



# HOUSE BILL No. 4582

May 12, 2015, Introduced by Rep. Tedder and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501),  
as amended by 2006 PA 161, and by adding sections 17011a and  
17511a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 17001. (1) As used in this part:
- 2 (a) "Academic institution" means either of the following:
- 3 (i) A medical school approved by the board.
- 4 (ii) A hospital licensed under article 17 that meets all of
- 5 the following requirements:
- 6 (A) Was the sole sponsor or a co-sponsor, if each other co-
- 7 sponsor is either a medical school approved by the board or a
- 8 hospital owned by the federal government and directly operated by

1 the United States department of veterans' affairs, of not less than  
2 4 postgraduate education residency programs approved by the board  
3 under section 17031(1) for not less than the 3 years immediately  
4 preceding the date of an application for a limited license under  
5 section 16182(2)(c) or an application for a full license under  
6 section 17031(2), provided that at least 1 of the residency  
7 programs is in the specialty area of medical practice, or in a  
8 specialty area that includes the subspecialty of medical practice,  
9 in which the applicant for a limited license proposes to practice  
10 or in which the applicant for a full license has practiced for the  
11 hospital.

12 (B) Has spent not less than \$2,000,000.00 for medical  
13 education during each of the 3 years immediately preceding the date  
14 of an application for a limited license under section 16182(2)(c)  
15 or an application for a full license under section 17031(2). As  
16 used in this subparagraph, "medical education" means the education  
17 of physicians and candidates for degrees or licenses to become  
18 physicians, including, but not limited to, physician staff,  
19 residents, interns, and medical students.

20 (b) "Electrodiagnostic studies" means the testing of  
21 neuromuscular functions utilizing nerve conduction tests and needle  
22 electromyography. It does not include the use of surface  
23 electromyography.

24 (c) "Medical care services" means those services within the  
25 scope of practice of physicians **WHO ARE** licensed **OR AUTHORIZED** by  
26 the board, except those services that the board determines shall  
27 not be delegated by a physician without endangering the health and

1 safety of patients as provided for in section 17048(3).

2 (d) "Physician" means an individual **WHO IS** licensed **OR**  
3 **AUTHORIZED** under this article to engage in the practice of  
4 medicine.

5 (e) "Podiatrist" means an individual **WHO IS** licensed under  
6 this article to engage in the practice of podiatric medicine and  
7 surgery.

8 (f) "Practice of medicine" means the diagnosis, treatment,  
9 prevention, cure, or relieving of a human disease, ailment, defect,  
10 complaint, or other physical or mental condition, by attendance,  
11 advice, device, diagnostic test, or other means, or offering,  
12 undertaking, attempting to do, or holding oneself out as able to  
13 do, any of these acts.

14 (g) "Practice as a physician's assistant" means the practice  
15 of medicine, osteopathic medicine and surgery, or podiatric  
16 medicine and surgery performed under the supervision of a physician  
17 or podiatrist licensed under this article.

18 (h) "Supervision" means that term as defined in section 16109,  
19 except that it also includes the existence of a predetermined plan  
20 for emergency situations, including, but not limited to, the  
21 designation of a physician to supervise a physician's assistant in  
22 the absence of the primary supervising physician.

23 (i) "Task force" means the joint task force created in section  
24 17025.

25 (2) In addition to the definitions in this part, article 1  
26 contains definitions and principles of construction applicable to  
27 all articles in this code and part 161 contains definitions

1 applicable to this part.

2       SEC. 17011A. (1) AN ALLOPATHIC PHYSICIAN WHO HOLDS AN  
3 EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS  
4 AUTHORIZED TO ENGAGE IN THE PRACTICE OF MEDICINE UNDER THIS  
5 ARTICLE.

6       (2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF  
7 AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN UNDER THIS PART, AN  
8 ALLOPATHIC PHYSICIAN WHO HOLDS AN EXPEDITED LICENSE UNDER THE  
9 INTERSTATE MEDICAL LICENSURE COMPACT IS CONSIDERED A PHYSICIAN WHO  
10 IS LICENSED UNDER THIS PART.

11       (3) AS USED IN THIS SECTION, "INTERSTATE MEDICAL LICENSURE  
12 COMPACT" MEANS THE INTERSTATE MEDICAL LICENSURE COMPACT AS ENACTED  
13 IN SECTION 16189.

14       Sec. 17501. (1) As used in this part:

15       (a) "Electrodiagnostic studies" means the testing of  
16 neuromuscular functions utilizing nerve conduction tests and needle  
17 electromyography. It does not include the use of surface  
18 electromyography.

19       (b) "Medical care services" means those services within the  
20 scope of practice of physicians **WHO ARE** licensed ~~and approved~~ **OR**  
21 **AUTHORIZED** by the board, except those services that the board  
22 determines shall not be delegated by a physician without  
23 endangering the health and safety of patients as provided for in  
24 section 17548(3).

25       (c) "Physician" means an individual **WHO IS** licensed **OR**  
26 **AUTHORIZED** under this article to engage in the practice of  
27 osteopathic medicine and surgery.

1 (d) "Practice of osteopathic medicine and surgery" means a  
2 separate, complete, and independent school of medicine and surgery  
3 utilizing full methods of diagnosis and treatment in physical and  
4 mental health and disease, including the prescription and  
5 administration of drugs and biologicals, operative surgery,  
6 obstetrics, radiological and other electromagnetic emissions, and  
7 placing special emphasis on the interrelationship of the  
8 musculoskeletal system to other body systems.

9 (e) "Practice as a physician's assistant" means the practice  
10 of medicine, osteopathic medicine and surgery, and podiatric  
11 medicine and surgery performed under the supervision of a physician  
12 or podiatrist licensed under this article.

13 (f) "Supervision" has the meaning ascribed to it in section  
14 16109 except that it includes the existence of a predetermined plan  
15 for emergency situations, including, but not limited to, the  
16 designation of a physician to supervise a physician's assistant in  
17 the absence of the primary supervising physician.

18 (g) "Task force" means the joint task force created in section  
19 17025.

20 (2) In addition to the definitions in this part, article 1  
21 contains general definitions and principles of construction  
22 applicable to all articles in the code and part 161 contains  
23 definitions applicable to this part.

24 **SEC. 17511A. (1) AN OSTEOPATHIC PHYSICIAN WHO HOLDS AN**  
25 **EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS**  
26 **AUTHORIZED TO ENGAGE IN THE PRACTICE OF OSTEOPATHIC MEDICINE AND**  
27 **SURGERY UNDER THIS ARTICLE.**

[Enacting section 2. This amendatory act does not take effect unless House Bill No. 4583 of the 98th Legislature is enacted into law.

DAM