

SENATE BILL No. 1016

June 7, 2016, Introduced by Senators O'BRIEN, WARREN, BIEDA, GREGORY, KNEZEK, ROCCA, SCHUITMAKER, NOFS, ANANICH, HOOD, EMMONS, KOWALL and BRANDENBURG and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 18255 to part 182A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 182A

APPLIED BEHAVIOR ANALYSIS

SEC. 18255. (1) THE MICHIGAN BOARD OF BEHAVIOR ANALYSTS IS CREATED IN THE DEPARTMENT AND CONSISTS OF THE FOLLOWING 9 VOTING MEMBERS:

(A) FIVE BEHAVIOR ANALYSTS. THE 5 MEMBERS APPOINTED UNDER THIS SUBDIVISION SHALL BE BEHAVIOR ANALYSTS WHO ARE LICENSED UNDER THIS PART, EXCEPT THAT THE FIRST 5 MEMBERS APPOINTED TO THE BOARD UNDER THIS SUBDIVISION MAY BE BOARD-CERTIFIED BEHAVIOR ANALYSTS WHO ARE NOT LICENSED UNDER THIS PART. MEMBERS DESCRIBED IN THIS SUBDIVISION

1 SHALL BE APPOINTED IN A MANNER THAT ENSURES THAT 4 OF THE MEMBERS
2 SERVING ON THE BOARD ARE ENGAGED IN PROVIDING CLINICAL SERVICES AND
3 1 IS ENGAGED IN PROVIDING APPLIED BEHAVIOR ANALYSIS SERVICES TO THE
4 MEDICAID POPULATION IN ADDITION TO PROVIDING CLINICAL SERVICES. AS
5 USED IN THIS SUBDIVISION:

6 (i) "MEDICAID" MEANS THAT TERM AS DEFINED IN SECTION 2701.

7 (ii) "MEDICAID POPULATION" MEANS THOSE INDIVIDUALS WHO RESIDE
8 IN THIS STATE AND WHO ARE ELIGIBLE FOR MEDICAID.

9 (B) ONE INDIVIDUAL WHO IS AFFILIATED WITH A UNIVERSITY IN THIS
10 STATE AND PROVIDES INSTRUCTION OR CONDUCTS RESEARCH IN APPLIED
11 BEHAVIOR ANALYSIS.

12 (C) ONE ASSISTANT BEHAVIOR ANALYST.

13 (D) ONE PHYSICIAN WHO IS LICENSED UNDER PART 170 OR 175 AND
14 WORKS WITH PATIENTS WITH AUTISM SPECTRUM DISORDERS OR BRAIN
15 INJURIES.

16 (E) ONE PUBLIC MEMBER.

17 (2) THE TERMS OF OFFICE OF INDIVIDUAL MEMBERS OF THE BOARD,
18 EXCEPT THOSE APPOINTED TO FILL VACANCIES, EXPIRE 4 YEARS AFTER THE
19 APPOINTMENT ON DECEMBER 31 OF THE YEAR IN WHICH THE TERM EXPIRES.
20 HOWEVER, FOR THE MEMBERS FIRST APPOINTED TO THE BOARD UNDER
21 SUBSECTION (1), 3 MUST SERVE FOR 2 YEARS, 3 MUST SERVE FOR 3 YEARS,
22 AND 3 MUST SERVE FOR 4 YEARS.

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

25 Enacting section 2. This amendatory act does not take effect
26 unless Senate Bill No. 1015

27 of the 98th Legislature is enacted into law.