

Act No. 404
Public Acts of 2016
Approved by the Governor
January 3, 2017
Filed with the Secretary of State
January 3, 2017
EFFECTIVE DATE: April 3, 2017

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

**Introduced by Senators O'Brien, Warren, Bieda, Gregory, Knezek, Rocca, Schuitmaker, Nofs, Ananich,
Hood, Emmons, Kowall and Brandenburg**

ENROLLED SENATE BILL No. 1016

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (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) Four behavior analysts. The 4 members appointed under this subdivision shall be behavior analysts who are licensed under this part, except that the first 4 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 shall be appointed in a manner that ensures that 3 of the members serving on the board are engaged in providing clinical services and 1 is engaged in providing applied behavior analysis services to the Medicaid population in addition to providing clinical services. As used in this subdivision:

(i) "Medicaid" means that term as defined in section 2701.

(ii) "Medicaid population" means those individuals who reside in this state and who are eligible for Medicaid.

(b) One individual who is affiliated with a university in this state and provides instruction or conducts research in applied behavior analysis.

(c) One assistant behavior analyst.

(d) One physician who is licensed under part 170 or 175 and works with patients with autism spectrum disorders or brain injuries.

(e) Two public members.

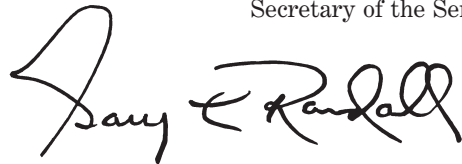
(2) The terms of office of individual members of the board, except those appointed to fill vacancies, expire 4 years after the appointment on December 31 of the year in which the term expires. However, for the members first appointed to the board under subsection (1), 3 must serve for 2 years, 3 must serve for 3 years, and 3 must serve for 4 years.

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

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1015 of the 98th Legislature is enacted into law.



Secretary of the Senate



Clerk of the House of Representatives

Approved

.....
Governor