

HOUSE BILL No. 4067

January 24, 2017, Introduced by Reps. Tedder and Marino and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501), as amended by 2006 PA 161, and by adding sections 17011a and 17511a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17001. (1) As used in this part:

2 (a) "Academic institution" means either of the following:

3 (i) A medical school approved by the board.

4 (ii) A hospital licensed under article 17 that meets all of
5 the following requirements:

6 (A) Was the sole sponsor or a co-sponsor, if each other co-
7 sponsor is either a medical school approved by the board or a
8 hospital owned by the federal government and directly operated by
9 the United States ~~department~~ **DEPARTMENT** of ~~veterans' affairs,~~

1 **VETERANS AFFAIRS**, of not less than 4 postgraduate education
2 residency programs approved by the board under section 17031(1) for
3 not less than the 3 years immediately preceding the date of an
4 application for a limited license under section 16182(2)(c) or an
5 application for a full license under section 17031(2), ~~provided~~
6 ~~that~~ **IF** at least 1 of the residency programs is in the specialty
7 area of medical practice, or in a specialty area that includes the
8 subspecialty of medical practice, in which the applicant for a
9 limited license proposes to practice or in which the applicant for
10 a full license has practiced for the hospital.

11 (B) Has spent not less than \$2,000,000.00 for medical
12 education during each of the 3 years immediately preceding the date
13 of an application for a limited license under section 16182(2)(c)
14 or an application for a full license under section 17031(2). As
15 used in this ~~subparagraph~~, **SUB-SUBPARAGRAPH**, "medical education"
16 means the education of physicians and candidates for degrees or
17 licenses to become physicians, including, but not limited to,
18 physician staff, residents, interns, and medical students.

19 (b) "Electrodiagnostic studies" means the testing of
20 neuromuscular functions utilizing nerve conduction tests and needle
21 electromyography. It does not include the use of surface
22 electromyography.

23 (c) "Medical care services" means those services within the
24 scope of practice of physicians **WHO ARE** licensed **OR AUTHORIZED** by
25 the board, except those services that the board determines shall
26 not be delegated by a physician without endangering the health and
27 safety of patients as provided for in section 17048(3).

1 (d) "Physician" means an individual **WHO IS** licensed **OR**
2 **AUTHORIZED** under this article to engage in the practice of
3 medicine.

4 (e) "Podiatrist" means an individual **WHO IS** licensed under
5 this article to engage in the practice of podiatric medicine and
6 surgery.

7 (f) "Practice of medicine" means the diagnosis, treatment,
8 prevention, cure, or relieving of a human disease, ailment, defect,
9 complaint, or other physical or mental condition, by attendance,
10 advice, device, diagnostic test, or other means, or offering,
11 undertaking, attempting to do, or holding oneself out as able to
12 do, any of these acts.

13 (g) "Practice as a physician's assistant" means the practice
14 of medicine, osteopathic medicine and surgery, or podiatric
15 medicine and surgery performed under the supervision of a physician
16 or podiatrist licensed under this article.

17 (h) "Supervision" means that term as defined in section 16109,
18 except that it also includes the existence of a predetermined plan
19 for emergency situations, including, but not limited to, the
20 designation of a physician to supervise a physician's assistant in
21 the absence of the primary supervising physician.

22 (i) "Task force" means the joint task force created in section
23 17025.

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

1 SEC. 17011A. (1) AN ALLOPATHIC PHYSICIAN WHO HOLDS AN
2 EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS
3 AUTHORIZED TO ENGAGE IN THE PRACTICE OF MEDICINE UNDER THIS
4 ARTICLE.

5 (2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF
6 AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN UNDER THIS PART, AN
7 ALLOPATHIC PHYSICIAN WHO HOLDS AN EXPEDITED LICENSE UNDER THE
8 INTERSTATE MEDICAL LICENSURE COMPACT IS CONSIDERED A PHYSICIAN WHO
9 IS LICENSED UNDER THIS PART.

10 (3) AS USED IN THIS SECTION, "INTERSTATE MEDICAL LICENSURE
11 COMPACT" MEANS THE INTERSTATE MEDICAL LICENSURE COMPACT AS ENACTED
12 IN SECTION 16189.

13 Sec. 17501. (1) As used in this part:

14 (a) "Electrodiagnostic studies" means the testing of
15 neuromuscular functions utilizing nerve conduction tests and needle
16 electromyography. It does not include the use of surface
17 electromyography.

18 (b) "Medical care services" means those services within the
19 scope of practice of physicians ~~WHO ARE licensed and approved OR~~
20 **AUTHORIZED** by the board, except those services that the board
21 determines shall not be delegated by a physician without
22 endangering the health and safety of patients as provided for in
23 section 17548(3).

24 (c) "Physician" means an individual **WHO IS** licensed **OR**
25 **AUTHORIZED** under this article to engage in the practice of
26 osteopathic medicine and surgery.

27 (d) "Practice of osteopathic medicine and surgery" means a

1 separate, complete, and independent school of medicine and surgery
2 utilizing full methods of diagnosis and treatment in physical and
3 mental health and disease, including the prescription and
4 administration of drugs and biologicals, operative surgery,
5 obstetrics, radiological and other electromagnetic emissions, and
6 placing special emphasis on the interrelationship of the
7 musculoskeletal system to other body systems.

8 (e) "Practice as a physician's assistant" means the practice
9 of medicine, osteopathic medicine and surgery, and podiatric
10 medicine and surgery performed under the supervision of a physician
11 or podiatrist licensed under this article.

12 (f) "Supervision" has the meaning ascribed to it in section
13 16109 except that it includes the existence of a predetermined plan
14 for emergency situations, including, but not limited to, the
15 designation of a physician to supervise a physician's assistant in
16 the absence of the primary supervising physician.

17 (g) "Task force" means the joint task force created in section
18 17025.

19 (2) In addition to the definitions in this part, article 1
20 contains general definitions and principles of construction
21 applicable to all articles in the code and part 161 contains
22 definitions applicable to this part.

23 **SEC. 17511A. (1) AN OSTEOPATHIC PHYSICIAN WHO HOLDS AN**
24 **EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS**
25 **AUTHORIZED TO ENGAGE IN THE PRACTICE OF OSTEOPATHIC MEDICINE AND**
26 **SURGERY UNDER THIS ARTICLE.**

27 **(2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF**

1 AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN UNDER THIS PART, AN
2 OSTEOPATHIC PHYSICIAN WHO HOLDS AN EXPEDITED LICENSE UNDER THE
3 INTERSTATE MEDICAL LICENSURE COMPACT IS CONSIDERED A PHYSICIAN WHO
4 IS LICENSED UNDER THIS PART.

5 (3) AS USED IN THIS SECTION, "INTERSTATE MEDICAL LICENSURE
6 COMPACT" MEANS THE INTERSTATE MEDICAL LICENSURE COMPACT AS ENACTED
7 IN SECTION 16189.

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

10 Enacting section 2. This amendatory act does not take effect
11 unless Senate Bill No. ____ or House Bill No. 4066 (request no.
12 00354'17) of the 99th Legislature is enacted into law.