

# SENATE BILL No. 1245

May 4, 2006, 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 17210 and 17708 (MCL 333.17210 and 333.17708),  
section 17708 as amended by 2005 PA 85.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 17210. The board of nursing may issue a specialty  
2       certification to a registered professional nurse who has advanced  
3       training beyond that required for initial licensure and who has  
4       demonstrated competency through examination or other evaluative  
5       processes and who practices in 1 of the following health profession  
6       specialty fields: nurse midwifery, nurse anesthetist, or nurse  
7       practitioner. **A REGISTERED PROFESSIONAL NURSE WHO IS ISSUED A**  
8       **SPECIALTY CERTIFICATION UNDER THIS SECTION HAS AN ADVANCED AND**

1 SPECIALIZED SCOPE OF PRACTICE AS DESCRIBED IN THE SCOPE OF PRACTICE  
2 STATEMENTS FOR NURSE MIDWIVES, NURSE ANESTHETISTS, AND NURSE  
3 PRACTITIONERS PUBLISHED BY HIS OR HER RESPECTIVE NATIONAL  
4 CERTIFICATION BODY. ANY MODIFICATIONS IN THE SCOPE OF PRACTICE  
5 STATEMENTS ISSUED BY THE NATIONAL CERTIFICATION BODY AFTER THE  
6 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION DO NOT  
7 APPLY UNLESS APPROVED BY THE DEPARTMENT AND THE BOARD OF NURSING. A  
8 NURSE PRACTITIONER AND A NURSE MIDWIFE MAY, IN ACCORDANCE WITH  
9 APPLICABLE STATE AND FEDERAL LAWS, PRESCRIBE AND DISPENSE A  
10 PRESCRIPTION THAT IS WITHIN HIS OR HER SCOPE OF PRACTICE.

11 Sec. 17708. (1) "Preceptor" means a pharmacist approved by the  
12 board to direct the training of an intern in an approved pharmacy.

13 (2) "Prescriber" means a licensed dentist, a licensed doctor  
14 of medicine, a licensed doctor of osteopathic medicine and surgery,  
15 a licensed doctor of podiatric medicine and surgery, a licensed  
16 optometrist certified under part 174 to administer and prescribe  
17 therapeutic pharmaceutical agents, **A LICENSED REGISTERED**  
18 **PROFESSIONAL NURSE WITH A SPECIALTY CERTIFICATION ISSUED UNDER**  
19 **SECTION 17210 WHO IS A NURSE PRACTITIONER OR NURSE MIDWIFE,** a  
20 licensed veterinarian, or another licensed health professional  
21 acting under the delegation and using, recording, or otherwise  
22 indicating the name of the delegating licensed doctor of medicine  
23 or licensed doctor of osteopathic medicine and surgery.

24 (3) "Prescription" means an order for a drug or device written  
25 and signed or transmitted by other means of communication by a  
26 prescriber to be filled, compounded, or dispensed. Prescribing is  
27 limited to a prescriber. An order transmitted in other than written

1 form shall be recorded or written and immediately dated by the  
2 pharmacist, and that record constitutes the original prescription.  
3 In a health facility or agency licensed under article 17 or other  
4 medical institution, an order for a drug or device in the patient's  
5 chart constitutes for the purposes of this definition the original  
6 prescription. Subject to section 17751(2), prescription includes,  
7 but is not limited to, an order for a drug, not including a  
8 controlled substance as defined in section 7104 except under  
9 circumstances described in section 17763(e), written and signed or  
10 transmitted by other means of communication by a physician  
11 prescriber licensed to practice in a state other than Michigan.

12 (4) "Prescription drug" means 1 or more of the following:

13 (a) A drug dispensed pursuant to a prescription.

14 (b) A drug bearing the federal legend "CAUTION: federal law  
15 prohibits dispensing without prescription".

16 (c) A drug designated by the board as a drug that may only be  
17 dispensed pursuant to a prescription.

18 Enacting section 1. R 338.108b and R 338.2305 of the Michigan  
19 administrative code are rescinded.