

**SENATE BILL NO. 235**

February 27, 1997, Introduced by Senator EMMONS and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

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       Nursing	June 30
5       Optometry	June 30
6       Pharmacy	June 30
7       Podiatric medicine and surgery	June 30
8       Dentistry	June 30

1	Chiropractic	December 31
2	Counseling	June 30
3	Marriage and family therapy	June 30
4	Medicine	December 31
5	Occupational therapists	December 31
6	Osteopathic medicine and surgery	December 31
7	Physical therapy	December 31
8	Psychology	December 31
9	RECREATION THERAPY	JUNE 30
10	Sanitarians	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,  
14 with or without qualifying words or phrases, are restricted in  
15 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.".

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.",

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 (Q) "THERAPEUTIC RECREATOR", "T.R.", "REGISTERED THERAPEUTIC  
15 RECREATION SPECIALIST", "R.T.R.S.", "RECREATION THERAPIST",  
16 "R.T.", "RECREATIONAL THERAPIST", "CERTIFIED RECREATION  
17 THERAPIST", "C.R.T.", "THERAPEUTIC RECREATION SPECIALIST", AND  
18 "T.R.S."

19 (2) Notwithstanding section 16261, a person who was spe-  
20 cially trained at an institution of higher education in this  
21 state to assist a physician in the field of orthopedics and upon  
22 completion of training, received a 2-year associate of science  
23 degree as an orthopedic physician's assistant before January 1,  
24 1977, may use the title "orthopedic physician's assistant"  
25 whether or not the person is licensed under this article.

1           SEC. 16350. FEES FOR A PERSON REGISTERED OR SEEKING  
2 REGISTRATION AS A REGISTERED THERAPEUTIC RECREATION SPECIALIST  
3 UNDER PART 189 ARE AS FOLLOWS:

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

6                           PART 189. RECREATIONAL THERAPY

7           SEC. 18901. (1) AS USED IN THIS PART:

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

11          (B) "REGISTERED THERAPEUTIC RECREATION SPECIALIST" MEANS AN  
12 INDIVIDUAL REGISTERED AS A THERAPEUTIC RECREATION SPECIALIST  
13 UNDER THIS ARTICLE.

14          (C) "THERAPEUTIC RECREATION" OR "RECREATION THERAPY" MEANS  
15 THE PROVISION OF TREATMENT SERVICES AND RECREATION SERVICES TO  
16 INDIVIDUALS WITH ILLNESSES AND DISABLING CONDITIONS. THERAPEUTIC  
17 RECREATION INCLUDES, BUT IS NOT LIMITED TO, INDIVIDUALIZED  
18 ASSESSMENT TO COLLECT SYSTEMIC, COMPREHENSIVE, AND ACCURATE  
19 INFORMATION NECESSARY TO DETERMINE AND IMPLEMENT TREATMENT SERV-  
20 ICES; THE EVALUATION AND REVISION OF TREATMENT SERVICES; AND THE  
21 DEVELOPMENT OF A DISCHARGE PLAN RELATIVE TO TREATMENT SERVICES.

22          (D) "THERAPEUTIC RECREATION SPECIALIST" IS AN INDIVIDUAL WHO  
23 PROVIDES THERAPEUTIC RECREATION SERVICES AND IS REGISTERED UNDER  
24 THIS ARTICLE.

25          (E) "TREATMENT SERVICES" MEANS SERVICES DESIGNED TO RESTORE,  
26 REMEDIATE, OR REHABILITATE TO IMPROVE FUNCTIONING AND

1 INDEPENDENCE AS WELL AS TO REDUCE OR ELIMINATE THE EFFECTS OF  
2 ILLNESS OR DISABILITY THROUGH TREATMENT INTERVENTION.

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. 18903. 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. 18905. THE MICHIGAN BOARD OF RECREATIONAL THERAPY IS  
17 CREATED IN THE DEPARTMENT AND SHALL CONSIST OF THE FOLLOWING 5  
18 VOTING MEMBERS WHO MEET THE REQUIREMENTS OF PART 161: 3 REGIS-  
19 TERED RECREATION THERAPEUTIC SPECIALISTS WHO ALSO MEET THE  
20 REQUIREMENTS OF SECTION 16135(2) AND 2 PUBLIC MEMBERS.

21 SEC. 18907. THE PROFESSIONAL STANDARDS ISSUED BY THE  
22 AMERICAN THERAPEUTIC RECREATION ASSOCIATION ENTITLED "STANDARDS  
23 FOR THE PRACTICE OF THERAPEUTIC RECREATION", PUBLISHED IN 1992 BY  
24 THE AMERICAN THERAPEUTIC RECREATION ASSOCIATION, P.O. BOX 15125,  
25 HATTIESBURG, MS 39402-5215, ARE INCORPORATED BY REFERENCE FOR  
26 GUIDANCE IN ANY ACTION BY THE BOARD. THE BOARD MAY AMEND OR

1 SUPPLEMENT THE STANDARDS ADOPTED PURSUANT TO THIS SECTION BY  
2 PROMULGATION OF A RULE.

3 SEC. 18909. (1) EXCEPT AS OTHERWISE PROVIDED IN SECTION  
4 18911, THE DEPARTMENT SHALL ISSUE A REGISTRATION TO AN INDIVIDUAL  
5 WHO MEETS ALL OF THE FOLLOWING REQUIREMENTS:

6 (A) APPLIES TO THE DEPARTMENT ON A FORM PROVIDED BY THE  
7 DEPARTMENT.

8 (B) PASSES AN EXAMINATION ACCEPTED BY THE BOARD.

9 (C) IS OF GOOD MORAL CHARACTER.

10 (D) FULFILLS THE EDUCATION REQUIREMENTS DESCRIBED IN EITHER  
11 SUBSECTION (2) OR (3) AND THE APPLICABLE TRAINING REQUIREMENTS OF  
12 SUBSECTION (4).

13 (E) MEETS ANY OTHER REQUIREMENTS ESTABLISHED IN RULES THAT  
14 THE BOARD MAY PROMULGATE.

15 (2) AN INDIVIDUAL MAY SATISFY THE EDUCATION REQUIREMENTS  
16 DESCRIBED IN SUBSECTION (1) BY OBTAINING AT LEAST A BACCALAUREATE  
17 DEGREE FROM AN INSTITUTION OF HIGHER EDUCATION ACCEPTABLE TO THE  
18 BOARD WITH A MAJOR IN THERAPEUTIC RECREATION OR A MAJOR IN RECRE-  
19 ATION WITH AN OPTION IN THERAPEUTIC RECREATION. THE DEGREE  
20 DESCRIBED IN THIS SUBSECTION SHALL INCLUDE, AT A MINIMUM, THE  
21 FOLLOWING:

22 (A) EIGHTEEN SEMESTER HOURS OF RECREATION WITH NOT LESS THAN  
23 9 SEMESTER HOURS IN THERAPEUTIC RECREATION.

24 (B) EIGHTEEN SEMESTER HOURS INCLUDING 3 SEMESTER HOURS  
25 INVOLVING EACH OF THE FOLLOWING, WITH THE REMAINING 9 SEMESTER  
26 HOURS INVOLVING COURSES CONSIDERED HUMAN SERVICES:

1           (i) ANATOMY AND PHYSIOLOGY.

2           (ii) ABNORMAL PSYCHOLOGY.

3           (iii) HUMAN GROWTH AND DEVELOPMENT.

4           (3) AN INDIVIDUAL MAY SATISFY THE EDUCATIONAL REQUIREMENTS  
5 DESCRIBED IN SUBSECTION (1) BY COMPLETING AT LEAST ALL OF THE  
6 FOLLOWING:

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

11           (i) ANATOMY AND PHYSIOLOGY.

12           (ii) ABNORMAL PSYCHOLOGY.

13           (iii) HUMAN GROWTH AND DEVELOPMENT.

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

16           (i) ADAPTIVE PHYSICAL EDUCATION.

17           (ii) BIOLOGICAL OR PHYSICAL SCIENCES RELATED TO THERAPEUTIC  
18 RECREATION.

19           (iii) HUMAN SERVICES.

20           (iv) PSYCHOLOGY.

21           (v) SOCIOLOGY.

22           (vi) SPECIAL EDUCATION.

23           (4) AN INDIVIDUAL FULFILLING THE EDUCATION REQUIREMENTS  
24 DESCRIBED IN SUBSECTION (3) SHALL PRESENT PROOF ACCEPTABLE TO THE  
25 BOARD OF AT LEAST 5 YEARS OF FULL-TIME PAID EXPERIENCE IN A CLIN-  
26 ICAL, RESIDENTIAL, OR COMMUNITY-BASED THERAPEUTIC RECREATION  
27 PROGRAM.

1           SEC. 18911.   THE DEPARTMENT SHALL ISSUE A REGISTRATION  
2 WITHOUT EXAMINATION TO AN INDIVIDUAL WHO MEETS THE REQUIREMENTS  
3 OF SECTION 18909(1)(A), (C), AND (D) AND WHO APPLIES FOR REGIS-  
4 TRATION WITHIN 1 YEAR AFTER THE EFFECTIVE DATE OF THIS PART.