

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5986

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16263 (MCL 333.16263), as amended by 1995 PA
126, and by adding sections 16348a and 16348b and parts 186 and
187.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

6 (a) "Chiropractic", "doctor of chiropractic",
7 "chiropractor", "d.c.", and "chiropractic physician".

8 (b) "Dentist", "doctor of dental surgery", "oral and
9 maxillofacial surgeon", "orthodontist", "prosthodontist",

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1 "periodontist", "endodontist", "oral pathologist", "pediatric
2 dentist", "dental hygienist", "registered dental hygienist",
3 "dental assistant", "registered dental assistant", "R.D.A.",
4 "d.d.s.", "d.m.d.", and "r.d.h.".

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

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

7 (e) "Registered professional nurse", "registered nurse",
8 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
9 "nurse anesthetist", "nurse practitioner", "trained attendant",
10 and "t.a.".

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

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

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

16 (i) "Physical therapy", "physical therapist",
17 "physiotherapist", "registered physical therapist", "licensed
18 physical therapist", "physical therapy technician", "p.t.",
19 "r.p.t.", "l.p.t.", and "p.t.t.".

20 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
21 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
22 specialist", "podiatric physician and surgeon", and "d.p.m.".

23 (k) "Consulting psychologist", "psychologist",
24 "psychological assistant", ~~and~~ "psychological examiner",
25 "licensed psychologist", and "limited licensed psychologist".

26 (l) "Licensed professional counselor", "licensed counselor",
27 "professional counselor", and "l.p.c.".

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

2 (n) "Veterinary", "veterinarian", "veterinary doctor",
3 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
4 "d.v.m.", "animal technician", or "animal technologist".

5 (o) "Occupational therapist", "occupational therapist
6 registered", "certified occupational therapist", "o.t.",
7 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
8 "occupational therapy assistant", or "c.o.t.a.".

9 (p) "Marriage advisor" or "marriage consultant"; "family
10 counselor", "family advisor", "family therapist", or "family
11 consultant"; "family guidance counselor", "family guidance
12 advisor", or "family guidance consultant"; "marriage guidance
13 counselor", "marriage guidance advisor", or "marriage guidance
14 consultant"; "family relations counselor"; "marriage relations
15 counselor", "marriage relations advisor", or "marriage relations
16 consultant"; "marital counselor" or "marital therapist"; "limited
17 licensed marriage and family therapist" or "limited licensed mar-
18 riage counselor"; "licensed marriage and family therapist" or
19 "licensed marriage counselor"; and "l.m.f.t.".

20 (Q) "RESPIRATORY THERAPIST", "REGISTERED RESPIRATORY
21 THERAPIST", "R.T.", AND "R.R.T.".

22 (R) "THERAPEUTIC RECREATOR", "T.R.", "REGISTERED THERAPEUTIC
23 RECREATION SPECIALIST", "R.T.R.S.", "RECREATION THERAPIST",
24 "R.T.", "RECREATIONAL THERAPIST", "CERTIFIED RECREATION
25 THERAPIST", "C.R.T.", "THERAPEUTIC RECREATION SPECIALIST", AND
26 "T.R.S.".

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

4 (2) Notwithstanding section 16261, a person who was spe-
5 cially trained at an institution of higher education in this
6 state to assist a physician in the field of orthopedics and upon
7 completion of training, received a 2-year associate of science
8 degree as an orthopedic physician's assistant before January 1,
9 1977, may use the title "orthopedic physician's assistant"
10 whether or not the person is licensed under this article.

11 SEC. 16348A. FEES FOR AN INDIVIDUAL REGISTERED OR SEEKING
12 REGISTRATION AS A REGISTERED RESPIRATORY THERAPIST UNDER PART 186
13 ARE AS FOLLOWS:

14 (A) APPLICATION PROCESSING FEE.....\$ 20.00
15 (B) REGISTRATION FEE, PER YEAR..... 75.00

16 SEC. 16348B. FEES FOR A PERSON REGISTERED OR SEEKING REGIS-
17 TRATION AS A REGISTERED THERAPEUTIC RECREATION SPECIALIST UNDER
18 PART 187 ARE AS FOLLOWS:

19 (A) APPLICATION PROCESSING FEES..... \$ 20.00
20 (B) REGISTRATION FEE, PER YEAR..... 60.00

21 PART 186. RESPIRATORY CARE

22 SEC. 18601. (1) AS USED IN THIS PART:

23 (A) "HEALTH FACILITY" MEANS A HEALTH FACILITY OR AGENCY
24 LICENSED UNDER ARTICLE 17.

25 (B) "MEDICAL DIRECTOR" MEANS A PHYSICIAN WHO IS RESPONSIBLE
26 FOR THE QUALITY, SAFETY, APPROPRIATENESS, AND EFFECTIVENESS OF
27 THE RESPIRATORY CARE PROVIDED BY A RESPIRATORY THERAPIST, WHO

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1 ASSISTS IN QUALITY MONITORING, PROTOCOL DEVELOPMENT, AND
2 COMPETENCY VALIDATION, AND WHO MEETS ALL OF THE FOLLOWING:

3 (i) IS THE MEDICAL DIRECTOR OF AN INPATIENT OR OUTPATIENT
4 RESPIRATORY CARE SERVICE OR DEPARTMENT WITHIN A HEALTH FACILITY,
5 OR OF A HOME CARE AGENCY, DURABLE MEDICAL EQUIPMENT COMPANY, OR
6 EDUCATIONAL PROGRAM.

7 (ii) HAS SPECIAL INTEREST AND KNOWLEDGE IN THE DIAGNOSIS AND
8 TREATMENT OF CARDIOPULMONARY DISORDERS AND DISEASES.

9 (iii) IS QUALIFIED BY TRAINING OR EXPERIENCE, OR BOTH, IN
10 THE MANAGEMENT OF ACUTE AND CHRONIC CARDIOPULMONARY DISORDERS AND
11 DISEASES.

12 (C) "PHYSICIAN" MEANS THAT TERM AS DEFINED IN SECTIONS 17001
13 AND 17501.

14 (D) "REGISTERED RESPIRATORY THERAPIST" MEANS AN INDIVIDUAL
15 WHO, UNDER THE DIRECTION AND SUPERVISION OF A PHYSICIAN, IS
16 RESPONSIBLE FOR PROVIDING CERTAIN PATIENT CARE SERVICES TO INDI-
17 VIDUALS WITH DISORDERS AND DISEASES OF THE CARDIOPULMONARY
18 SYSTEM, AS DIAGNOSED BY A PHYSICIAN, AND WHO IS REGISTERED UNDER
19 THIS ARTICLE AS A REGISTERED RESPIRATORY THERAPIST.

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

24 SEC. 18603. AFTER THE EFFECTIVE DATE OF THE RULES PROMUL-
25 GATED UNDER SECTION 16145 BY THE DEPARTMENT, AN INDIVIDUAL SHALL
26 NOT USE THE TITLES "RESPIRATORY THERAPIST", "REGISTERED
27 RESPIRATORY THERAPIST", "R.T.", AND "R.R.T." OR SIMILAR WORDS

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1 THAT INDICATE THE INDIVIDUAL IS A REGISTERED RESPIRATORY
2 THERAPIST UNLESS THE INDIVIDUAL IS REGISTERED UNDER THIS ARTICLE
3 AS A REGISTERED RESPIRATORY THERAPIST.

4 SEC. 18605. (1) IN PROMULGATING RULES TO ESTABLISH REQUIRE-
5 MENTS FOR REGISTRATION UNDER SECTION 16145, THE DEPARTMENT SHALL
6 ADOPT ALL OF THE FOLLOWING REQUIREMENTS:

7 (A) SUCCESSFUL COMPLETION OF AN ACCREDITED RESPIRATORY THER-
8 APIST TRAINING PROGRAM APPROVED BY THE DEPARTMENT.

9 (B) HAVING AT LEAST A 2-YEAR ASSOCIATE'S DEGREE FROM AN
10 ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE DEPARTMENT.

11 (C) HAVING THE CREDENTIAL CONFERRED BY THE NATIONAL BOARD
12 FOR RESPIRATORY CARE OR ITS SUCCESSOR ORGANIZATION AS A REGIS-
13 TERED RESPIRATORY THERAPIST OR ITS SUCCESSOR CREDENTIAL, AS
14 APPROVED BY THE DEPARTMENT.

15 (2) SUBJECT TO SECTION 16204, THE DEPARTMENT SHALL BY RULE
16 PRESCRIBE CONTINUING EDUCATION REQUIREMENTS AS A CONDITION FOR
17 REGISTRATION RENEWAL.

18 PART 187. RECREATIONAL THERAPY

19 SEC. 18701. (1) AS USED IN THIS PART:

20 (A) "RECREATION SERVICES" MEANS THE SPECIFIC USE OF SERVICES
21 DESIGNED TO PROVIDE RESOURCES AND OPPORTUNITIES TO IMPROVE HEALTH
22 AND WELL-BEING THROUGH RECREATION INTERVENTION.

23 (B) "RECREATION THERAPIST" MEANS AN INDIVIDUAL WHO, UNDER
24 THE SUPERVISION AND DIRECTION OF A LICENSED ALLOPATHIC OR OSTEO-
25 PATHIC PHYSICIAN, IS RESPONSIBLE FOR PROVIDING RECREATION SERV-
26 ICES TO AN INDIVIDUAL WITH A DISABLING CONDITION AS DIAGNOSED BY

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1 A LICENSED ALLOPATHIC OR OSTEOPATHIC PHYSICIAN, AND WHO IS
2 REGISTERED UNDER THIS ARTICLE AS A RECREATION THERAPIST.

3 (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
4 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
5 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
6 DEFINITIONS APPLICABLE TO THIS PART.

7 SEC. 18703. BEGINNING ON THE EFFECTIVE DATE OF THIS PART,
8 AN INDIVIDUAL SHALL NOT USE THE TITLES "THERAPEUTIC RECREATOR",
9 "T.R.", "REGISTERED THERAPEUTIC RECREATION SPECIALIST",
10 "R.T.R.S.", "RECREATION THERAPIST", "R.T.", "RECREATIONAL
11 THERAPIST", "CERTIFIED RECREATION THERAPIST", "C.R.T.",
12 "THERAPEUTIC RECREATION SPECIALIST", "T.R.S.", OR SIMILAR WORDS
13 WHICH INDICATE THAT THE PERSON IS A REGISTERED THERAPEUTIC RECRE-
14 ATION PROFESSIONAL UNLESS THE PERSON IS REGISTERED UNDER THIS
15 ARTICLE.

16 SEC. 18705. THE PROFESSIONAL STANDARDS ISSUED BY THE
17 AMERICAN THERAPEUTIC RECREATION ASSOCIATION ENTITLED "STANDARDS
18 FOR THE PRACTICE OF THERAPEUTIC RECREATION", PUBLISHED IN 1992 BY
19 THE AMERICAN THERAPEUTIC RECREATION ASSOCIATION, P.O. BOX 15125,
20 HATTIESBURG, MS 39402-5215, ARE INCORPORATED BY REFERENCE FOR
21 GUIDANCE IN ANY ACTION BY THE DEPARTMENT WHILE SERVING THE FUNC-
22 TION OF A BOARD FOR PURPOSES OF THIS PART. THE DEPARTMENT MAY
23 AMEND OR SUPPLEMENT THE STANDARDS ADOPTED PURSUANT TO THIS SEC-
24 TION BY PROMULGATION OF A RULE.

25 SEC. 18707. (1) THE DEPARTMENT SHALL ISSUE A REGISTRATION
26 AS A RECREATION THERAPIST TO AN INDIVIDUAL WHO MEETS ALL OF THE
27 FOLLOWING REQUIREMENTS:

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1 (A) APPLIES TO THE DEPARTMENT ON A FORM PROVIDED BY THE
2 DEPARTMENT.

3 (B) PASSES AN EXAMINATION ACCEPTED BY THE DEPARTMENT.

4 (C) IS OF GOOD MORAL CHARACTER.

5 (D) FULFILLS THE EDUCATION REQUIREMENTS DESCRIBED IN EITHER
6 SUBSECTION (2) OR (3) AND THE APPLICABLE TRAINING REQUIREMENTS OF
7 SUBSECTION (4).

8 (E) MEETS ANY OTHER REQUIREMENTS ESTABLISHED IN RULES THAT
9 THE DEPARTMENT MAY PROMULGATE.

10 (2) AN INDIVIDUAL MAY SATISFY THE EDUCATION REQUIREMENTS
11 DESCRIBED IN SUBSECTION (1) BY OBTAINING AT LEAST A BACCALAUREATE
12 DEGREE FROM AN INSTITUTION OF HIGHER EDUCATION APPROVED BY THE
13 DEPARTMENT WITH A MAJOR IN THERAPEUTIC RECREATION OR A MAJOR IN
14 RECREATION WITH AN OPTION IN THERAPEUTIC RECREATION. THE DEGREE
15 DESCRIBED IN THIS SUBSECTION SHALL INCLUDE, AT A MINIMUM, THE
16 FOLLOWING:

17 (A) EIGHTEEN SEMESTER HOURS OF RECREATION WITH NOT LESS THAN
18 9 SEMESTER HOURS IN THERAPEUTIC RECREATION.

19 (B) EIGHTEEN SEMESTER HOURS INCLUDING 3 SEMESTER HOURS
20 INVOLVING EACH OF THE FOLLOWING, WITH THE REMAINING 9 SEMESTER
21 HOURS INVOLVING COURSES CONSIDERED HUMAN SERVICES:

22 (i) ANATOMY AND PHYSIOLOGY.

23 (ii) ABNORMAL PSYCHOLOGY.

24 (iii) HUMAN GROWTH AND DEVELOPMENT.

25 (3) AN INDIVIDUAL MAY SATISFY THE EDUCATIONAL REQUIREMENTS
26 DESCRIBED IN SUBSECTION (1) BY COMPLETING AT LEAST ALL OF THE
27 FOLLOWING:

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1 (A) EIGHTEEN SEMESTER HOURS OF UPPER DIVISION OR GRADUATE
2 LEVEL THERAPEUTIC AND GENERAL RECREATION WITH NOT LESS THAN 9
3 SEMESTER HOURS IN THERAPEUTIC RECREATION AND 3 SEMESTER HOURS
4 INVOLVING EACH OF THE FOLLOWING:

5 (i) ANATOMY AND PHYSIOLOGY.

6 (ii) ABNORMAL PSYCHOLOGY.

7 (iii) HUMAN GROWTH AND DEVELOPMENT.

8 (B) TWENTY-FOUR SEMESTER HOURS INVOLVING ANY 3 OF THE FOL-
9 LOWING SUBJECT MATTER AREAS:

10 (i) ADAPTIVE PHYSICAL EDUCATION.

11 (ii) BIOLOGICAL OR PHYSICAL SCIENCES RELATED TO THERAPEUTIC
12 RECREATION.

13 (iii) HUMAN SERVICES.

14 (iv) PSYCHOLOGY.

15 (v) SOCIOLOGY.

16 (vi) SPECIAL EDUCATION.

17 (4) AN INDIVIDUAL FULFILLING THE EDUCATION REQUIREMENTS
18 DESCRIBED IN SUBSECTION (3) SHALL PRESENT PROOF ACCEPTABLE TO THE
19 DEPARTMENT OF AT LEAST 5 YEARS OF FULLTIME PAID EXPERIENCE IN A
20 CLINICAL, RESIDENTIAL, OR- COMMUNITY-BASED THERAPEUTIC RECREATION
21 PROGRAM.

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

25 (a) House Bill No. 5736.

26 (b) House Bill No. 5737.