

**SUBSTITUTE FOR
HOUSE BILL NO. 4067**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501),
as amended by 2016 PA 379, and by adding sections 17011a and
17511a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 17001. (1) As used in this part:
- 2 (a) "Academic institution" means either of the following:
- 3 (i) A medical school approved by the board.
- 4 (ii) A hospital licensed under article 17 that meets all of
- 5 the following requirements:
- 6 (A) Was the sole sponsor or a co-sponsor, if each other co-
- 7 sponsor is either a medical school approved by the board or a
- 8 hospital owned by the federal government and directly operated by

1 the United States Department of Veterans Affairs, of not less than
2 4 postgraduate education residency programs approved by the board
3 under section 17031(1) for not less than the 3 years immediately
4 preceding the date of an application for a limited license under
5 section 16182(2)(c) or an application for a full license under
6 section 17031(2), if at least 1 of the residency programs is in the
7 specialty area of medical practice, or in a specialty area that
8 includes the subspecialty of medical practice, in which the
9 applicant for a limited license proposes to practice or in which
10 the applicant for a full license has practiced for the hospital.

11 (B) Has spent not less than \$2,000,000.00 for medical
12 education during each of the 3 years immediately preceding the date
13 of an application for a limited license under section 16182(2)(c)
14 or an application for a full license under section 17031(2). As
15 used in this sub-subparagraph, "medical education" means the
16 education of physicians and candidates for degrees or licenses to
17 become physicians, including, but not limited to, physician staff,
18 residents, interns, and medical students.

19 (b) "Electrodiagnostic studies" means the testing of
20 neuromuscular functions utilizing nerve conduction tests and needle
21 electromyography. It does not include the use of surface
22 electromyography.

23 (c) "Medical care services" means those services within the
24 scope of practice of physicians **WHO ARE** licensed **OR AUTHORIZED** by
25 the board, except those services that the board prohibits or
26 otherwise restricts within a practice agreement or determines shall
27 not be delegated by a physician without endangering the health and

1 safety of patients as provided for in section 17048(1).

2 (d) "Participating physician" means a physician, a physician
3 designated by a group of physicians under section 17049 to
4 represent that group, or a physician designated by a health
5 facility or agency under section 20174 to represent that health
6 facility or agency.

7 (e) "Physician" means an individual who is licensed **OR**
8 **AUTHORIZED** under this article to engage in the practice of
9 medicine.

10 (f) "Podiatrist" means an individual who is licensed under
11 this article to engage in the practice of podiatric medicine and
12 surgery.

13 (g) "Practice agreement" means an agreement described in
14 section 17047.

15 (h) "Practice of medicine" means the diagnosis, treatment,
16 prevention, cure, or relieving of a human disease, ailment, defect,
17 complaint, or other physical or mental condition, by attendance,
18 advice, device, diagnostic test, or other means, or offering,
19 undertaking, attempting to do, or holding oneself out as able to
20 do, any of these acts.

21 (i) "Practice as a physician's assistant" means the practice
22 of medicine with a participating physician under a practice
23 agreement.

24 (j) "Task force" means the joint task force created in section
25 17025.

26 (2) In addition to the definitions in this part, article 1
27 contains definitions and principles of construction applicable to

1 all articles in this code and part 161 contains definitions
2 applicable to this part.

3 **SEC. 17011A. (1) AN ALLOPATHIC PHYSICIAN WHO HOLDS AN**
4 **EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS**
5 **AUTHORIZED TO ENGAGE IN THE PRACTICE OF MEDICINE UNDER THIS**
6 **ARTICLE.**

7 **(2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF**
8 **AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN UNDER THIS PART, AN**
9 **ALLOPATHIC PHYSICIAN WHO HOLDS AN EXPEDITED LICENSE UNDER THE**
10 **INTERSTATE MEDICAL LICENSURE COMPACT IS CONSIDERED A PHYSICIAN WHO**
11 **IS LICENSED UNDER THIS PART.**

12 **(3) AS USED IN THIS SECTION, "INTERSTATE MEDICAL LICENSURE**
13 **COMPACT" MEANS THE INTERSTATE MEDICAL LICENSURE COMPACT AS ENACTED**
14 **IN SECTION 16189.**

15 Sec. 17501. (1) As used in this part:

16 (a) "Electrodiagnostic studies" means the testing of
17 neuromuscular functions utilizing nerve conduction tests and needle
18 electromyography. It does not include the use of surface
19 electromyography.

20 (b) "Medical care services" means those services within the
21 scope of practice of physicians **WHO ARE** licensed ~~and approved~~ **OR**
22 **AUTHORIZED** by the board, except those services that the board
23 prohibits or otherwise restricts within a practice agreement or
24 determines shall not be delegated by a physician without
25 endangering the health and safety of patients as provided for in
26 section 17548(1).

27 (c) "Participating physician" means a physician, a physician

1 designated by a group of physicians under section 17549 to
2 represent that group, or a physician designated by a health
3 facility or agency under section 20174 to represent that health
4 facility or agency.

5 (d) "Physician" means an individual who is licensed **OR**
6 **AUTHORIZED** under this article to engage in the practice of
7 osteopathic medicine and surgery.

8 (e) "Practice agreement" means an agreement described in
9 section 17547.

10 (f) "Practice of osteopathic medicine and surgery" means a
11 separate, complete, and independent school of medicine and surgery
12 utilizing full methods of diagnosis and treatment in physical and
13 mental health and disease, including the prescription and
14 administration of drugs and biologicals, operative surgery,
15 obstetrics, radiological and other electromagnetic emissions, and
16 placing special emphasis on the interrelationship of the
17 musculoskeletal system to other body systems.

18 (g) "Practice as a physician's assistant" means the practice
19 of osteopathic medicine and surgery with a participating physician
20 under a practice agreement.

21 (h) "Task force" means the joint task force created in section
22 17025.

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

27 **SEC. 17511A. (1) AN OSTEOPATHIC PHYSICIAN WHO HOLDS AN**

1 EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS
2 AUTHORIZED TO ENGAGE IN THE PRACTICE OF OSTEOPATHIC MEDICINE AND
3 SURGERY UNDER THIS ARTICLE.

4 (2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF
5 AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN UNDER THIS PART, AN
6 OSTEOPATHIC PHYSICIAN WHO HOLDS AN EXPEDITED LICENSE UNDER THE
7 INTERSTATE MEDICAL LICENSURE COMPACT IS CONSIDERED A PHYSICIAN WHO
8 IS LICENSED UNDER THIS PART.

9 (3) AS USED IN THIS SECTION, "INTERSTATE MEDICAL LICENSURE
10 COMPACT" MEANS THE INTERSTATE MEDICAL LICENSURE COMPACT AS ENACTED
11 IN SECTION 16189.

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

14 Enacting section 2. This amendatory act does not take effect
15 unless House Bill No. 4066 of the 99th Legislature is enacted into
16 law.