

HOUSE BILL No. 4792

July 15, 2015, Introduced by Rep. Wittenberg and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16171 (MCL 333.16171), as amended by 1985 PA
82.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16171. Under the circumstances and subject to the
2 limitations stated in each case, the following individuals are not
3 required to have a license issued under this article for practice
4 of a health profession in this state:

5 (a) A student **WHO IS** in a health profession training program,
6 ~~which~~**THAT** has been approved by the appropriate board, while
7 performing the duties assigned in the course of training.

8 (b) An individual **WHO IS** practicing a health profession in the
9 discharge of official duties while in the military service of the

1 United States, the United States ~~public health service,~~ **PUBLIC**
2 **HEALTH SERVICE,** the United States ~~department of agriculture,~~
3 **DEPARTMENT OF AGRICULTURE,** or the United States ~~veterans~~
4 ~~administration.~~ **DEPARTMENT OF VETERANS AFFAIRS.** The institution in
5 which the individual practices shall report the name and address of
6 the individual to the appropriate board within 30 days after the
7 date of employment.

8 (c) An individual who by education, training, or experience
9 substantially meets the requirements of this article for licensure
10 while rendering medical care in a time of disaster or to an ill or
11 injured individual at the scene of an emergency.

12 (d) An individual who provides nonmedical nursing or similar
13 services in the care of the ill or suffering or an individual who
14 in good faith ministers to the ill or suffering by spiritual means
15 alone, through prayer, in the exercise of a religious freedom, and
16 who does not hold himself or herself out to be a health
17 professional.

18 (e) An individual ~~residing~~ **WHO RESIDES** in another state or
19 country and **IS** authorized to practice a health profession in that
20 state or country who, in an exceptional circumstance, is called in
21 for consultation or treatment by a health professional in this
22 state.

23 (f) An individual ~~residing~~ **WHO RESIDES** in another state or
24 country and **IS** authorized to practice a health profession in that
25 state or country, when attending meetings or conducting lectures,
26 seminars, or demonstrations under the auspices of professional
27 associations or training institutions in this state, if the

1 individual does not maintain an office or designate a place to meet
2 patients or receive calls in this state.

3 (g) An individual **WHO IS** authorized in another country to
4 practice a health profession and who is employed by the United
5 States ~~public health service~~ **PUBLIC HEALTH SERVICE** or the
6 government of another country for the exclusive use of members of
7 its merchant marine and members of its consular and diplomatic
8 corps, while caring for those members in the performance of his or
9 her official duties.

10 (h) An individual ~~residing~~ **WHO RESIDES** adjacent to the land
11 border between this state and an adjoining state ~~who~~ **AND** is
12 authorized under the laws of that state to practice a health
13 profession and whose practice may extend into this state, but who
14 does not maintain an office or designate a place to meet patients
15 or receive calls in this state.

16 (i) An individual **WHO IS** authorized to practice a health
17 profession in another state or territory of the United States ~~who~~
18 ~~has been~~ **AND WHO IS** appointed by the United States ~~olympic~~
19 ~~committee~~ **OLYMPIC COMMITTEE** to provide health services exclusively
20 to team personnel and athletes registered to train and compete at a
21 training site in this state approved by the United States ~~olympic~~
22 ~~committee~~ **OLYMPIC COMMITTEE** or at an event conducted under the
23 sanction of the United States ~~olympic committee~~. ~~The~~ **OLYMPIC**
24 **COMMITTEE. AN** exemption granted by ~~UNDER~~ this subdivision shall
25 ~~apply~~ **APPLIES** to the individual while **HE OR SHE IS** performing the
26 duties assigned in the course of the sanctioned training program or
27 event and for the time period specified by the United States

~~olympic committee.~~ OLYMPIC COMMITTEE.

(J) AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN IN ANOTHER STATE AND PROVIDES MEDICAL SERVICES FOR AN ATHLETIC TEAM, IF ALL OF THE FOLLOWING ARE MET:

(i) THE INDIVIDUAL HOLDS A CURRENT, UNRESTRICTED LICENSE TO PRACTICE MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY IN THAT OTHER STATE.

(ii) THE ATHLETIC TEAM IS LOCATED IN THE SAME STATE IN WHICH THE INDIVIDUAL IS LICENSED.

(iii) THE INDIVIDUAL PROVIDES THE MEDICAL SERVICES UNDER THE TERMS OF A WRITTEN AGREEMENT WITH THE ATHLETIC TEAM.

(iv) THE INDIVIDUAL ONLY PROVIDES THE MEDICAL SERVICES WHILE THE ATHLETIC TEAM IS TRAVELING TO OR FROM OR PARTICIPATING IN A SPORTING EVENT IN THIS STATE AND ONLY TO ANY OF THE FOLLOWING:

(A) A MEMBER OF THE ATHLETIC TEAM.

(B) A MEMBER OF THE ATHLETIC TEAM'S COACHING, COMMUNICATIONS, EQUIPMENT, OR SPORTS MEDICINE STAFF.

(C) A MEMBER OF A BAND OR CHEERLEADING SQUAD THAT IS ACCOMPANYING THE ATHLETIC TEAM.

(D) THE ATHLETIC TEAM'S MASCOT.

(v) THE INDIVIDUAL DOES NOT PROVIDE MEDICAL SERVICES AT A HEALTH CARE FACILITY OR AGENCY, AS DEFINED IN SECTION 20106, LOCATED IN THIS STATE.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.