

Senate Fiscal Agency
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Senate Bills 1390 and 1391 (as enrolled)
Sponsor: Senator John J. H. Schwarz, M.D.
Senate Committee: Transportation and Tourism
House Committee: Transportation

PUBLIC ACTS 647 & 618 of 2002

Date Completed: 1-24-03

RATIONALE

The Public Health Code provides for the licensure and regulation of physicians' assistants. These professionals practice under the supervision of licensed physicians. The first Michigan law governing physicians' assistants was Public Act 312 of 1972; its initial aim was for these professionals to help alleviate problems in some areas where the patient-to-physician ratio was inordinately high. Since 1972, the duties of physicians' assistants have expanded: Under the supervision of a physician, they are permitted to make rounds, write progress reports, assist in surgery, run tests, take histories, prescribe medication, and perform other necessary procedures.

It was suggested that physicians' assistants also should be authorized to perform two additional tasks that physicians have been responsible for: certifying that a person is disabled for the purpose of parking privileges, and administering physical examinations of school bus drivers.

CONTENT

Senate Bills 1390 and 1391 amended the Pupil Transportation Act and the Michigan Vehicle Code, respectively, to authorize physicians' assistants to certify that school bus drivers and persons with disabilities meet the physical requirements established under the Act and the Code.

Senate Bill 1390

The Pupil Transportation Act sets forth minimum qualifications for all regular and substitute drivers of school buses transporting passengers and pupil transportation vehicles

used for the regularly scheduled transportation of passengers to and from home. For a bus or vehicle operating in intrastate transportation, a driver must meet the annual physical requirements for school bus and pupil transportation drivers as authorized by the State Superintendent of Public Instruction. In addition, the driver must be examined by a licensed physician or, under the bill, a physicians' assistant and must present the physician's certificate to the employer. Previously, only physicians could perform physical examinations of drivers.

In addition, the bill prohibits a person from smoking on a school bus or pupil transportation vehicle. Previously, this prohibition applied only within one hour before the bus or vehicle was to be used by pupils.

Senate Bill 1391

Under the Michigan Vehicle Code, a disabled person may apply to the Secretary of State for a special registration plate, and a vehicle owner may apply for a special plate for a vehicle used to transport disabled persons. A disabled person also may apply to the Secretary of State for a temporary or permanent windshield placard that entitles the person to park in spaces designated for use by disabled individuals and to park for free in metered spaces and public lots and ramps. The term "disabled person" or "person with disabilities" means an individual who is determined by a licensed physician or, under the bill, a physicians' assistant to have one or more of the physical characteristics specified in the Code. (In the case of blindness, an optometrist also may make the required determination.)

In addition, a licensed driver may apply for a free parking sticker if a physician or, under the bill, a physicians' assistant attests to the nature and estimated duration of the applicant's disabling condition and verifies that the applicant qualifies for a free parking sticker.

Fiscal Analyst: Joe Carrasco
Jessica Runnels

The Code permits the Secretary of State to accept from a disabled person an application for a windshield placard or free parking sticker signed by a physician licensed to practice in another state, if the application is accompanied by a copy of the physician's current medical license issued by that state. Under the bill, an application also may be signed by an out-of-state, licensed physicians' assistant, provided it is accompanied by a copy of the assistant's current medical license issued by that state.

MCL 257.1853 (S.B. 1390)
257.19a & 257.675 (S.B. 1391)

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

For 30 years, physicians' assistants have been recognized as licensed medical professionals in Michigan. Recently, they were included in the Good Samaritan law's immunity from liability for rendering care at the scene of an emergency, performing physical examinations for competitive sports, and responding to a life-threatening emergency within a hospital or other medical care facility. Clearly, physicians' assistants play an essential role in the delivery of health care, especially when physicians are in short supply. Authorizing physicians' assistants to examine school bus drivers and to certify disabled individuals for parking privileges makes sense, and might speed up the certification process. As always, physicians' assistants will perform these services under the supervision of a physician.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bills will have no fiscal impact on State or local government.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.