

HOUSE BILL No. 5967

October 17, 2012, Introduced by Reps. Poleski, McMillin, Clemente and Howze and referred to the Committee on Regulatory Reform.

A bill to amend 1962 PA 192, entitled
"Professional service corporation act,"
by amending section 4 (MCL 450.224), as amended by 2010 PA 125.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) Except as provided in this section, 1 or more
2 licensed persons may organize under this act to become a
3 shareholder or shareholders of a professional corporation for
4 pecuniary profit.

5 (2) Except as provided in this section or otherwise
6 prohibited, a professional corporation may render 1 or more
7 professional services, except that each shareholder must be a
8 licensed person in 1 or more of the professional services rendered
9 by the corporation.

1 (3) Except as otherwise provided in subsection (4) or (5), if
2 a professional corporation renders a professional service that is
3 included within the public health code, 1978 PA 368, MCL 333.1101
4 to 333.25211, then all shareholders of the corporation must be
5 licensed or legally authorized in this state to render the same
6 professional service.

7 (4) One or more individuals licensed to engage in the practice
8 of medicine under part 170, the practice of osteopathic medicine
9 and surgery under part 175, or the practice of podiatric medicine
10 and surgery under part 180 of article 15 of the public health code,
11 1978 PA 368, MCL 333.16101 to 333.18838, may organize a
12 professional corporation under this act with 1 or more other
13 individuals licensed to engage in the practice of medicine under
14 part 170, the practice of osteopathic medicine and surgery under
15 part 175, or the practice of podiatric medicine and surgery under
16 part 180 of article 15 of the public health code, 1978 PA 368, MCL
17 333.16101 to 333.18838.

18 (5) Subject to section 17048 of the public health code, 1978
19 PA 368, MCL 333.17048, 1 or more individuals licensed to engage in
20 the practice of medicine under part 170, the practice of
21 osteopathic medicine and surgery under part 175, or the practice of
22 podiatric medicine and surgery under part 180 of article 15 of the
23 public health code, 1978 PA 368, MCL 333.16101 to 333.18838, may
24 organize a professional corporation under this act with 1 or more
25 physician's assistants licensed under article 15 of the public
26 health code, 1978 PA 368, MCL 333.16101 to 333.18838. Beginning ~~on~~
27 ~~the effective date of the amendatory act that added this subsection~~

1 JULY 19, 2010, 1 or more physician's assistants may not organize a
2 professional corporation under this act that will have only
3 physician's assistants as shareholders.

4 (6) A licensed person of another jurisdiction may become an
5 officer, director, shareholder, employee, or agent of a
6 professional corporation but shall not render any professional
7 service in this state until the person is licensed or otherwise
8 legally authorized to render the professional service in this
9 state.

10 (7) A PROFESSIONAL CORPORATION ORGANIZED UNDER THIS ACT MAY
11 ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTING, AS DEFINED IN SECTION
12 720 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.720, IN THIS
13 STATE IF MORE THAN 50% OF THE EQUITY AND VOTING RIGHTS OF THE
14 PROFESSIONAL CORPORATION ARE HELD DIRECTLY OR BENEFICIALLY BY
15 INDIVIDUALS WHO ARE LICENSED OR OTHERWISE AUTHORIZED TO ENGAGE IN
16 THE PRACTICE OF PUBLIC ACCOUNTING UNDER ARTICLE 7 OF THE
17 OCCUPATIONAL CODE, 1980 PA 299, MCL 339.720 TO 339.736.