

STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1998

**Introduced by Reps. Palamara, Profit, Price, Mans, Schauer, Hanley, LaForge, Baird, Olshove, Baade, Law, Hammerstrom, Fitzgerald, Llewellyn, Jelinek, Gagliardi, Brater, Callahan, Wojno, Leland, Griffin, Gire, Alley, Hood, Vaughn, Prusi, Agee, Anthony, Tesanovich, Owen, Mathieu and Rhead**

## **ENROLLED HOUSE BILL No. 4789**

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 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 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," by amending section 16263 (MCL 333.16263), as amended by 1995 PA 126, and by adding section 16336 and part 179.

*The People of the State of Michigan enact:*

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

- (a) "Chiropractic", "doctor of chiropractic", "chiropractor", "d.c.", and "chiropractic physician".
- (b) "Dentist", "doctor of dental surgery", "oral and maxillofacial surgeon", "orthodontist", "prosthodontist", "periodontist", "endodontist", "oral pathologist", "pediatric dentist", "dental hygienist", "registered dental hygienist", "dental assistant", "registered dental assistant", "r.d.a.", "d.d.s.", "d.m.d.", and "r.d.h."
- (c) "Doctor of medicine" and "m.d."
- (d) "Physician's assistant" and "p.a."
- (e) "Registered professional nurse", "registered nurse", "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife", "nurse anesthetist", "nurse practitioner", "trained attendant", and "t.a."
- (f) "Doctor of optometry", "optometrist", and "o.d."
- (g) "Osteopath", "osteopathy", "osteopathic practitioner", "doctor of osteopathy", "diplomate in osteopathy", and "d.o."

- (h) "Pharmacy", "pharmacist", "apothecary", "drugstore", "druggist", "medicine store", "prescriptions", and "r.ph."
- (i) "Physical therapy", "physical therapist", "physiotherapist", "registered physical therapist", "licensed physical therapist", "physical therapy technician", "p.t.", "r.p.t.", "l.p.t.", and "p.t.t."
- (j) "Chiropodist", "chiropody", "chiropodial", "podiatry", "podiatrist", "podiatric", "doctor of podiatric medicine", "foot specialist", "podiatric physician and surgeon", and "d.p.m."
- (k) "Consulting psychologist", "psychologist", "psychological assistant", and "psychological examiner", "licensed psychologist", and "limited licensed psychologist".
- (l) "Licensed professional counselor", "licensed counselor", "professional counselor", and "l.p.c."
- (m) "Sanitarian", "registered sanitarian", and "r.s."
- (n) "Veterinary", "veterinarian", "veterinary doctor", "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.", "d.v.m.", "animal technician", or "animal technologist".
- (o) "Occupational therapist", "occupational therapist registered", "certified occupational therapist", "o.t.", "o.t.r.", "c.o.t.", "certified occupational therapy assistant", "occupational therapy assistant", or "c.o.t.a."
- (p) "Marriage advisor" or "marriage consultant"; "family counselor", "family advisor", "family therapist", or "family consultant"; "family guidance counselor", "family guidance advisor", or "family guidance consultant"; "marriage guidance counselor", "marriage guidance advisor", or "marriage guidance consultant"; "family relations counselor"; "marriage relations counselor", "marriage relations advisor", or "marriage relations consultant"; "marital counselor" or "marital therapist"; "limited licensed marriage and family therapist" or "limited licensed marriage counselor"; "licensed marriage and family therapist" or "licensed marriage counselor"; and "l.m.f.t."
- (q) "Respiratory therapist", "registered respiratory therapist", "r.t.", and "r.r.t."
- (r) "Therapeutic recreator", "t.r.", "registered therapeutic recreation specialist", "r.t.r.s.", "recreation therapist", "r.t.", "recreational therapist", "certified recreation therapist", "c.r.t.", "therapeutic recreation specialist", and "t.r.s."
- (s) "Athletic trainer", "registered athletic trainer", "certified athletic trainer", "athletic trainer certified", "a.t.", "a.t.r.", "c.a.t.", and "a.t.c."

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

Sec. 16336. Fees for a person registered or seeking registration as a registered athletic trainer under part 179 are as follows:

- (a) Application processing fee .....\$ 20.00
- (b) Registration fee, per year..... 60.00.

PART 179.

Athletic Training

Sec. 17901. (1) As used in this part:

- (a) "Athletic injury" means an injury sustained by an individual as a result of that individual's participation in activities requiring physical strength, agility, flexibility, range of motion, speed, and stamina.
- (b) "Registered athletic trainer" means an individual who engages in the prevention, assessment, treatment, and rehabilitation of athletic injuries while the individual is under the direction and supervision of a licensed allopathic physician or a licensed osteopathic physician.

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

Sec. 17902. Beginning on the effective date of the amendatory act that added this part, an individual shall not use the titles "athletic trainer", "registered athletic trainer", "certified athletic trainer", "athletic trainer certified", "a.t.", "a.t.r.", "c.a.t.", "a.t.c.", or similar words that indicate that the person is a registered athletic trainer unless the individual is registered under this article.

Sec. 17904. The department shall promulgate rules establishing the minimum standards for registration as an athletic trainer under this article. In promulgating the rules required under this section, the department may consult the professional standards issued by the national athletic trainer's association, by the national athletic trainer's association board of certification, or by another nationally recognized professional association.

Sec. 17905. The department shall issue a registration under this article as a registered athletic trainer to an individual who meets all of the following requirements:

- (a) Applies to the department on a form provided by the department.
- (b) Meets the requirements for registration contained in the rules promulgated under section 17904.
- (c) Pays the fees prescribed in section 16336.

Sec. 17906. (1) A registration issued by the department under section 17905 is renewable upon payment of the prescribed registration renewal fee and, beginning with the third renewal period after the effective date of the amendatory act that added this part, submission to the department of proof of satisfactory completion of at least 8 continuing education units within a 3-year time period in subjects related to athletic training and approved by the department.

(2) In addition to the continuing education requirements of subsection (1), a registered athletic trainer shall submit along with his or her application for registration renewal proof satisfactory to the department of both of the following:

(a) That he or she has successfully completed a course of training in first aid, cardiopulmonary resuscitation, and foreign body obstruction of the airway approved by the department and offered or approved by the American red cross, the American heart association, or a comparable organization.

(b) That he or she holds, at the time of application for renewal and at all times during the previous registration period, a valid certification in first aid and cardiopulmonary resuscitation issued by the organization offering the training.

Sec. 17907. This part does not require new or additional third party reimbursement for services rendered by an individual registered under this part.

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

- (a) House Bill No. 5736.
- (b) House Bill No. 5737.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved \_\_\_\_\_

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Governor.