

HOUSE BILL No. 5261

October 17, 2001, Introduced by Reps. DeWeese, George, Howell, Julian, Richardville, Stewart, Woronchak, Basham, Raczkowski, Scranton, Patterson, Ehardt, Jelinek, Voorhees, Shulman, Plakas, Shackleton, Anderson, Vear, Hummel, Stamas, Kuipers, Vander Veen, Pappageorge, Middaugh, Meyer, Gilbert, Allen, Kowall, Van Woerkom, Kooiman, Cassis, DeVuyst, Pumford, Cameron Brown, Sanborn, Birkholz, Faunce and Neumann and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16315 (MCL 333.16315), as added by 1993
PA 138; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16315. (1) The health professions regulatory fund is
2 established in the state treasury. Except as otherwise provided
3 in this section, the state treasurer shall credit the fees col-
4 lected under sections 16319 to 16349 to the health professions
5 regulatory fund. The money in the health professions regulatory
6 fund shall be expended only as provided in subsection (5).

7 (2) The state treasurer shall direct the investment of the
8 health professions regulatory fund. Interest and earnings from
9 health professions regulatory fund investment shall be credited
10 to the health professions regulatory fund.

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1 (3) The unencumbered balance in the health professions
2 regulatory fund at the close of the fiscal year shall remain in
3 the health professions regulatory fund and shall not revert to
4 the general fund.

5 (4) The health professions regulatory fund may receive gifts
6 and devises and other money as provided by law.

7 (5) The department OF CONSUMER AND INDUSTRY SERVICES shall
8 use the health professions regulatory fund only to carry out its
9 powers and duties under this article and article 7 including, but
10 not limited to, reimbursing the department of attorney general
11 for the reasonable cost of services provided to the department of
12 ~~commerce~~ CONSUMER AND INDUSTRY SERVICES under this article and
13 article 7.

14 (6) The nurse professional fund is established in the state
15 treasury. Of the money that is attributable to per-year license
16 fees collected under section 16327, the state treasurer shall
17 credit \$2.00 of each individual annual license fee collected to
18 the nurse professional fund. The money in the nurse professional
19 fund shall be expended only as provided in subsection (9).

20 (7) The state treasurer shall direct the investment of the
21 nurse professional fund, and shall credit interest and earnings
22 from the investment to the nurse professional fund. The nurse
23 professional fund may receive gifts and devises and other money
24 as provided by law.

25 (8) The unencumbered balance in the nurse professional fund
26 at the close of the fiscal year shall remain in the nurse
27 professional fund and shall not revert to the general fund.

1 (9) The department OF CONSUMER AND INDUSTRY SERVICES shall
2 use the nurse professional fund each fiscal year only as
3 follows:

4 (a) The department may use not more than 1/3 of the nurse
5 professional fund for the establishment and operation of a nurse
6 continuing education program.

7 (b) The department may use not more than 1/3 of the nurse
8 professional fund to perform research and development studies to
9 promote and advance the nursing profession.

10 (c) The department shall use not less than 1/3 of the nurse
11 professional fund to establish and operate a nursing scholarship
12 program.

13 ~~(10) Within 2 years after the effective date of this sec-~~
14 ~~tion, the department shall promulgate rules to implement subsec-~~
15 ~~tion (9) including, but not limited to, rules governing the con-~~
16 ~~tinuing education program and rules to establish eligibility cri-~~
17 ~~teria for participation in the nursing scholarship program,~~
18 ~~application procedures, and maximum amounts for individual~~
19 ~~scholarships.~~

20 (10) ~~(11)~~ The official prescription form program fund ~~is~~
21 ~~established in the state treasury and shall be administered by~~
22 ~~the department~~ BY THE AMENDATORY ACT THAT ADDED THIS SECTION IS
23 ABOLISHED. THE MONEY REMAINING IN THE OFFICIAL PRESCRIPTION FORM
24 PROGRAM FUND ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
25 ADDED SUBSECTION (11) SHALL BE TRANSFERRED BY THE STATE TREASURER
26 TO THE HEALTH PROFESSIONS REGULATORY FUND CREATED IN SUBSECTION
27 (1).

1 (11) THE PAIN MANAGEMENT EDUCATION AND CONTROLLED SUBSTANCES
2 ANTIDIVERSION FUND IS ESTABLISHED IN THE STATE TREASURY.

3 (12) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE
4 PAIN MANAGEMENT EDUCATION AND CONTROLLED SUBSTANCES ANTIDIVERSION
5 FUND. INTEREST AND EARNINGS FROM INVESTMENT OF THE PAIN MANAGE-
6 MENT EDUCATION AND CONTROLLED SUBSTANCES ANTIDIVERSION FUND SHALL
7 BE CREDITED TO THE PAIN MANAGEMENT EDUCATION AND CONTROLLED SUB-
8 STANCES ANTIDIVERSION FUND.

9 (13) THE UNENCUMBERED BALANCE IN THE PAIN MANAGEMENT EDUCA-
10 TION AND CONTROLLED SUBSTANCES ANTIDIVERSION FUND AT THE CLOSE OF
11 THE FISCAL YEAR SHALL REMAIN IN THE PAIN MANAGEMENT EDUCATION AND
12 CONTROLLED SUBSTANCES ANTIDIVERSION FUND AND SHALL NOT REVERT TO
13 THE GENERAL FUND. THE PAIN MANAGEMENT EDUCATION AND CONTROLLED
14 SUBSTANCES ANTIDIVERSION FUND MAY RECEIVE GIFTS AND DEVISES AND
15 OTHER MONEY AS PROVIDED BY LAW. Twenty dollars of the license fee
16 received by the department OF CONSUMER AND INDUSTRY SERVICES
17 under section 16319 shall be deposited with the state treasurer
18 to the credit of the ~~official prescription form program~~ PAIN
19 MANAGEMENT EDUCATION AND CONTROLLED SUBSTANCES ANTIDIVERSION
20 fund. The department shall use the PAIN MANAGEMENT EDUCATION AND
21 CONTROLLED SUBSTANCES ANTIDIVERSION fund only in connection with
22 programs relating to ~~the official prescription forms required~~
23 ~~under article 7. Any unexpended balance in the fund at the end~~
24 ~~of a fiscal year shall carry forward to the next fiscal year.~~
25 PAIN MANAGEMENT EDUCATION FOR HEALTH PROFESSIONALS AND PREVENTING
26 THE DIVERSION OF CONTROLLED SUBSTANCES.

1 Enacting section 1. Sections 7111, 7112, and 7113 of the
2 public health code, 1978 PA 368, MCL 333.7111, 333.7112, and
3 333.7113, are repealed.