

SENATE BILL No. 320

May 7, 2015, Introduced by Senators KOWALL, SHIRKEY, HERTEL, MACGREGOR, MARLEAU and EMMONS and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
 "Public health code,"
 by amending sections 17210 and 17708 (MCL 333.17210 and 333.17708),
 section 17708 as amended by 2012 PA 209.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17210. (1) The board of nursing may issue a specialty
 2 certification to a registered professional nurse who has advanced
 3 training beyond that required for initial licensure and who has
 4 demonstrated competency through examination or other evaluative
 5 processes and who practices in ~~1 of the following~~ health profession
 6 specialty fields: **FIELD OF** nurse midwifery, nurse anesthetist, or
 7 nurse practitioner.

8 (2) **ALL OF THE FOLLOWING APPLY TO A REGISTERED PROFESSIONAL**
 9 **NURSE WHO HOLDS A SPECIALTY CERTIFICATION AS A NURSE ANESTHETIST:**

10 **(A) IN ADDITION TO PERFORMING DUTIES WITHIN THE SCOPE OF THE**

1 PRACTICE OF NURSING, HE OR SHE MAY PROVIDE ANY OF THE FOLLOWING
2 ANESTHESIA AND ANALGESIA SERVICES:

3 (i) DEVELOPMENT OF A PLAN OF CARE.

4 (ii) PERFORMANCE OF ALL PATIENT ASSESSMENTS, PROCEDURES, AND
5 MONITORING TO IMPLEMENT THE PLAN OF CARE OR TO ADDRESS PATIENT
6 EMERGENCIES THAT ARISE DURING IMPLEMENTATION OF THE PLAN OF CARE.

7 (iii) SELECTION, ORDERING, OR PRESCRIBING AND THE ADMINISTRATION
8 OF ANESTHESIA AND ANALGESIC AGENTS, INCLUDING PHARMACOLOGICAL
9 AGENTS THAT ARE PRESCRIPTION DRUGS AS DEFINED IN SECTION 17708 OR
10 CONTROLLED SUBSTANCES AS DEFINED IN SECTION 7104.

11 (B) THE ANESTHESIA AND ANALGESIA SERVICES DESCRIBED IN
12 SUBDIVISION (A) MAY BE PERFORMED IN A HEALTH FACILITY OR AGENCY
13 LICENSED UNDER ARTICLE 17 OR OTHER MEDICAL SETTING.

14 (C) THE ANESTHESIA AND ANALGESIA SERVICES DESCRIBED IN
15 SUBDIVISION (A) MAY BE PERFORMED FOR OPERATIVE, OBSTETRICAL,
16 INTERVENTIONAL, OR DIAGNOSTIC PURPOSES, BUT ONLY DURING THE PRE-,
17 INTRA-, AND POST-OPERATIVE OBSTETRICAL, INTERVENTIONAL, OR
18 DIAGNOSTIC SERVICE PERIOD.

19 (D) THE ANESTHESIA AND ANALGESIA SERVICES DESCRIBED IN
20 SUBDIVISION (A) DO NOT INCLUDE CHRONIC PAIN MANAGEMENT SERVICES.
21 HOWEVER, HE OR SHE MAY PERFORM CHRONIC PAIN MANAGEMENT SERVICES
22 UNDER DELEGATION PURSUANT TO SECTION 16215.

23 Sec. 17708. (1) "Preceptor" means a pharmacist WHO IS approved
24 by the board to direct the training of an intern in an approved
25 pharmacy.

26 (2) "Prescriber" means ~~a~~ANY OF THE FOLLOWING:

27 (A) A licensed dentist. ~~—a~~

1 (B) A licensed doctor of medicine. ~~7-a~~

2 (C) A licensed doctor of osteopathic medicine and surgery. ~~7-a~~

3 (D) A licensed doctor of podiatric medicine and surgery. ~~7-a~~

4 (E) A licensed optometrist certified under part 174 to
5 administer and prescribe therapeutic pharmaceutical agents. ~~7-a~~

6 (F) A licensed veterinarian. ~~7-or another~~

7 (G) A REGISTERED PROFESSIONAL NURSE WHO HOLDS A SPECIALTY
8 CERTIFICATION AS A NURSE ANESTHETIST UNDER SECTION 17210 WHEN HE OR
9 SHE IS ENGAGING IN THE PRACTICE OF NURSING AND PROVIDING THE
10 ANESTHESIA AND ANALGESIA SERVICES DESCRIBED IN SECTION 17210(2).

11 (H) ANY OTHER licensed health professional acting under the
12 delegation and using, recording, or otherwise indicating the name
13 of the delegating licensed doctor of medicine or licensed doctor of
14 osteopathic medicine and surgery.

15 (3) "Prescription" means an order by a prescriber to fill,
16 compound, or dispense a drug or device written and signed; written
17 or created in an electronic format, signed, and transmitted by
18 facsimile; or transmitted electronically or by other means of
19 communication. An order transmitted in other than written or hard-
20 copy form shall be electronically recorded, printed, or written and
21 immediately dated by the pharmacist, and that record constitutes
22 the original prescription. In a health facility or agency licensed
23 under article 17 or other medical institution, an order for a drug
24 or device in the patient's chart constitutes for the purposes of
25 this definition the original prescription. Subject to section
26 17751(2) and (5), prescription includes, but is not limited to, an
27 order for a drug, not including a controlled substance as defined

1 in section 7104 except under circumstances described in section
2 17763(e), written and signed; written or created in an electronic
3 format, signed, and transmitted by facsimile; or transmitted
4 electronically or by other means of communication by a physician
5 prescriber or dentist prescriber licensed to practice dentistry,
6 medicine, or osteopathic medicine and surgery in a state other than
7 ~~Michigan~~. **THIS STATE.**

8 (4) "Prescription drug" means 1 or more of the following:

9 (a) A drug dispensed pursuant to a prescription.

10 (b) A drug bearing the federal legend "CAUTION: federal law
11 prohibits dispensing without prescription" or "Rx only".

12 (c) A drug designated by the board as a drug that may only be
13 dispensed pursuant to a prescription.

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