

HOUSE BILL NO. 4491

April 23, 2019, Introduced by Reps. Griffin, Iden, Warren, LaGrand, Leutheuser, Chirkun, Gay-Dagnogo and Sowerby and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16104 and 21755 (MCL 333.16104 and 333.21755),
section 16104 as amended by 2011 PA 210.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16104. (1) "DEA registration number" means the number
2 associated with a certificate of registration issued to a
3 practitioner to prescribe, dispense, or administer controlled



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1 substances by the United States ~~department~~**Department** of justice
 2 ~~drug enforcement administration.~~**Justice Drug Enforcement**
 3 **Administration.**

4 (2) "Delegation" means an authorization granted by a licensee
 5 to a licensed or unlicensed individual to perform selected acts,
 6 tasks, or functions that fall within the scope of practice of the
 7 delegator and that are not within the scope of practice of the
 8 delegatee and that, in the absence of the authorization, would
 9 constitute illegal practice of a licensed profession.

10 (3) "Department" means the department of licensing and
 11 regulatory affairs.

12 (4) "Director" means the director of the department or the
 13 director's designee.

14 (5) "Disciplinary subcommittee" means a disciplinary
 15 subcommittee appointed under section 16216.

16 (6) "Good moral character" means good moral character as
 17 defined **in**, and determined under, 1974 PA 381, MCL 338.41 to
 18 338.47.

19 Sec. 21755. The department may refuse to issue a license to
 20 establish or maintain and operate, or both, a nursing home to an
 21 applicant **if any of the following are met:**

22 (a) ~~Whose~~**An** occupational, professional, or health agency
 23 license ~~has been~~**held by the applicant was** revoked during the 5
 24 years ~~preceding~~**before** the date of application.

25 (b) ~~Whom the~~**The** department finds **that the applicant** is not
 26 suitable to operate a nursing home because of financial incapacity
 27 or a lack of good moral character or appropriate business or
 28 professional experience. As used in this subdivision, "good moral
 29 character" means ~~that term as defined in Act No. 381 of the Public~~



1 ~~Acts of 1974, as amended, being sections 338.41 to 338.47 of the~~
2 ~~Michigan Compiled Laws.~~ **good moral character as defined in, and**
3 **determined under, 1974 PA 381, MCL 338.41 to 338.47.**

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless Senate Bill No. _____ or House Bill No. 4488 (request no.
8 00446'19) of the 100th Legislature is enacted into law.

