFORMATION:

22 (A) A NATUROPATHIC PHYSICIAN LICENSED UNDER THIS PART.

23 (B) A HEALTH PROFESSIONAL LICENSED UNDER THIS ARTICLE.

24 (C) A HEALTH FACILITY OR AGENCY IN THIS STATE.

25 (D) A STATE DEPARTMENT OR AGENCY.

26 (E) A LAW ENFORCEMENT AGENCY IN THIS STATE.

27 (3) A HEALTH FACILITY OR AGENCY AND A LICENSEE SHALL PROMPTLY

1 REPORT TO THE DEPARTMENT THE VOLUNTARY RESIGNATION OF THE LICENSEE  
2 FROM THE STAFF OF A HEALTH FACILITY OR AGENCY, THE VOLUNTARY  
3 LIMITATION OF THE LICENSEE'S STAFF PRIVILEGES, OR FAILURE OF THE  
4 LICENSEE TO REAPPLY FOR HOSPITAL PRIVILEGES AT A FACILITY OR AGENCY  
5 IF THAT ACTION OCCURS WHILE THE LICENSEE IS UNDER FORMAL OR  
6 INFORMAL INVESTIGATION BY THE HEALTH FACILITY OR AGENCY OR A  
7 COMMITTEE OF THE HEALTH FACILITY OR AGENCY FOR ANY REASON RELATED  
8 TO POSSIBLE MEDICAL INCOMPETENCE, UNPROFESSIONAL CONDUCT, OR MENTAL  
9 OR PHYSICAL IMPAIRMENT.

10 (4) IF IT RECEIVES A CREDIBLE COMPLAINT OR REPORT CONCERNING A  
11 LICENSEE, OR ON ITS OWN MOTION, THE DEPARTMENT MAY INVESTIGATE AS  
12 PROVIDED IN SECTION 16221.

13 (5) A PERSON THAT IN GOOD FAITH COMPLIES WITH THIS SECTION IS  
14 NOT LIABLE FOR DAMAGES IN A CIVIL ACTION OR SUBJECT TO PROSECUTION  
15 IN A CRIMINAL PROCEEDING AS A RESULT OF A REPORT UNDER THIS  
16 SECTION.

17 (6) WITHIN 10 DAYS AFTER RECEIVING A REPORT REQUIRED UNDER  
18 THIS SECTION, THE DIRECTOR SHALL ACKNOWLEDGE RECEIPT OF THE REPORTS  
19 AND ANY COMPLAINT AGAINST A LICENSEE SUBMITTED TO THE DEPARTMENT.  
20 WITHIN 10 DAYS AFTER FINAL DISPOSITION, THE DIRECTOR SHALL INFORM  
21 ANY PERSON OR ENTITY WHOSE REPORT OR COMPLAINT HAS RESULTED IN  
22 ACTION BY THE DEPARTMENT OF THE FINAL DISPOSITION OF THE MATTER.

23 (7) IF A PERSON FAILS TO MAKE A REPORT REQUIRED UNDER THIS  
24 SECTION, THE DIRECTOR, IN HIS OR HER DISCRETION AND AFTER  
25 CONSULTATION WITH THE BOARD, MAY ASSESS AN ADMINISTRATIVE FINE OF  
26 NOT MORE THAN \$5,000.00 AGAINST THAT PERSON, IF ASSESSMENT OF THAT  
27 FINE IS SUPPORTED BY SUBSTANTIAL EVIDENCE. A PERSON MAY APPEAL THE

1 ASSESSMENT OF AN ADMINISTRATIVE FINE UNDER THIS SUBSECTION IN THE  
2 MANNER PROVIDED IN THE ADMINISTRATIVE PROCEDURES ACT OF 1969.

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