

# HOUSE BILL No. 6111

June 6, 2018, Introduced by Reps. Griffin, Iden, Hoitenga, Bellino and Moss and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16104 and 21755 (MCL 333.16104 and 333.21755), section 16104 as amended by 2011 PA 210.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 16104. (1) "DEA registration number" means the number  
2 associated with a certificate of registration issued to a  
3 practitioner to prescribe, dispense, or administer controlled  
4 substances by the United States ~~department~~**DEPARTMENT** of justice  
5 ~~drug enforcement administration.~~**JUSTICE DRUG ENFORCEMENT**  
6 **ADMINISTRATION.**

7           (2) "Delegation" means an authorization granted by a licensee

1 to a licensed or unlicensed individual to perform selected acts,  
 2 tasks, or functions that fall within the scope of practice of the  
 3 delegator and that are not within the scope of practice of the  
 4 delegatee and that, in the absence of the authorization, would  
 5 constitute illegal practice of a licensed profession.

6 (3) "Department" means the department of licensing and  
 7 regulatory affairs.

8 (4) "Director" means the director of the department or the  
 9 director's designee.

10 (5) "Disciplinary subcommittee" means a disciplinary  
 11 subcommittee appointed under section 16216.

12 (6) "Good moral character" means good moral character as  
 13 defined **IN**, and determined under, 1974 PA 381, MCL 338.41 to  
 14 338.47.

15 Sec. 21755. The department may refuse to issue a license to  
 16 establish or maintain and operate, or both, a nursing home to an  
 17 applicant **IF ANY OF THE FOLLOWING ARE MET:**

18 (a) ~~Whose~~**AN** occupational, professional, or health agency  
 19 license ~~has been~~**HELD BY THE APPLICANT WAS** revoked during the 5  
 20 years ~~preceding~~**BEFORE** the date of application.

21 (b) ~~Whom the~~**THE** department finds **THAT THE APPLICANT** is not  
 22 suitable to operate a nursing home because of financial incapacity  
 23 or a lack of good moral character or appropriate business or  
 24 professional experience. As used in this subdivision, "good moral  
 25 character" means ~~that term as defined in Act No. 381 of the Public~~  
 26 ~~Acts of 1974, as amended, being sections 338.41 to 338.47 of the~~  
 27 ~~Michigan Compiled Laws.~~**GOOD MORAL CHARACTER AS DEFINED IN, AND**

1 **DETERMINED UNDER, 1974 PA 381, MCL 338.41 TO 338.47.**

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

4 Enacting section 2. This amendatory act does not take effect  
5 unless Senate Bill No. \_\_\_\_ or House Bill No. 6110 (request no.  
6 04601'17) of the 99th Legislature is enacted into law.