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BILL ANALYSIS

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House Bill 4207 (Substitute H-2 as passed by the House)
Sponsor: Representative Hoon-Yung Hopgood
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 5-8-07

CONTENT

The bill would amend the Public Health Code to allow the Michigan Board of Nursing to grant a registered professional nurse license to a graduate of a nurse education program located outside the U.S. if he or she passed a Board-approved exam and met other requirements. Additionally, the bill would allow the Board to grant a license to a person who was licensed as a nurse in another state or Canada and a graduate of a program outside of the U.S. and Canada.

Under Section 16145 of the Code, only the appropriate board or task force may promulgate rules to specify requirements for licenses, registrations, renewals, examinations, and required passing scores. Under Section 16174(1)(c), an individual who is licensed or registered under the Code must have a specific education or experience in the health profession or in a health profession subfield or health profession specialty field, or training equivalent, or both, as prescribed by the Code or rules of a board necessary to promote safe and competent practice and informed consumer choice.

Under the bill, notwithstanding these sections or rules promulgated under them, the Board of Nursing could grant a license to an applicant for initial licensure as a registered professional nurse who was a graduate of a nurse education program located outside of the U.S. if he or she met the requirements of Section 16174 (described below) and satisfied each of the following conditions:

- Provided verification that the program from which he or she graduated was substantially equivalent to the nursing education programs in Michigan that are approved by Board.
- Had passed the requisite examination for licensure as a registered professional nurse, as approved by the Board.

Also, notwithstanding Sections 16145 and 16174(1)(c) or rules promulgated under them, the Board could grant a license to an applicant applying for licensure as a registered professional nurse who was licensed in another state or, until January 1, 2012, in a province of Canada, and who was a graduate of a nurse education program located outside of the U.S. and Canada if he or she met the requirements described above and provided verification of licensure or registration in each state, country, jurisdiction, territory, and province in which he or she was currently licensed or registered or had been licensed or registered. If the applicant, for at least five years immediately preceding the application, had maintained an active license or registration in another state with no disciplinary sanctions, he or she would not have to provide verification that the program from which he or she graduated was substantially equivalent to Board-approved programs.

(Section 16174 requires that a licensed or registered individual be at least 18 years old, be of good moral character, have a working knowledge of the English language, and pay the appropriate fees as prescribed in the Code. Additionally, an applicant for licensure or registration must establish that disciplinary proceedings before a board of Michigan or any other state, the U.S. military, the Federal government, or another country are not pending against him or her. If sanctions have been imposed against the applicant, he or she must establish that the sanctions are not in force at the time of application. Also, the applicant must file with the board or task force a written, signed consent to the release of information regarding a disciplinary investigation involving him or her conducted by a similar board.

Section 16174 also requires an applicant for initial licensure or registration to submit his or her fingerprints to the Michigan Department of State Police for a criminal history check, and request that the State Police forward the fingerprints to the Federal Bureau of Investigation for a national criminal history check.)

Proposed MCL 333.17213

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would likely lead to an increase in the number of individuals seeking licensure as a nurse in the State of Michigan. Costs associated with this increase in licensure requests would be largely mitigated by application and renewal fees charged by the Department of Community Health.

Giving the Board of Nursing greater latitude in granting licensure to foreign-trained nurses could provide an economic benefit to health providers by expanding the pool of available nurses who can practice at health facilities and easing the costs associated with recruiting new staff. This could lead to moderate cost savings to publicly operated health facilities.

Fiscal Analyst: David Fosdick

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.