

# HOUSE BILL No. 6224

November 5, 1998, Introduced by Reps. Quarles, Vaughn, Profit, Bogardus, London, Scranton, Martinez, Cherry, Ciaramitaro, Schroer, McNutt, Lowe, Kilpatrick, Parks, Gire, Baird, Emerson, Brater and Bodem and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7111, 16131, 16145, and 16621 (MCL 333.7111, 333.16131, 333.16145, and 333.16621), section 7111 as amended by 1993 PA 138, section 16131 as amended by 1995 PA 126, and section 16145 as amended by 1993 PA 80.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 7111. (1) The controlled substances advisory commis-  
2 sion in the department of ~~commerce shall consist~~ CONSUMER AND  
3 INDUSTRY SERVICES CONSISTS of the following 13 voting members  
4 appointed by the governor with the advice and consent of the  
5 senate:

6       (a) One health care professional from each of the following  
7 boards created in article 15:

- 1 (i) The Michigan board of medicine.
- 2 (ii) The Michigan board of osteopathic medicine and  
3 surgery.
- 4 (iii) The Michigan board of pharmacy.
- 5 (iv) The Michigan board of podiatric medicine and surgery.
- 6 (v) The Michigan board of ~~dentistry~~ ORAL HEALTH CARE  
7 PROFESSIONALS.
- 8 (vi) The Michigan board of veterinary medicine.
- 9 (vii) The Michigan board of nursing.
- 10 (b) One licensed health care professional from the field of  
11 psychiatry.
- 12 (c) One licensed health care professional from the field of  
13 pharmacology.
- 14 (d) Three public members, 1 of whom shall serve as  
15 chairperson.
- 16 (e) One member representing pharmaceutical manufacturers.
- 17 (2) The director of the department of state police, director  
18 of ~~commerce~~ THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES,  
19 director of ~~public~~ THE DEPARTMENT OF COMMUNITY health, director  
20 of ~~social services~~ THE FAMILY INDEPENDENCE AGENCY, superinten-  
21 dent of public instruction, and the attorney general, or their  
22 official designees, and the drug control administrator from  
23 within the department of ~~commerce~~ CONSUMER AND INDUSTRY  
24 SERVICES, who shall serve as secretary to the controlled sub-  
25 stances advisory commission, are ex officio members without  
26 votes, but are not members for PURPOSES OF determining a quorum.  
27 The department of ~~commerce~~ CONSUMER AND INDUSTRY SERVICES, in

1 consultation with the Michigan board of pharmacy, shall appoint  
 2 an individual who is a licensed pharmacist to serve as the drug  
 3 control administrator for purposes of this section.

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

7	Nursing	June 30
8	Optometry	June 30
9	Pharmacy	June 30
10	Podiatric medicine and surgery	June 30
11	<del>Dentistry</del> ORAL HEALTH CARE PROFESSIONALS	June 30
12	Chiropractic	December 31
13	Counseling	June 30
14	Marriage and family therapy	June 30
15	Medicine	December 31
16	Occupational therapists	December 31
17	Osteopathic medicine and surgery	December 31
18	Physical therapy	December 31
19	Psychology	December 31
20	Sanitarians	December 31
21	Veterinary medicine	December 31

22 Sec. 16145. (1) A board may adopt and have an official  
 23 seal.

24 (2) A board or task force may promulgate rules necessary or  
 25 appropriate to fulfill its functions as prescribed in this  
 26 article. A BOARD OR TASK FORCE SHALL NOT PROMULGATE RULES THAT  
 27 EXPAND, CONSTRICT, OR OTHERWISE MODIFY THE SCOPE OF PRACTICE

1 DEFINITION FOR THE HEALTH PROFESSION GOVERNED BY THAT BOARD OR  
2 TASK FORCE.

3 (3) Only a board or task force shall promulgate rules to  
4 specify requirements for licenses, registrations, renewals, exam-  
5 inations, and required passing scores.

6 Sec. 16621. (1) The Michigan board of ~~dentistry~~ ORAL  
7 HEALTH CARE PROFESSIONALS is created in the department. The  
8 board shall consist of the following ~~13~~ 18 voting members who  
9 shall meet the requirements of part 161: 7 dentists, ~~2~~ 6  
10 dental hygienists, 2 dental assistants, and ~~2~~ 3 public  
11 members. The board meeting dates and times shall be concurred in  
12 by a vote of not less than 10 board members. Not more than 1  
13 member of the board may be a dental school faculty member.

14 ~~(2) The dental assistants first appointed to the board~~  
15 ~~shall be graduates of a dental assisting program accredited by~~  
16 ~~the commission on accreditation of the American dental~~  
17 ~~association. This subsection shall expire 3 years after the~~  
18 ~~effective date of this article.~~

19 ~~(3) The requirement of section 16135(d) that a board member~~  
20 ~~shall have practiced that profession for 2 years immediately~~  
21 ~~before appointment is waived for 2 years after the effective date~~  
22 ~~of this part for members of the board licensed as dental assist-~~  
23 ~~ants by this part.~~

24 ~~(4) A board member licensed to practice as a dental hygien-~~  
25 ~~ist or a dental assistant shall vote as an equal member in all~~  
26 ~~matters except those designated in section 16148(1) or (2) which~~

~~1 apply to dentists and not to dental hygienists or dental  
2 assistants.~~

3       (2) THERE IS CREATED THE DENTAL HYGIENE STANDING SUBCOMMIT-  
4 TEE AS A PERMANENT SUBCOMMITTEE OF THE BOARD. THE DENTAL HYGIENE  
5 STANDING SUBCOMMITTEE CONSISTS OF 5 DENTAL HYGIENIST MEMBERS OF  
6 THE BOARD, 1 DENTIST MEMBER OF THE BOARD, AND 1 PUBLIC MEMBER OF  
7 THE BOARD APPOINTED BY THE CHAIR OF THE BOARD. THE CHAIR OF THE  
8 BOARD SHALL APPOINT AS THE CHAIR OF THE DENTAL HYGIENE STANDING  
9 SUBCOMMITTEE 1 OF THE DENTAL HYGIENIST MEMBERS OF THE  
10 SUBCOMMITTEE. THE BOARD SHALL REFER TO THE DENTAL HYGIENE STAND-  
11 ING SUBCOMMITTEE ALL DISCIPLINARY MATTERS PERTAINING TO DENTAL  
12 HYGIENISTS AND ALL MATTERS DESIGNATED IN SECTION 16148(1) AND  
13 (2). WHEN A MATTER IS REFERRED TO THE DENTAL HYGIENE STANDING  
14 SUBCOMMITTEE UNDER THIS SUBSECTION, THE DENTAL HYGIENE STANDING  
15 SUBCOMMITTEE SHALL CONVENE FOR THE PURPOSE OF REVIEWING THE  
16 MATTER AND MAKING A RECOMMENDATION FOR DISPOSITION OF THE MATTER  
17 TO THE BOARD. A RECOMMENDATION OF THE DENTAL HYGIENE STANDING  
18 SUBCOMMITTEE REGARDING A DISCIPLINARY MATTER SHALL BE LIMITED TO  
19 RECOMMENDING DENTAL HYGIENE MEMBERS OF THE BOARD FOR APPOINTMENT  
20 TO THE DISCIPLINARY SUBCOMMITTEE PURSUANT TO SECTION 16216. A  
21 RECOMMENDATION OF THE DENTAL HYGIENE STANDING SUBCOMMITTEE  
22 REGARDING A MATTER DESIGNATED IN SECTION 16148(1) OR (2) SHALL BE  
23 APPROVED OR DISAPPROVED BY A VOTE OF THE BOARD.