

# SENATE BILL No. 569

October 1, 2013, Introduced by Senator MARLEAU and referred to the Committee on Health Policy.

A bill to amend 1972 PA 284, entitled  
"Business corporation act,"  
by amending sections 282 and 284 (MCL 450.1282 and 450.1284), as  
added by 2012 PA 569.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 282. As used in this chapter:

2       (a) "Licensed person" means an individual who is duly licensed  
3 or otherwise legally authorized to practice a professional service  
4 by a court, department, board, commission, or agency of this state  
5 or another jurisdiction. The term includes an entity if all of its  
6 owners are licensed persons.

7       (b) "Professional service" means a type of personal service to  
8 the public that requires that the provider obtain a license or  
9 other legal authorization as a condition precedent to providing

that service. Professional service includes, but is not limited to, services provided by a certified or other public accountant, chiropractor, dentist, optometrist, veterinarian, osteopathic physician, physician, surgeon, podiatrist, chiropodist, ~~physician's~~ **PHYSICIAN** assistant, **ADVANCED PRACTICE REGISTERED NURSE**, **NURSE ANESTHETIST**, architect, professional engineer, land surveyor, or attorney-at-law.

Sec. 284. (1) Except as otherwise provided in subsection (2), ~~or (3),~~ **OR (4)**, if a professional corporation provides a professional service that is subject to article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838, each shareholder of the professional corporation must be licensed or legally authorized in this state to provide the same professional service.

(2) One or more individuals **WHO ARE** licensed to engage in the practice of medicine under part 170, ~~the practice of osteopathic medicine and surgery under part 175, 171,~~ or the practice of podiatric medicine and surgery under part 180, of article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838, may organize a professional corporation under this act with 1 or more other individuals who are licensed to engage in the practice of medicine under part 170, ~~the practice of osteopathic medicine and surgery under part 175, 171,~~ or the practice of podiatric medicine and surgery under part 180, of article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(3) ~~Subject to section 17048 of the public health code, 1978 PA 368, MCL 333.17048, 1 or more~~ **ONE OR MORE** individuals **WHO ARE**

1 licensed to engage in the practice of medicine, ~~under part 170, the~~  
 2 ~~practice of osteopathic medicine and surgery under part 175, or the~~  
 3 ~~practice of podiatric medicine and surgery under part 180 of~~  
 4 ~~article 15 of the public health code, 1978 PA 368, MCL 333.16101 to~~  
 5 ~~333.18838, PRACTICE AS A PHYSICIAN ASSISTANT, OR THE PRACTICE OF~~  
 6 **ADVANCED PRACTICE REGISTERED NURSING, UNDER PART 171 OF THE PUBLIC**  
 7 **HEALTH CODE, 1978 PA 368, MCL 333.17101 TO 333.17186,** may organize  
 8 a professional corporation under this act with ~~1 or more~~  
 9 ~~physician's assistants~~ **ANY OTHER INDIVIDUALS WHO ARE** licensed under  
 10 ~~article 15 of the public health code, 1978 PA 368, MCL 333.16101 to~~  
 11 ~~333.18838. Beginning July 19, 2010, 1 or more physician's~~  
 12 ~~assistants may not organize a professional corporation under this~~  
 13 ~~act that will have only physician's assistants as shareholders.~~ **PART**  
 14 **171.**

15 (4) **ONE OR MORE INDIVIDUALS WHO ARE LICENSED TO ENGAGE IN THE**  
 16 **PRACTICE OF MEDICINE UNDER PART 171 OF THE PUBLIC HEALTH CODE, 1978**  
 17 **PA 368, MCL 333.17101 TO 333.17186, MAY ORGANIZE A PROFESSIONAL**  
 18 **CORPORATION UNDER THIS ACT WITH 1 OR MORE REGISTERED PROFESSIONAL**  
 19 **NURSES WHO HOLD SPECIALTY CERTIFICATIONS IN THE FIELD OF NURSE**  
 20 **ANESTHETIST UNDER SECTION 17210 OF THE PUBLIC HEALTH CODE, 1978 PA**  
 21 **368, MCL 333.17210.**

22 (5) ~~(4)~~ A licensed person of another jurisdiction may become  
 23 an officer, agent, or employee of a professional corporation but  
 24 shall not provide any professional service in this state until the  
 25 person is licensed or otherwise legally authorized to provide the  
 26 professional service in this state.

27 Enacting section 1. This amendatory act does not take effect

1 unless Senate Bill No. 568

2 of the 97th Legislature is enacted into law.