

SUBSTITUTE FOR
HOUSE BILL NO. 4789

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16336 and part 179.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16131. The terms of office of individual members of
2 the boards and task forces, except those appointed to fill vacan-
3 cies, ~~shall~~ expire 4 years after appointment as follows:

4 Nursing	June 30
5 Optometry	June 30
6 Pharmacy	June 30
7 Podiatric medicine and surgery	June 30
8 Dentistry	June 30

HB4789, As Passed House, June 3, 1998

House Bill No. 4789

2

1	Chiropractic	December 31
2	Counseling	June 30
3	Marriage and family therapy	June 30
4	Medicine	December 31
5	Occupational therapists	December 31
6	Osteopathic medicine and surgery	December 31
7	Physical therapy	December 31
8	Psychology	December 31
9	Sanitarians	December 31
10	Veterinary medicine	December 31
11	ATHLETIC TRAINING	JUNE 30

12 Sec. 16263. (1) Except as provided in subsection (2), the
13 following words, titles, or letters or a combination thereof,
14 with or without qualifying words or phrases, are restricted in
15 use only to those persons authorized under this article to use
16 the terms and in a way prescribed in this article:

17 (a) "Chiropractic", "doctor of chiropractic",
18 "chiropractor", "d.c.", and "chiropractic physician".

19 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
20 lofacial surgeon", "orthodontist", "prosthodontist",
21 "periodontist", "endodontist", "oral pathologist", "pediatric
22 dentist", "dental hygienist", "registered dental hygienist",
23 "dental assistant", "registered dental assistant", "R.D.A.",
24 "d.d.s.", "d.m.d.", and "r.d.h.".

25 (c) "Doctor of medicine" and "m.d.".

26 (d) "Physician's assistant" and "p.a.".

HB4789, As Passed House, June 3, 1998

House Bill No. 4789

3

1 (e) "Registered professional nurse", "registered nurse",
2 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
3 "nurse anesthetist", "nurse practitioner", "trained attendant",
4 and "t.a.".

5 (f) "Doctor of optometry", "optometrist", and "o.d.".

6 (g) "Osteopath", "osteopathy", "osteopathic practitioner",
7 "doctor of osteopathy", "diplomate in osteopathy", and "d.o.".

8 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",
9 "druggist", "medicine store", "prescriptions", and "r.ph.".

10 (i) "Physical therapy", "physical therapist",
11 "physiotherapist", "registered physical therapist", "licensed
12 physical therapist", "physical therapy technician", "p.t.",
13 "r.p.t.", "l.p.t.", and "p.t.t.".

14 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
15 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
16 specialist", "podiatric physician and surgeon", and "d.p.m.".

17 (k) "Consulting psychologist", "psychologist",
18 "psychological assistant", and "psychological examiner",
19 "licensed psychologist", and "limited licensed psychologist".

20 (l) "Licensed professional counselor", "licensed counselor",
21 "professional counselor", and "l.p.c.".

22 (m) "Sanitarian", "registered sanitarian", and "r.s.".

23 (n) "Veterinary", "veterinarian", "veterinary doctor",
24 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
25 "d.v.m.", "animal technician", or "animal technologist".

26 (o) "Occupational therapist", "occupational therapist
27 registered", "certified occupational therapist", "o.t.",

HB4789, As Passed House, June 3, 1998

House Bill No. 4789

4

1 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
2 "occupational therapy assistant", or "c.o.t.a."

3 (p) "Marriage advisor" or "marriage consultant"; "family
4 counselor", "family advisor", "family therapist", or "family
5 consultant"; "family guidance counselor", "family guidance
6 advisor", or "family guidance consultant"; "marriage guidance
7 counselor", "marriage guidance advisor", or "marriage guidance
8 consultant"; "family relations counselor"; "marriage relations
9 counselor", "marriage relations advisor", or "marriage relations
10 consultant"; "marital counselor" or "marital therapist"; "limited
11 licensed marriage and family therapist" or "limited licensed mar-
12 riage counselor"; "licensed marriage and family therapist" or
13 "licensed marriage counselor"; and "l.m.f.t."

14 (Q) "ATHLETIC TRAINER", "REGISTERED ATHLETIC TRAINER",
15 "CERTIFIED ATHLETIC TRAINER", "ATHLETIC TRAINER CERTIFIED",
16 "A.T.", "A.T.R.", "C.A.T.", AND "A.T.C."

17 (2) Notwithstanding section 16261, a person who was spe-
18 cially trained at an institution of higher education in this
19 state to assist a physician in the field of orthopedics and upon
20 completion of training, received a 2-year associate of science
21 degree as an orthopedic physician's assistant before January 1,
22 1977, may use the title "orthopedic physician's assistant"
23 whether or not the person is licensed under this article.

24 SEC. 16336. FEES FOR A PERSON REGISTERED OR SEEKING REGIS-
25 TRATION AS A REGISTERED ATHLETIC TRAINER UNDER PART 179 ARE AS
26 FOLLOWS:

03152'97 (H-3)

HB4789, As Passed House, June 3, 1998

Sub. H.B. 4789 (H-3) as amended June 2 & 3, 1998 5

1 (A) APPLICATION PROCESSING FEE.....\$ 20.00

2 (B) REGISTRATION FEE, PER YEAR.....60.00.

3 PART 179.

4 ATHLETIC TRAINING

5 SEC. 17901. (1) AS USED IN THIS PART:

6 (A) ["ATHLETIC INJURY"] MEANS AN INJURY [] SUSTAINED

7 BY AN INDIVIDUAL AS A RESULT OF THAT INDIVIDUAL'S PARTICIPATION

8 IN [] ACTIVITIES REQUIRING PHYSICAL STRENGTH,
AGILITY, FLEXIBILITY,

9 RANGE OF MOTION, SPEED, AND STAMINA [.

10]

11 (B) "REGISTERED ATHLETIC TRAINER" MEANS AN INDIVIDUAL WHO [

12 ENGAGES IN THE PREVENTION, EVALUATION, TREATMENT, AND

13 REHABILITATION OF THE PHYSICALLY ACTIVE UNDER THE DIRECTION AND

14 SUPERVISION OF A LICENSED ALLOPATHIC PHYSICIAN OR A LICENSED

15 OSTEOPATHIC PHYSICIAN.

16

17

18

19

20

21]

22 (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1

23 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION

24 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS

25 DEFINITIONS APPLICABLE TO THIS PART.

26 SEC. 17902. BEGINNING ON THE EFFECTIVE DATE OF THE

27 AMENDATORY ACT THAT ADDED THIS PART, AN INDIVIDUAL SHALL NOT USE

HB4789, As Passed House, June 3, 1998

Sub. H.B. 4789 (H-3) as amended June 2, 1998

6

1 THE TITLES "ATHLETIC TRAINER", "REGISTERED ATHLETIC TRAINER",
2 "CERTIFIED ATHLETIC TRAINER", "ATHLETIC TRAINER CERTIFIED",
3 "A.T.", "A.T.R.", "C.A.T.", "A.T.C.", OR SIMILAR WORDS THAT INDI-
4 CATE THAT THE PERSON IS A REGISTERED ATHLETIC TRAINER UNLESS THE
5 INDIVIDUAL IS REGISTERED UNDER THIS ARTICLE.

6 SEC. 17903. (1) THE MICHIGAN BOARD OF ATHLETIC TRAINING IS
7 CREATED IN THE DEPARTMENT AND CONSISTS OF THE FOLLOWING [9] VOTING
8 MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

9 (A) [FIVE] REGISTERED ATHLETIC TRAINERS.

10 (B) [TWO] PUBLIC MEMBERS.

[(C) ONE LICENSED PHYSICIAN.
(D) ONE LICENSED PHYSICAL THERAPIST.]

11 (2) MEMBERS OF THE INITIAL BOARD ARE SUBJECT TO
12 SECTION 16135.

13 SEC. 17904. THE DEPARTMENT, IN CONSULTATION WITH THE BOARD,
14 SHALL PROMULGATE RULES ESTABLISHING THE MINIMUM STANDARDS FOR
15 REGISTRATION AS AN ATHLETIC TRAINER UNDER THIS ARTICLE. IN
16 PROMULGATING THE RULES REQUIRED UNDER THIS SECTION, THE DEPART-
17 MENT MAY CONSULT THE PROFESSIONAL STANDARDS ISSUED BY THE
18 NATIONAL ATHLETIC TRAINER'S ASSOCIATION, BY THE NATIONAL ATHLETIC
19 TRAINER'S ASSOCIATION BOARD OF CERTIFICATION, OR BY ANOTHER
20 NATIONALLY RECOGNIZED PROFESSIONAL ASSOCIATION.

21 SEC. 17905. THE DEPARTMENT SHALL ISSUE A REGISTRATION UNDER
22 THIS ARTICLE AS A REGISTERED ATHLETIC TRAINER TO AN INDIVIDUAL
23 WHO MEETS ALL OF THE FOLLOWING REQUIREMENTS:

24 (A) APPLIES TO THE DEPARTMENT ON A FORM PROVIDED BY THE
25 DEPARTMENT.

26 (B) MEETS THE REQUIREMENTS FOR REGISTRATION CONTAINED IN THE
27 RULES PROMULGATED UNDER SECTION 17904.

HB4789, As Passed House, June 3, 1998

House Bill No. 4789

7

1 (C) PAYS THE FEES PRESCRIBED IN SECTION 16336.

2 SEC. 17906. (1) A REGISTRATION ISSUED BY THE DEPARTMENT
3 UNDER SECTION 17905 IS RENEWABLE UPON PAYMENT OF THE PRESCRIBED
4 REGISTRATION RENEWAL FEE AND, BEGINNING WITH THE THIRD RENEWAL
5 PERIOD AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED
6 THIS PART, SUBMISSION TO THE DEPARTMENT OF PROOF OF SATISFACTORY
7 COMPLETION OF AT LEAST 8 CONTINUING EDUCATION UNITS WITHIN A
8 3-YEAR TIME PERIOD IN SUBJECTS RELATED TO ATHLETIC TRAINING AND
9 APPROVED BY THE BOARD.

10 (2) IN ADDITION TO THE CONTINUING EDUCATION REQUIREMENTS OF
11 SUBSECTION (1), A REGISTERED ATHLETIC TRAINER SHALL SUBMIT ALONG
12 WITH HIS OR HER APPLICATION FOR REGISTRATION RENEWAL PROOF Satis-
13 FACTORY TO THE BOARD OF BOTH OF THE FOLLOWING:

14 (A) THAT HE OR SHE HAS SUCCESSFULLY COMPLETED A COURSE OF
15 TRAINING IN FIRST AID, CARDIOPULMONARY RESUSCITATION, AND FOREIGN
16 BODY OBSTRUCTION OF THE AIRWAY APPROVED BY THE DEPARTMENT AND
17 OFFERED OR APPROVED BY THE AMERICAN RED CROSS, THE AMERICAN HEART
18 ASSOCIATION, OR A COMPARABLE ORGANIZATION.

19 (B) THAT HE OR SHE HOLDS, AT THE TIME OF APPLICATION FOR
20 RENEWAL AND AT ALL TIMES DURING THE PREVIOUS REGISTRATION PERIOD,
21 A VALID CERTIFICATION IN FIRST AID AND CARDIOPULMONARY RESUSCITA-
22 TION ISSUED BY THE ORGANIZATION OFFERING THE TRAINING.

23 SEC. 17907. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL
24 THIRD PARTY REIMBURSEMENT FOR SERVICES RENDERED BY AN INDIVIDUAL
25 REGISTERED UNDER THIS PART.

HB4789, As Passed House, June 3, 1998

House Bill No. 4789

8

1 Enacting section 1. This amendatory act does not take
2 effect unless all of the following bills of the 89th Legislature
3 are enacted into law:

4 (a) House Bill No. 5736.

5 (b) House Bill No. 5737.