

HOUSE BILL No. 4789

May 15, 1997, 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 and referred to the Committee on Health Policy.

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

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.".

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.",

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:

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) "INJURY OR ILLNESS" MEANS AN INJURY OR ILLNESS 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, AND INCLUDES ANY INJURY SUS-
10 TAINED UNDER COMPARABLE CIRCUMSTANCES.

11 (B) "REGISTERED ATHLETIC TRAINER" MEANS AN INDIVIDUAL WHO IS
12 REGISTERED AS AN ATHLETIC TRAINER UNDER THIS ARTICLE AND WHO DOES
13 ALL OF THE FOLLOWING:

14 (i) PREVENTS ATHLETIC INJURY OR ILLNESS.

15 (ii) RECOGNIZES, EVALUATES, ASSESSES, AND PROVIDES IMMEDIATE
16 CARE FOR ATHLETIC INJURY OR ILLNESS.

17 (iii) REHABILITATES AND RECONDITIONS ATHLETIC INJURY OR
18 ILLNESS.

19 (iv) PERFORMS HEALTH CARE ADMINISTRATION RELATING TO ATH-
20 LETIC INJURY OR ILLNESS.

21 (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
22 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
23 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
24 DEFINITIONS APPLICABLE TO THIS PART.

25 SEC. 17902. BEGINNING ON THE EFFECTIVE DATE OF THIS PART,
26 AN INDIVIDUAL SHALL NOT USE THE TITLES "ATHLETIC TRAINER",
27 "REGISTERED ATHLETIC TRAINER", "CERTIFIED ATHLETIC TRAINER",

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

5 SEC. 17903. (1) THE MICHIGAN BOARD OF ATHLETIC TRAINING IS
6 CREATED IN THE DEPARTMENT AND CONSISTS OF THE FOLLOWING 5 VOTING
7 MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

8 (A) THREE REGISTERED ATHLETIC TRAINERS WHO ALSO MEET THE
9 STANDARDS INCORPORATED BY REFERENCE BY SECTION 17904.

10 (B) TWO PUBLIC MEMBERS.

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

13 SEC. 17904. (1) THE PROFESSIONAL STANDARDS ISSUED BY THE
14 NATIONAL ATHLETIC TRAINERS ASSOCIATION AND NATIONAL ATHLETIC
15 TRAINERS ASSOCIATION BOARD OF CERTIFICATION ENTITLED "NATIONAL
16 ATHLETIC TRAINERS ASSOCIATION CODE OF ETHICS AND MEMBERSHIP
17 STANDARDS" AND "NATABOC STANDARDS FOR ATHLETIC TRAINING" PUB-
18 LISHED RESPECTIVELY IN 1993 AND 1991 BY THE NATIONAL ATHLETIC
19 TRAINERS ASSOCIATION, INC., 2952 STEMMONS FREEWAY, DALLAS, TX,
20 75247, ARE INCORPORATED BY REFERENCE INTO THIS PART FOR GUIDANCE
21 IN ANY ACTION BY THE BOARD.

22 (2) THE BOARD MAY AMEND OR SUPPLEMENT THE STANDARDS INCORPO-
23 RATED BY REFERENCE UNDER SUBSECTION (1) BY PROMULGATION OF A RULE
24 BY THE DIRECTOR.

25 SEC. 17905. (1) THE DEPARTMENT SHALL ISSUE A REGISTRATION
26 UNDER THIS ARTICLE TO AN INDIVIDUAL WHO MEETS ALL OF THE
27 FOLLOWING REQUIREMENTS:

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1 (A) APPLIES TO THE DEPARTMENT ON A FORM PROVIDED BY THE
2 DEPARTMENT.

3 (B) PASSES AN EXAMINATION ACCEPTABLE TO THE BOARD.

4 (C) IS OF GOOD MORAL CHARACTER.

5 (D) FULFILLS THE EDUCATION AND CLINICAL EXPERIENCE REQUIRE-
6 MENTS OF SUBSECTIONS (2) AND (3).

7 (E) PAYS THE FEES PRESCRIBED IN SECTION 16336.

8 (F) MEETS OTHER REQUIREMENTS ESTABLISHED IN RULES THAT THE
9 DIRECTOR MAY PROMULGATE.

10 (2) AN INDIVIDUAL MAY SATISFY THE EDUCATION REQUIREMENTS
11 DESCRIBED IN SUBSECTION (1) BY OBTAINING A BACCALAUREATE OR
12 HIGHER DEGREE FROM AN ACCREDITED INSTITUTION OF HIGHER EDUCATION
13 APPROVED BY THE BOARD, IN AN ACADEMIC PROGRAM THAT MEETS ACADEMIC
14 STANDARDS FOR ATHLETIC TRAINERS ACCEPTABLE TO THE BOARD.

15 (3) AT A MINIMUM, THE ACADEMIC PROGRAM DESCRIBED IN SUBSEC-
16 TION (2) SHALL INCLUDE SATISFACTORY COMPLETION OF COURSES IN ALL
17 OF THE FOLLOWING SUBJECTS:

18 (A) ANATOMY.

19 (B) PHYSIOLOGY.

20 (C) PHYSIOLOGY OF EXERCISE.

21 (D) APPLIED ANATOMY, KINESIOLOGY, OR BIOMECHANICS.

22 (E) TWO COURSES IN PSYCHOLOGY.

23 (F) FIRST AID AND CARDIOPULMONARY RESUSCITATION.

24 (G) NUTRITION.

25 (H) MODALITIES.

26 (I) REMEDIAL EXERCISE, THERAPEUTIC EXERCISE, OR
27 REHABILITATION.

1 (J) PERSONAL, COMMUNITY, OR SCHOOL HEALTH, THAT MAY INCLUDE
2 DRUG AND ALCOHOL ABUSE COURSES.

3 (K) FUNDAMENTAL TECHNIQUES OF ATHLETIC TRAINING.

4 (l) ADVANCED TECHNIQUES OF ATHLETIC TRAINING INVOLVING EVAL-
5 UATION, ASSESSMENT, AND ADMINISTRATION.

6 SEC. 17906. A REGISTRATION ISSUED BY THE BOARD IS RENEWABLE
7 UPON PAYMENT OF THE PRESCRIBED REGISTRATION RENEWAL FEE AND,
8 BEGINNING WITH THE SECOND RENEWAL PERIOD AFTER THE EFFECTIVE DATE
9 OF THIS PART, SUBMISSION TO THE BOARD OF PROOF OF SATISFACTORY
10 COMPLETION OF AT LEAST 3 CONTINUING EDUCATION UNITS WITHIN A
11 3-YEAR TIME PERIOD IN 1 OR MORE OF THE SUBJECTS LISTED IN SECTION
12 17905(3).

13 SEC. 17907. THE DEPARTMENT SHALL ISSUE A REGISTRATION UNDER
14 THIS ARTICLE WITHOUT EXAMINATION TO AN INDIVIDUAL WHO IS ACTIVELY
15 ENGAGED AS AN ATHLETIC TRAINER, AS DESCRIBED IN SECTION
16 17901(1)(B), AND IS CERTIFIED BY THE NATIONAL ATHLETIC TRAINERS
17 ASSOCIATION BOARD ON THE EFFECTIVE DATE OF THIS PART, IF THE
18 INDIVIDUAL SUBMITS AN APPLICATION WITHIN 1 YEAR AFTER THE EFFEC-
19 TIVE DATE OF THIS PART AND PAYS THE REGISTRATION FEE REQUIRED
20 UNDER SECTION 16336.