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House Bill 4325 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Representative Leslie Mortimer
House Committee: Health Policy
Senate Committee: Health Policy

CONTENT

The bill would amend Parts 170 (Medicine) and 175 (Osteopathic Medicine and Surgery) of the Public Health Code to allow needle electromyography (EMG) to be performed and nerve conduction tests to be interpreted only by a licensed physician, subject to certain exceptions.

The bill would prohibit a physician from delegating the interpretation of nerve conduction tests to another individual unless he or she were licensed to engage in the practice of medicine or osteopathic medicine and surgery, or were otherwise authorized under the bill. A physician could delegate the performance of nerve conduction tests to a licensed or unlicensed individual who was otherwise qualified by education, training, or experience, if the tests were conducted under the direct supervision of a physician.

A licensed physical therapist who was certified by the American Board of Physical Therapy Specialties as an electrophysiologic clinical specialist on the bill's effective date could perform electrodiagnostic studies that were to be interpreted by a physician, if he or she had been performing electrodiagnostic studies in Michigan on a consistent basis within the five years immediately preceding the bill's effective date. A physical therapist who was not certified and who had been performing an annual average of at least 10 electrodiagnostic studies per month in Michigan since before May 1, 2001, could continue to perform studies to be interpreted by a physician as long as he or she became certified by December 31, 2007.

A licensed podiatrist who had successfully completed additional training in the performance and interpretation of electrodiagnostic studies that was satisfactory to his or her respective board could conduct electrodiagnostic studies that were within his or her scope of practice. A licensed chiropractor who had successfully completed the additional training could conduct nerve conduction tests that were within his or her scope of practice.

The bill would define "electrodiagnostic studies" as the testing of neuromuscular functions using nerve conduction tests and needle EMG. The term would not include the use of surface EMG.

MCL 333.17001 et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill could lead to a slight, indeterminate increase in the cost of providing electromyography for Medicaid beneficiaries, State and local employees enrolled in health benefit plans, and patients in government-operated medical facilities as physicians replaced some lower-cost providers currently administering this procedure.

Date Completed: 11-10-05

Fiscal Analyst: David Fosdick