

SENATE BILL NO. 1081

September 02, 2020, Introduced by Senator WOJNO and referred to the Committee on Health Policy and Human Services.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16105 and 16106 (MCL 333.16105 and 333.16106),
as amended by 2002 PA 643.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 16105. (1) "Health occupation" means a health related
2 vocation, calling, occupation, or employment performed by an
3 individual whether or not the individual is licensed or registered
4 under this article.
5 (2) "Health profession" means a vocation, calling, occupation,

1 or employment performed by an individual acting pursuant to a
2 license or registration issued under this article.

3 (3) "Health profession specialty field" means an area of
4 practice established under this article that is within the scope of
5 activities, functions, and duties of a licensed health profession
6 and that requires advanced education and training beyond that
7 required for initial licensure.

8 (4) "Health profession specialty field license" means an
9 authorization to use a title issued to a licensee who has met
10 qualifications established by the Michigan board of dentistry for
11 registration in a health profession specialty field. An individual
12 who holds a dental specialty certification on ~~the effective date of~~
13 ~~the amendatory act that added this subsection~~ **December 23, 2002** is
14 considered to hold a health profession specialty field license in
15 that speciality and may obtain renewal of the health profession
16 specialty field license in that speciality on the expiration date
17 of the specialty certification. The health profession specialty
18 field license is not a license. ~~as that term is defined in section~~
19 ~~16106(2).~~

20 (5) "Health profession subfield" means an area of practice
21 established under this article ~~which~~ **that** is within the scope of
22 the activities, functions, and duties of a licensed health
23 profession, and requires less comprehensive knowledge and skill
24 than is required to practice the full scope of the health
25 profession.

26 Sec. 16106. (1) "Incompetence" means a departure from, or
27 failure to conform to, minimal standards of acceptable and
28 prevailing practice for a health profession, whether or not actual
29 injury to an individual occurs.

1 (2) "Invasive bodily examination" means a pelvic, vaginal,
2 rectal, or prostate examination.

3 (3) ~~(2)~~—"License", except as otherwise provided in this
4 subsection, means an authorization issued under this article to
5 practice where practice would otherwise be unlawful. License
6 includes an authorization to use a designated title which use would
7 otherwise be prohibited under this article and may be used to refer
8 to a health profession subfield license, limited license, or a
9 temporary license. For purposes of the definition of "prescriber"
10 contained in section 17708(2) only, license includes an
11 authorization issued under the laws of another state, or the
12 country of Canada to practice in that state or in the country of
13 Canada, where practice would otherwise be unlawful, and is limited
14 to a licensed doctor of medicine, a licensed doctor of osteopathic
15 medicine and surgery, or another licensed health professional
16 acting under the delegation and using, recording, or otherwise
17 indicating the name of the delegating licensed doctor of medicine
18 or licensed doctor of osteopathic medicine and surgery. License
19 does not include a health profession specialty field license.

20 (4) ~~(3)~~—"Licensee", as used in a part that regulates a
21 specific health profession, means an individual to whom a license
22 is issued under that part, and as used in this part means each
23 licensee regulated by this article.

24 (5) ~~(4)~~—"Limitation" means an action by which a board imposes
25 restrictions or conditions, or both, on a license.

26 (6) ~~(5)~~—"Limited license" means a license to which
27 restrictions or conditions, or both, as to scope of practice, place
28 of practice, supervision of practice, duration of licensed status,
29 or type or condition of patient or client served are imposed by a

1 board.

2 Enacting section 1. This amendatory act does not take effect
3 unless House Bill No. 4958 of the 100th Legislature is enacted into
4 law.