

SENATE BILL No. 64

February 1, 2001, Introduced by Senator HAMMERSTROM and referred to the Committee on Health Policy.

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 2000 PA 11, and by adding section 16346 and part 183A.

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, expire 4 years after appointment as follows:

4	NUTRITION AND DIETETICS	JUNE 30
5	Nursing	June 30
6	Optometry	June 30
7	Pharmacy	June 30

1	Podiatric medicine and surgery	June 30
2	Dentistry	June 30
3	Chiropractic	December 31
4	Counseling	June 30
5	Marriage and family therapy	June 30
6	Medicine	December 31
7	Occupational therapists	December 31
8	Osteopathic medicine and surgery	December 31
9	Physical therapy	December 31
10	Psychology	December 31
11	Social work	December 31
12	Veterinary medicine	December 31

13 Sec. 16263. (1) Except as provided in subsection (2), the
14 following words, titles, or letters or a combination thereof,
15 with or without qualifying words or phrases, are restricted in
16 use only to those persons authorized under this article to use
17 the terms and in a way prescribed in this article:

18 (a) "Chiropractic", "doctor of chiropractic",
19 "chiropractor", "d.c.", and "chiropractic physician".

20 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
21 lofacial surgeon", "orthodontist", "prosthodontist",
22 "periodontist", "endodontist", "oral pathologist", "pediatric
23 dentist", "dental hygienist", "registered dental hygienist",
24 "dental assistant", "registered dental assistant", "R.D.A.",
25 "d.d.s.", "d.m.d.", and "r.d.h.".

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

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

2 (e) "Registered professional nurse", "registered nurse",
3 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
4 "nurse anesthetist", "nurse practitioner", "trained attendant",
5 and "t.a.".

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

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

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

11 (i) "Physical therapy", "physical therapist",
12 "physiotherapist", "registered physical therapist", "licensed
13 physical therapist", "physical therapy technician", "p.t.",
14 "r.p.t.", "l.p.t.", and "p.t.t.".

15 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
16 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
17 specialist", "podiatric physician and surgeon", and "d.p.m.".

18 (k) "Consulting psychologist", "psychologist",
19 "psychological assistant", "psychological examiner", "licensed
20 psychologist", and "limited licensed psychologist".

21 (l) "Licensed professional counselor", "licensed counselor",
22 "professional counselor", and "l.p.c.".

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

24 (n) "Social worker", "certified social worker", "social work
25 technician", "s.w.", "c.s.w.", and "s.w.t.".

1 (o) "Veterinary", "veterinarian", "veterinary doctor",
 2 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
 3 "d.v.m.", "animal technician", ~~or~~ AND "animal technologist".

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

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

19 (R) "REGISTERED NUTRITIONIST AND DIETITIAN" AND "R.N.D.".

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

1 SEC. 16346. FEES FOR AN INDIVIDUAL REGISTERED OR SEEKING
 2 REGISTRATION AS A REGISTERED NUTRITIONIST AND DIETITIAN UNDER
 3 PART 183A ARE AS FOLLOWS:

4 (A) APPLICATION PROCESSING FEE..... \$20.00

5 (B) REGISTRATION FEE, PER YEAR..... \$25.00

6 PART 183A. NUTRITION AND DIETETICS

7 SEC. 18351. (1) AS USED IN THIS PART, "REGISTERED NUTRI-
 8 TIONIST AND DIETITIAN", EXCEPT AS OTHERWISE PROVIDED IN SUBSEC-
 9 TION (2), MEANS AN INDIVIDUAL WHO INTEGRATES AND APPLIES SCIEN-
 10 TIFIC PRINCIPLES OF FOOD, NUTRITION, BIOCHEMISTRY, PHYSIOLOGY,
 11 MANAGEMENT, AND BEHAVIORAL AND SOCIAL SCIENCES TO ACHIEVE AND
 12 MAINTAIN THE HEALTH OF INDIVIDUALS THROUGH THE PROVISION OF
 13 NUTRITION CARE SERVICES, ADMINISTRATIVE SERVICES, COUNSELING
 14 SERVICES, EDUCATIONAL SERVICES, FOOD SERVICES, FOOD SAFETY SERV-
 15 ICES, INFORMATIONAL SERVICES, NUTRITION THERAPY SERVICES, MANAGE-
 16 MENT SERVICES, AND SAFETY AND SANITATION SERVICES AND IS REGIS-
 17 TERED AS A NUTRITIONIST AND DIETITIAN UNDER THIS ARTICLE.

18 (2) REGISTERED NUTRITIONIST AND DIETITIAN DOES NOT INCLUDE
 19 AN INDIVIDUAL WHO DOES 1 OR MORE OF THE FOLLOWING:

20 (A) FURNISHES INFORMATION ON FOODS, FOOD PRODUCTS, OR
 21 DIETARY SUPPLEMENTS IN CONNECTION WITH THE MARKETING OR DISTRIBU-
 22 TION OF THOSE FOODS, FOOD PRODUCTS, OR DIETARY SUPPLEMENTS, AS
 23 LONG AS HE OR SHE DOES NOT HOLD HIMSELF OR HERSELF OUT AS A REG-
 24 ISTERED NUTRITIONIST AND DIETITIAN.

25 (B) PROVIDES WEIGHT CONTROL SERVICES.

26 (3) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
 27 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION

1 APPLICABLE TO ALL ARTICLES IN THIS CODE, AND PART 161 CONTAINS
2 DEFINITIONS APPLICABLE TO THIS PART.

3 SEC. 18353. BEGINNING ON THE EFFECTIVE DATE OF THE AMENDA-
4 TORY ACT THAT ADDED THIS PART, AN INDIVIDUAL SHALL NOT USE THE
5 TITLES "REGISTERED NUTRITIONIST AND DIETITIAN" OR "R.N.D." OR
6 SIMILAR WORDS THAT INDICATE THAT THE INDIVIDUAL IS A REGISTERED
7 NUTRITIONIST AND DIETITIAN, UNLESS THE INDIVIDUAL IS REGISTERED
8 UNDER THIS ARTICLE AS A REGISTERED NUTRITIONIST AND DIETITIAN.

9 SEC. 18355. THE MICHIGAN BOARD OF NUTRITION AND DIETETICS
10 IS CREATED IN THE DEPARTMENT AND CONSISTS OF THE FOLLOWING 7
11 VOTING MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

12 (A) TWO PUBLIC MEMBERS.

13 (B) FIVE MEMBERS WHO ARE REGISTERED DIETITIANS AND NUTRI-
14 TIONISTS AND WHO MEET THE REQUIREMENTS OF SECTION 16135(2) AND
15 BOTH OF THE FOLLOWING REQUIREMENTS:

16 (i) POSSESS A BACCALAUREATE OR HIGHER DEGREE FROM A UNITED
17 STATES REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION
18 APPROVED BY THE DEPARTMENT WITH A MAJOR COURSE OF STUDY IN HUMAN
19 NUTRITION, NUTRITION EDUCATION, FOODS AND NUTRITION, DIETETICS,
20 OR FOOD SYSTEMS MANAGEMENT APPROVED BY THE DEPARTMENT. AN APPLI-
21 CANT FOR THE INITIAL BOARD WHO HAS OBTAINED HIS OR HER EDUCATION
22 OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES SHALL HAVE HIS OR
23 HER ACADEMIC DEGREE VALIDATED BY THE DEPARTMENT AS EQUIVALENT TO
24 A BACCALAUREATE OR HIGHER DEGREE CONFERRED BY A UNITED STATES
25 REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION APPROVED BY
26 THE DEPARTMENT.

1 (ii) HAVE NOT LESS THAN 900 HOURS OF SUPERVISED POSTCOLLEGE
2 OR PLANNED CONTINUOUS AND VERIFIABLE PREPROFESSIONAL EXPERIENCE
3 APPROVED BY THE DEPARTMENT.

4 SEC. 18357. THE DEPARTMENT SHALL ISSUE A REGISTRATION TO AN
5 INDIVIDUAL WHO APPLIES ON A FORM PRESCRIBED BY THE DEPARTMENT,
6 PAYS THE APPLICABLE FEES UNDER SECTION 16346, AND MEETS ALL OF
7 THE FOLLOWING REQUIREMENTS:

8 (A) POSSESSES A BACCALAUREATE DEGREE FROM A UNITED STATES
9 REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION APPROVED BY
10 THE DEPARTMENT WITH A MAJOR COURSE OF STUDY IN HUMAN NUTRITION,
11 NUTRITION EDUCATION, FOODS AND NUTRITION, DIETETICS, OR FOOD SYS-
12 TEMS MANAGEMENT, OR AN EQUIVALENT COURSE OF STUDY, AS APPROVED BY
13 THE DEPARTMENT.

14 (B) HAS NOT LESS THAN 900 HOURS OF SUPERVISED POSTCOLLEGE OR
15 PLANNED CONTINUOUS PREPROFESSIONAL EXPERIENCE AS PRESCRIBED IN
16 RULES PROMULGATED BY THE DEPARTMENT.

17 (C) PASSES AN EXAMINATION THAT IS APPROVED BY THE
18 DEPARTMENT.

19 SEC. 18359. A REGISTRATION ISSUED BY THE DEPARTMENT UNDER
20 SECTION 18357 IS RENEWABLE UPON PAYMENT OF THE PRESCRIBED REGIS-
21 TRATION RENEWAL FEE. NOTWITHSTANDING THE REQUIREMENTS OF
22 PART 161 AND BEGINNING WITH THE SECOND RENEWAL PERIOD AFTER THE
23 EFFECTIVE DATE OF THIS PART, THE BOARD MAY REQUIRE A REGISTRANT
24 SEEKING RENEWAL OF A REGISTRATION TO FURNISH THE BOARD WITH EVI-
25 DENCE THAT DURING THE 1 YEAR BEFORE AN APPLICATION FOR RENEWAL
26 THE REGISTRANT HAS ATTENDED CONTINUING EDUCATION COURSES OR
27 PROGRAMS APPROVED BY THE BOARD AND TOTALING NOT LESS THAN 12

1 CLOCK-HOURS IN SUBJECTS RELATED TO NUTRITION AND DIETETICS THAT
2 ARE DESIGNED TO FURTHER EDUCATE REGISTRANTS.

3 SEC. 18361. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL
4 THIRD-PARTY REIMBURSEMENT FOR SERVICES RENDERED BY AN INDIVIDUAL
5 REGISTERED UNDER THIS PART.