

**SUBSTITUTE FOR
SENATE BILL NO. 440**

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 22224b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 22224b. (1) The department may approve a pilot project**
2 **that meets the requirements under subsection (2) and authorize that**
3 **pilot project to provide positron emission tomography scanner**
4 **services without obtaining a certificate of need under this part.**

5 **(2) The department may approve a pilot project under**
6 **subsection (1) if the department determines that the pilot project**
7 **meets all of the following requirements:**

8 **(a) The positron emission tomography scanner is located in the**
9 **same facility as a radiopharmacy that meets all of the following**

1 requirements:

2 (i) Is equipped with a fixed cyclotron.

3 (ii) Provides cyclotron-produced radionuclide tracers with
4 pharmaceutical components for on-site patient administration.

5 (iii) Develops radiopharmaceuticals for use in diagnostic and
6 theranostic applications.

7 (iv) Is licensed under part 177.

8 (b) The positron emission tomography scanner services will be
9 provided using not more than 2 fixed positron emission tomography
10 scanners.

11 (c) The pilot project demonstrates it will become accredited
12 by the American College of Radiology or the Intersocietal
13 Accreditation Commission, or will receive an equivalent
14 accreditation from another body that is approved by the department.

15 (3) If the commission under section 22215 adopts standards
16 that are equivalent to the requirements under subsection (2) to
17 apply for a certificate of need to initiate, replace, or expand
18 positron emission tomography scanner services, a pilot project
19 authorized to provide positron emission tomography scanner services
20 under this section shall, not more than 6 months after the
21 standards are adopted, apply for a certificate of need to continue
22 to provide positron emission tomography scanner services.