

HOUSE BILL No. 5154

September 5, 2007, Introduced by Reps. Lemmons, Dean, Kathleen Law, Valentine, Wojno and Bieda and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17201 and 17211 (MCL 333.17201 and 333.17211), section 17211 as amended by 2006 PA 409, and by adding sections 16327a and 17245.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 16327A. FEES FOR A PERSON REGISTERED OR SEEKING**
2 **REGISTRATION AS A CERTIFIED HEMODIALYSIS TECHNICIAN UNDER PART**
3 **172 ARE AS FOLLOWS:**

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|---|-------------------------------------|----------|
| 4 | (A) APPLICATION PROCESSING FEE..... | \$ 20.00 |
| 5 | (B) REGISTRATION FEE, PER YEAR..... | \$ 75.00 |
| 6 | (C) EXAMINATION FEE..... | \$ 20.00 |

1 Sec. 17201. (1) As used in this part:

2 **(A) "CERTIFIED HEMODIALYSIS TECHNICIAN" MEANS AN INDIVIDUAL**
3 **REGISTERED UNDER THIS PART TO ASSIST IN THE DIRECT CARE OF A**
4 **PATIENT UNDERGOING HEMODIALYSIS, UNDER THE SUPERVISION AND AT THE**
5 **DIRECTION OF A REGISTERED PROFESSIONAL NURSE OR A LICENSED**
6 **PRACTICAL NURSE, ACCORDING TO RULES ADOPTED BY THE DEPARTMENT.**

7 **(B) ~~(a)~~**"Practice of nursing" means the systematic
8 application of substantial specialized knowledge and skill,
9 derived from the biological, physical, and behavioral sciences,
10 to the care, treatment, counsel, and health teaching of
11 individuals who are experiencing changes in the normal health
12 processes or who require assistance in the maintenance of health
13 and the prevention or management of illness, injury, or
14 disability.

15 **(C) ~~(b)~~**"Practice of nursing as a licensed practical nurse"
16 or "l.p.n." means the practice of nursing based on less
17 comprehensive knowledge and skill than that required of a
18 registered professional nurse and performed under the supervision
19 of a registered professional nurse, physician, or dentist.

20 **(D) ~~(c)~~**"Registered professional nurse" or "r.n." means an
21 individual licensed under this article to engage in the practice
22 of nursing which scope of practice includes the teaching,
23 direction, and supervision of less skilled personnel in the
24 performance of delegated nursing activities.

25 (2) In addition to the definitions in this part, article 1
26 contains general definitions and principles of construction
27 applicable to all articles in the code and part 161 contains

1 definitions applicable to this part.

2 Sec. 17211. (1) A person shall not engage in the practice of
3 nursing or the practice of nursing as a licensed practical nurse
4 unless licensed or otherwise authorized by this article.

5 (2) The following words, titles, or letters or a combination
6 thereof, with or without qualifying words or phrases, are
7 restricted in use only to those persons authorized under this
8 part to use the terms and in a way prescribed in this part:
9 "registered professional nurse", "registered nurse", "r.n.",
10 "licensed practical nurse", "l.p.n.", "nurse midwife", "nurse
11 anesthetist", "nurse practitioner", "trained attendant", and
12 "t.a.".

13 (3) AFTER THE RULES ARE PROMULGATED PURSUANT TO SECTION
14 17245, A PERSON SHALL NOT REPRESENT THAT HE OR SHE IS A CERTIFIED
15 HEMODIALYSIS TECHNICIAN OR USE THE TITLE "CERTIFIED HEMODIALYSIS
16 TECHNICIAN", "HEMODIALYSIS TECHNICIAN", OR AN ABBREVIATION OF
17 THAT TERM OR SIMILAR WORDS THAT WOULD INDICATE THAT HE OR SHE IS
18 A CERTIFIED HEMODIALYSIS TECHNICIAN UNLESS THE PERSON IS
19 REGISTERED IN ACCORDANCE WITH THIS ARTICLE.

20 SEC. 17245. (1) THE DEPARTMENT, IN CONSULTATION WITH THE
21 BOARD, SHALL ESTABLISH AND MAINTAIN A STATEWIDE PROGRAM FOR
22 CERTIFICATION OF HEMODIALYSIS TECHNICIANS. THE DEPARTMENT SHALL
23 MAINTAIN AS PART OF THE PROGRAM A REGISTRY OF CERTIFIED
24 HEMODIALYSIS TECHNICIANS THAT IS ACCESSIBLE TO THE PUBLIC. THE
25 DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL PROMULGATE
26 RULES TO IMPLEMENT THIS PROGRAM. THE RULES SHALL ESTABLISH THE
27 MINIMUM STANDARDS FOR REGISTRATION AS A CERTIFIED HEMODIALYSIS

1 TECHNICIAN AND THE MINIMUM CURRICULUM, EDUCATIONAL, AND TRAINING
2 STANDARDS FOR HEMODIALYSIS TRAINING PROGRAMS TO PREPARE
3 INDIVIDUALS FOR CERTIFICATION AS A HEMODIALYSIS TECHNICIAN. FOR
4 PURPOSES OF THIS SECTION, THE PROFESSIONAL STANDARDS ISSUED BY A
5 NATIONALLY RECOGNIZED TRADE ASSOCIATION FOR HEMODIALYSIS
6 TECHNICIANS MAY BE ADOPTED BY THE DEPARTMENT. THE DEPARTMENT
7 SHALL NOT PROMULGATE RULES UNDER THIS SECTION THAT DIMINISH
8 COMPETITION OR EXCEED THE MINIMUM LEVEL OF REGULATION NECESSARY
9 TO PROTECT THE PUBLIC.

10 (2) THE BOARD SHALL EVALUATE AND MAY INSPECT EACH
11 INSTITUTION OR HEALTH FACILITY OR AGENCY THAT CONDUCTS A
12 HEMODIALYSIS TECHNICIAN TRAINING PROGRAM TO ENSURE THAT THE
13 MINIMUM STANDARDS ARE BEING MET.

14 (3) THE DEPARTMENT SHALL CERTIFY AN INDIVIDUAL THAT
15 SATISFIES EACH OF THE FOLLOWING AND ANY OTHER MINIMAL STANDARDS
16 FOR REGISTRATION AS REQUIRED BY RULE:

17 (A) HAS A HIGH SCHOOL EDUCATION OR ITS EQUIVALENT.

18 (B) HAS SUCCESSFULLY COMPLETED AN APPROVED HEMODIALYSIS
19 TECHNICIAN TRAINING PROGRAM IN THIS STATE OR HAS BEEN CERTIFIED
20 BY A NATIONALLY RECOGNIZED ORGANIZATION APPROVED BY THE BOARD
21 THAT CERTIFIES HEMODIALYSIS TECHNICIANS AND PROVIDES THE
22 DEPARTMENT WITH EVIDENCE OF THAT CERTIFICATION.

23 (C) HAS SUCCESSFULLY COMPLETED AN EXAMINATION APPROVED BY
24 THE BOARD.

25 (D) COMPLETES THE APPLICATION AND SUBMITS THE REQUIRED FEE.