

Act No. 234
Public Acts of 1994
Approved by the Governor
June 30, 1994
Filed with the Secretary of State
June 30, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

**Introduced by Reps Ciaramitaro Sikkema Anthony Horton Bryant Byrum Pitoniak Cropsey Dalman,
Scott Wallace DeMars and Bandstra**

ENROLLED HOUSE BILL No. 5335

AN ACT to amend sections 16431 17033 17431 17533 17731 18033 and 18233 of Act No 368 of the Public Acts of 1978 entitled as amended An act to protect and promote the public health to codify revise consolidate classify and add to the laws relating to public health to provide for the prevention and control of diseases and disabilities to provide for the classification administration regulation financing and maintenance of personal environmental and other health services and activities to create or continue and prescribe the powers and duties of departments boards commissions councils committees task forces and other agencies to prescribe the powers and duties of governmental entities and officials to regulate occupations facilities and agencies affecting the public health to regulate health maintenance organizations and certain third party administrators and insurers to promote the efficient and economical delivery of health care services to provide for the appropriate utilization of health care facilities and services and to provide for the closure of hospitals or consolidation of hospitals or services to provide for the collection and use of data and information to provide for the transfer of property to provide certain immunity from liability to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances to provide for penalties and remedies to provide for sanctions for violations of this act and local ordinances to repeal certain acts and parts of acts to repeal certain parts of this act and to repeal certain parts of this act on specific dates as amended by Act No 290 of the Public Acts of 1986 being sections 333 16431 333 17033 333 17431 333 17533 333 17731 333 18033 and 333 18233 of the Michigan Compiled Laws and to add section 16204

The People of the State of Michigan enact

Section 1 Sections 16431 17033 17431 17533 17731 18033 and 18233 of Act No 368 of the Public Acts of 1978 as amended by Act No 290 of the Public Acts of 1986 being sections 333 16431 333 17033 333 17431 333 17533 333 17731 333 18033 and 333 18233 of the Michigan Compiled Laws are amended and section 16204 is added to read as follows

Sec 16204 (1) Effective for the renewal of licenses or registrations issued under this article and expiring after January 1 1997 if the completion of continuing education is a condition for renewal the appropriate board shall by rule require an applicant for renewal to complete an appropriate number of hours or courses in pain and symptom management Rules promulgated by a board under section 16205(2) for continuing education in pain and symptom management shall cover both course length and content and shall take into consideration the recommendation for that health care profession by the interdisciplinary advisory committee created in section 16204a A board shall submit the notice of public hearing for the rules as required under section 42 of the administrative procedures act of 1969 being section 24 242 of the Michigan Compiled Laws not later than 90 days after the first interdisciplinary advisory committee makes its initial recommendations and shall promulgate the rules as expeditiously as possible

(2) If a board proposes rules under section 16205(2) to institute a requirement that continuing education be a mandatory condition for the renewal of a license or registration issued under this article the rules shall require as part

of the continuing education requirements completion of an appropriate number of hours or courses in pain and symptom management taking into consideration the recommendation for that health care profession by the interdisciplinary advisory committee created in section 16204a

(3) This section does not apply to individuals licensed or registered under part 184 or 188 or to an individual licensed to engage in the practice as a dental hygienist under part 166

Sec 16431 (1) Notwithstanding the requirements of part 161 the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 2 years immediately preceding the application for renewal the applicant has attended not less than two 2 day educational conferences approved by the board in subjects related to the practice of chiropractic and designed to further educate licensees

(2) As required under section 16204 the board shall promulgate rules requiring each applicant for license renewal to complete as part of the educational conferences required under subsection (1) an appropriate number of hours or courses in pain and symptom management

Sec 17033 (1) Notwithstanding the requirements of part 161 the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 3 years immediately preceding application for renewal the licensee has attended continuing education courses or programs approved by the board totaling not less than 150 hours in subjects related to the practice of medicine including but not limited to medical ethics and designed to further educate licensees

(2) As required under section 16204 the board shall promulgate rules requiring each applicant for license renewal to complete as part of the continuing education requirement of subsection (1) an appropriate number of hours or courses in pain and symptom management

Sec 17431 (1) Notwithstanding the requirements of part 161 the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 2 years immediately preceding the application for renewal the licensee has attended an education program approved by the board and totaling not less than 24 hours in subjects related to the practice of optometry and designed to further educate licensees

(2) As required under section 16204 the board shall promulgate rules requiring each applicant for license renewal to complete as part of the education program required under subsection (1) an appropriate number of hours or courses in pain and symptom management

Sec 17533 (1) Notwithstanding the requirements of part 161 the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 3 years immediately preceding an application for renewal the licensee has attended continuing education courses or programs approved by the board and totaling not less than 150 hours in subjects related to the practice of osteopathic medicine and surgery and designed to further educate licensees

(2) As required under section 16204 the board shall promulgate rules requiring each applicant for license renewal to complete as part of the continuing education requirement of subsection (1) an appropriate number of hours or courses in pain and symptom management

Sec 17731 (1) Notwithstanding the requirements of part 161 the board may require a licensee seeking renewal of a pharmacist's license to furnish the board with satisfactory evidence that during the 2 years immediately preceding application for renewal the applicant has attended continuing education courses or programs approved by the board totaling not less than 30 hours or the satisfactory completion of a proficiency examination according to rules promulgated by the board

(2) As required under section 16204 the board shall promulgate rules requiring each applicant for license renewal to complete as part of the continuing education or proficiency examination requirement of subsection (1) an appropriate number of hours or courses in pain and symptom management

Sec 18033 (1) Notwithstanding the requirements of part 161 the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 3 years immediately preceding application for renewal the licensee has attended continuing education courses or programs approved by the board and totaling not less than 150 hours in subjects related to the practice of podiatric medicine and surgery and designed to further educate licensees

(2) As required under section 16204 the board shall promulgate rules requiring each applicant for license renewal to complete as part of the continuing education requirement of subsection (1) an appropriate number of hours or courses in pain and symptom management

Sec 18233 (1) In addition to the requirements of part 161 the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 2 years immediately preceding application for renewal the licensee has attended continuing education courses or programs approved by the board totaling not less than a number of hours established by rule of the board in subjects related to the practice of psychology and designed to further educate licensees

(2) As required under section 16204 the board shall promulgate rules requiring each applicant for license renewal to complete as part of the continuing education requirement of subsection (1) an appropriate number of hours or courses in pain and symptom management

Section 2 This amendatory act shall not take effect unless all of the following bills of the 87th Legislature are enacted into law

- (a) Senate Bill No 961
- (b) Senate Bill No 962
- (c) House Bill No 5337
- (d) House Bill No 5339

This act is ordered to take immediate effect

Co Clerk of the House of Representatives

Secretary of the Senate

Approved

Governor