

HOUSE BILL No. 6253

June 21, 2006, Introduced by Reps. Gaffney, Hune, McConico, Vander Veen, Mortimer, Ball, Newell, Hunter, Tobocman, Virgil Smith, Cushingberry, Shaffer and Cheeks and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16181 and 16186 (MCL 333.16181 and 333.16186),
section 16181 as amended by 2004 PA 200 and section 16186 as
amended by 2004 PA 3.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16181. (1) Except as otherwise provided in subsection
2 (2), a board may grant a nonrenewable, temporary license to an
3 applicant who has completed all requirements for licensure except
4 for examination or other required evaluation procedure. A board
5 shall not grant a temporary license to an individual who has
6 previously failed the examination or other required evaluation
7 procedure or whose license has been suspended or revoked. A

1 temporary license issued pursuant to this section is valid for 18
2 months, but a board shall automatically void the temporary license
3 if the applicant fails the examination or other required evaluation
4 procedure.

5 (2) Until January 1, ~~2007~~ **2012**, the Michigan board of
6 nursing may grant a nonrenewable, temporary license to an applicant
7 for a license under this article to engage in the practice of
8 nursing as a registered professional nurse if the applicant is
9 licensed as a registered professional nurse by an equivalent
10 licensing board or authority in Canada. A temporary license issued
11 under this subsection expires on the earliest of the following:

12 (a) One year after the date of issuance.

13 (b) The date the applicant is notified that he or she failed
14 the commission on graduates of foreign nursing schools qualifying
15 examination, as approved by the department.

16 (c) The date the applicant is notified that he or she failed
17 the national council licensure examination, as approved by the
18 department.

19 (d) The date the applicant is issued a license under this
20 article to engage in the practice of nursing as a registered
21 professional nurse.

22 (3) The holder of a temporary license issued under subsection
23 (1) shall practice only under the supervision of a licensee who
24 holds a license, other than a health profession subfield license,
25 in the same health profession. The holder of a temporary license
26 issued under subsection (1) shall not be supervised by a licensee
27 who holds a limited license or temporary license.

1 (4) The department shall promptly issue a temporary license.

2 Sec. 16186. (1) An individual who is licensed to practice a
3 health profession in another state or, until January 1, ~~2007~~
4 **2012**, is licensed to practice a health profession in a province of
5 Canada, who is registered in another state, or who holds a health
6 profession specialty field license or specialty certification from
7 another state and who applies for licensure, registration,
8 specialty certification, or a health profession specialty field
9 license in this state may be granted an appropriate license or
10 registration or specialty certification or health profession
11 specialty field license upon satisfying the board or task force to
12 which the applicant applies as to all of the following:

13 (a) The applicant substantially meets the requirements of this
14 article and rules promulgated under this article for licensure,
15 registration, specialty certification, or a health profession
16 specialty field license.

17 (b) Subject to subsection (3), the applicant is licensed,
18 registered, specialty certified, or specialty licensed in another
19 state or, until January 1, ~~2007~~ **2012**, is licensed in a province
20 in Canada that maintains standards substantially equivalent to
21 those of this state.

22 (c) Subject to subsection (3), until January 1, ~~2007~~ **2012**,
23 if the applicant is licensed to practice a health profession in a
24 province in Canada, the applicant completed the educational
25 requirements in Canada or in the United States for licensure in
26 Canada or in the United States.

27 (d) Until January 1, ~~2007~~ **2012**, if the applicant is licensed

1 to practice a health profession in a province in Canada, that the
2 applicant will perform the professional services for which he or
3 she bills in this state, and that any resulting request for third
4 party reimbursement will originate from the applicant's place of
5 employment in this state.

6 (2) Before granting a license, registration, specialty
7 certification, or a health profession specialty field license to
8 the applicant, the board or task force to which the applicant
9 applies may require the applicant to appear personally before it
10 for an interview to evaluate the applicant's relevant
11 qualifications.

12 (3) For purposes of ~~the 2002 amendatory act that added this~~
13 ~~subsection~~ **PA 441**, an applicant who is licensed in a province in
14 Canada who meets the requirements of subsection (1)(c) and takes
15 and passes a national examination in this country that is approved
16 by the appropriate Michigan licensing board, or who takes and
17 passes a Canadian national examination approved by the appropriate
18 Michigan licensing board, is considered to have met the
19 requirements of subsection (1)(b). This subsection does not apply
20 if the department, in consultation with the appropriate licensing
21 board, promulgates a rule disallowing the use of this subsection
22 for an applicant licensed in a province in Canada.

23 (4) If the department receives an application for licensure
24 under part 187 from an individual who is licensed as a respiratory
25 therapist in the country of Canada, the department shall consult
26 the international reciprocity agreement executed by the national
27 board for respiratory care and the Canadian society of respiratory

- 1 therapists in effect on the effective date of the amendatory act
- 2 that added this subsection.