

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4296

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16131 and 16263 (MCL 333.16131 and
333.16263), as amended by 1995 PA 126, and by adding section
16350 and part 189.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16131. The terms of office of individual members of
2 the boards and task forces, except those appointed to fill vacan-
3 cies, ~~shall~~ expire 4 years after appointment as follows:

4	NUTRITION AND DIETETICS	JUNE 30
5	Nursing	June 30
6	Optometry	June 30
7	Pharmacy	June 30
8	Podiatric medicine and surgery	June 30

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1	Dentistry	June 30
2	Chiropractic	December 31
3	Counseling	June 30
4	Marriage and family therapy	June 30
5	Medicine	December 31
6	Occupational therapists	December 31
7	Osteopathic medicine and surgery	December 31
8	Physical therapy	December 31
9	Psychology	December 31
10	Sanitaricians	December 31
11	SOCIAL WORK	DECEMBER 31
11	Veterinary medicine	December 31

12 Sec. 16263. (1) Except as provided in subsection (2), the
13 following words, titles, or letters or a combination ~~thereof~~ OF
14 THEM, with or without qualifying words or phrases, are restricted
15 in use only to those persons authorized under this article to use
16 the terms and in a way prescribed in this article:

17 (a) "Chiropractic", "doctor of chiropractic",
18 "chiropractor", "d.c.", and "chiropractic physician".

19 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
20 lofacial surgeon", "orthodontist", "prosthodontist",
21 "periodontist", "endodontist", "oral pathologist", "pediatric
22 dentist", "dental hygienist", "registered dental hygienist",
23 "dental assistant", "registered dental assistant", "R.D.A.",
24 "d.d.s.", "d.m.d.", and "r.d.h.".

25 (c) "Doctor of medicine" and "m.d.".

26 (d) "Physician's assistant" and "p.a.".

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1 (e) "Registered professional nurse", "registered nurse",
2 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
3 "nurse anesthetist", "nurse practitioner", "trained attendant",
4 and "t.a."

5 (f) "Doctor of optometry", "optometrist", and "o.d."

6 (g) "Osteopath", "osteopathy", "osteopathic practitioner",
7 "doctor of osteopathy", "diplomate in osteopathy", and "d.o."

8 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",
9 "druggist", "medicine store", "prescriptions", and "r.ph."

10 (i) "Physical therapy", "physical therapist",
11 "physiotherapist", "registered physical therapist", "licensed
12 physical therapist", "physical therapy technician", "p.t.",
13 "r.p.t.", "l.p.t.", and "p.t.t."

14 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
15 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
16 specialist", "podiatric physician and surgeon", and "d.p.m."

17 (k) "Consulting psychologist", "psychologist",
18 "psychological assistant", and "psychological examiner",
19 "licensed psychologist", and "limited licensed psychologist".

20 (l) "Licensed professional counselor", "licensed counselor",
21 "professional counselor", and "l.p.c."

22 (m) "Sanitarian", "registered sanitarian", and "r.s."

23 (n) "Veterinary", "veterinarian", "veterinary doctor",
24 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
25 "d.v.m.", "animal technician", or "animal technologist".

26 (o) "Occupational therapist", "occupational therapist
27 registered", "certified occupational therapist", "o.t.",

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1 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
2 "occupational therapy assistant", or "c.o.t.a."

3 (p) "Marriage advisor" or "marriage consultant"; "family
4 counselor", "family advisor", "family therapist", or "family
5 consultant"; "family guidance counselor", "family guidance
6 advisor", or "family guidance consultant"; "marriage guidance
7 counselor", "marriage guidance advisor", or "marriage guidance
8 consultant"; "family relations counselor"; "marriage relations
9 counselor", "marriage relations advisor", or "marriage relations
10 consultant"; "marital counselor" or "marital therapist"; "limited
11 licensed marriage and family therapist" or "limited licensed mar-
12 riage counselor"; "licensed marriage and family therapist" or
13 "licensed marriage counselor"; and "l.m.f.t."

14 (O) "RESPIRATORY THERAPIST", "REGISTERED RESPIRATORY
THERAPIST", "R.T.", AND "R.R.T."

(R) "THERAPEUTIC RECREATOR", "T.R.", "REGISTERED THERAPEUTIC
RECREATION SPECIALIST", "R.T.R.S.", "RECREATION THERAPIST", "R.T.",
"RECREATIONAL THERAPIST", "CERTIFIED RECREATION THERAPIST",
"C.R.T.", "THERAPEUTIC RECREATION SPECIALIST", AND "T.R.S."

(S) "ATHLETIC TRAINER", "REGISTERED ATHLETIC TRAINER",
"CERTIFIED ATHLETIC TRAINER", "ATHLETIC TRAINER CERTIFIED", "A.T.",
"A.T.R.", "C.A.T.", AND "A.T.C."

(T) "REGISTERED NUTRITIONIST AND DIETITIAN" AND "R.N.D."

(U) "SOCIAL WORKER", "CERTIFIED SOCIAL WORKER", "SOCIAL WORK
TECHNICIAN", "S.W.", "C.S.W.", AND "S.W.T."

15 (2) Notwithstanding section 16261, a person who was spe-
16 cially trained at an institution of higher education in this
17 state to assist a physician in the field of orthopedics and upon
18 completion of training, received a 2-year associate of science
19 degree as an orthopedic physician's assistant before January 1,
20 1977, may use the title "orthopedic physician's assistant"
21 whether or not the person is licensed under this article.

22 SEC. 16350. FEES FOR AN INDIVIDUAL REGISTERED OR SEEKING
23 REGISTRATION AS A REGISTERED NUTRITIONIST AND DIETITIAN UNDER
24 PART 189 ARE AS FOLLOWS:

25 (A) APPLICATION PROCESSING FEE..... \$20.00

26 (B) REGISTRATION FEE, PER YEAR..... \$25.00

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1 PART 189. NUTRITION AND DIETETICS

2 SEC. 18901. (1) AS USED IN THIS PART, "REGISTERED NUTRI-
3 TIONIST AND DIETITIAN", EXCEPT AS OTHERWISE PROVIDED IN SUBSEC-
4 TION (2), MEANS AN INDIVIDUAL WHO INTEGRATES AND APPLIES SCIEN-
5 TIFIC PRINCIPLES OF FOOD, NUTRITION, BIOCHEMISTRY, PHYSIOLOGY,
6 MANAGEMENT, AND BEHAVIORAL AND SOCIAL SCIENCES TO ACHIEVE AND
7 MAINTAIN THE HEALTH OF INDIVIDUALS THROUGH THE PROVISION OF
8 NUTRITION CARE SERVICES, ADMINISTRATIVE SERVICES, COUNSELING
9 SERVICES, EDUCATIONAL SERVICES, FOOD SERVICES, FOOD SAFETY SERV-
10 ICES, INFORMATIONAL SERVICES, NUTRITION THERAPY SERVICES, MANAGE-
11 MENT SERVICES, AND SAFETY AND SANITATION SERVICES AND WHO IS REG-
12 ISTERED AS A NUTRITIONIST AND DIETITIAN UNDER THIS ARTICLE.

13 (2) REGISTERED NUTRITIONIST AND DIETITIAN DOES NOT INCLUDE
14 AN INDIVIDUAL WHO DOES 1 OR MORE OF THE FOLLOWING:

15 (A) FURNISHES INFORMATION ON FOODS, FOOD PRODUCTS, OR
16 DIETARY SUPPLEMENTS IN CONNECTION WITH THE MARKETING OR DISTRIBU-
17 TION OF THOSE FOODS, FOOD PRODUCTS, OR DIETARY SUPPLEMENTS, AS
18 LONG AS HE OR SHE DOES NOT HOLD HIMSELF OR HERSELF OUT AS A REG-
19 ISTERED NUTRITIONIST AND DIETITIAN.

20 (B) PROVIDES WEIGHT CONTROL SERVICES.

21 (3) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
22 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
23 APPLICABLE TO ALL ARTICLES IN THIS CODE, AND PART 161 CONTAINS
24 DEFINITIONS APPLICABLE TO THIS PART.

25 SEC. 18903. BEGINNING ON THE EFFECTIVE DATE OF THE AMENDA-
26 TORY ACT THAT ADDED THIS PART, AN INDIVIDUAL SHALL NOT USE THE
27 TITLES "REGISTERED NUTRITIONIST AND DIETITIAN" OR "R.N.D." OR

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1 SIMILAR WORDS THAT INDICATE THAT THE INDIVIDUAL IS A REGISTERED
2 NUTRITIONIST AND DIETITIAN UNDER THIS ARTICLE, UNLESS THE INDI-
3 VIDUAL IS REGISTERED UNDER THIS ARTICLE AS A REGISTERED NUTRI-
4 TIONIST AND DIETITIAN.

5 SEC. 18905. THE MICHIGAN BOARD OF NUTRITION AND DIETETICS
6 IS CREATED IN THE DEPARTMENT AND CONSISTS OF THE FOLLOWING 7
7 VOTING MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

8 (A) TWO PUBLIC MEMBERS.

9 (B) FIVE MEMBERS WHO ARE REGISTERED DIETITIANS AND NUTRI-
10 TIONISTS AND WHO MEET THE REQUIREMENTS OF SECTION 16135(2), AND
11 BOTH OF THE FOLLOWING REQUIREMENTS:

12 (i) POSSESS A BACCALAUREATE OR HIGHER DEGREE FROM A UNITED
13 STATES REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION
14 APPROVED BY THE DEPARTMENT WITH A MAJOR COURSE OF STUDY IN HUMAN
15 NUTRITION, NUTRITION EDUCATION, FOODS AND NUTRITION, DIETETICS,
16 OR FOOD SYSTEMS MANAGEMENT APPROVED BY THE DEPARTMENT. AN APPLI-
17 CANT FOR THE INITIAL BOARD WHO HAS OBTAINED HIS OR HER EDUCATION
18 OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES SHALL HAVE HIS OR
19 HER ACADEMIC DEGREE VALIDATED BY THE DEPARTMENT AS EQUIVALENT TO
20 A BACCALAUREATE OR HIGHER DEGREE CONFERRED BY A UNITED STATES
21 REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION APPROVED BY
22 THE DEPARTMENT.

23 (ii) HAVE NOT LESS THAN 900 HOURS OF SUPERVISED POSTCOLLEGE
24 OR PLANNED CONTINUOUS AND VERIFIABLE PREPROFESSIONAL EXPERIENCE
25 APPROVED BY THE DEPARTMENT.

26 SEC. 18907. THE DEPARTMENT SHALL ISSUE A REGISTRATION TO AN
27 INDIVIDUAL WHO APPLIES ON A FORM PRESCRIBED BY THE DEPARTMENT,

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1 PAYS THE APPLICABLE FEES UNDER SECTION 16350, AND MEETS ALL OF
2 THE FOLLOWING REQUIREMENTS:

3 (A) POSSESSES A BACCALAUREATE DEGREE FROM A UNITED STATES
4 REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION APPROVED BY
5 THE DEPARTMENT WITH A MAJOR COURSE OF STUDY IN HUMAN NUTRITION,
6 NUTRITION EDUCATION, FOODS AND NUTRITION, DIETETICS, OR FOOD SYS-
7 TEMS MANAGEMENT, OR AN EQUIVALENT COURSE OF STUDY, AS APPROVED BY
8 THE DEPARTMENT.

9 (B) HAS NOT LESS THAN 900 HOURS OF SUPERVISED POSTCOLLEGE OR
10 PLANNED CONTINUOUS PREPROFESSIONAL EXPERIENCE AS PRESCRIBED IN
11 RULES PROMULGATED BY THE DEPARTMENT.

12 (C) PASSES AN EXAMINATION THAT IS APPROVED BY THE
13 DEPARTMENT.

14 SEC. 18909. A REGISTRATION ISSUED BY THE DEPARTMENT UNDER
15 SECTION 18907 IS RENEWABLE UPON PAYMENT OF THE PRESCRIBED REGIS-
16 TRATION RENEWAL FEE. NOTWITHSTANDING THE REQUIREMENTS OF
17 PART 161 AND BEGINNING WITH THE SECOND RENEWAL PERIOD AFTER THE
18 EFFECTIVE DATE OF THIS PART, THE BOARD MAY REQUIRE A REGISTRANT
19 SEEKING RENEWAL OF A REGISTRATION TO FURNISH THE BOARD WITH EVI-
20 DENCE THAT DURING THE 1 YEAR BEFORE AN APPLICATION FOR RENEWAL
21 THE REGISTRANT HAS ATTENDED CONTINUING EDUCATION COURSES OR PRO-
22 GRAMS APPROVED BY THE BOARD AND TOTALING NOT LESS THAN 12
23 CLOCK-HOURS IN SUBJECTS RELATED TO NUTRITION AND DIETETICS THAT
24 ARE DESIGNED TO FURTHER EDUCATE REGISTRANTS.

25 SEC. 18911. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL
26 THIRD-PARTY REIMBURSEMENT FOR SERVICES RENDERED BY AN INDIVIDUAL
27 REGISTERED UNDER THIS PART.

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1 Enacting section 1. This amendatory act does not take
2 effect unless all of the following bills of the 89th Legislature
3 are enacted into law:

4 (a) House Bill No. 5736.

5 (b) House Bill No. 5737.