

SENATE BILL NO. 1222

November 12, 2020, Introduced by Senators BIZON and HOLLIER and referred to the Committee on Families, Seniors, and Veterans.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16103, 16181, 16303, 16323, and 20950 (MCL 333.16103, 333.16181, 333.16303, 333.16323, and 333.20950), section 16103 as amended by 1993 PA 80, section 16181 as amended by 2014 PA 148, section 16303 as added by 1988 PA 462, section 16323 as amended by 2018 PA 463, and section 20950 as amended by 2013 PA 165, and by adding section 16186a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16103. (1) "Armed Forces" means the United States Army,
2 Air Force, Navy, Marine Corps, or Coast Guard or other military
3 force designated by Congress as part of the Armed Forces of the
4 United States.

5 (2) "Board" as used in this part means each board created in
6 this article and as used in any other part covering a specific
7 health profession means the board created in that part.

8 (3) ~~(2)~~—"Certificate of licensure" means a document issued as
9 evidence of authorization to practice and use a designated title.

10 (4) ~~(3)~~—"Certificate of registration" means a document issued
11 as evidence of authorization to use a designated title.

12 (5) ~~(4)~~—"Controlled substance" means that term as defined in
13 section 7104.

14 (6) ~~(5)~~—"Conviction" means a judgment entered by a court ~~upon~~
15 on a plea of guilty, guilty but mentally ill, or nolo contendere or
16 ~~upon~~ on a jury verdict or court finding that a defendant is guilty
17 or guilty but mentally ill.

18 Sec. 16181. (1) A board may grant a nonrenewable, temporary
19 license to an applicant who has completed all requirements for
20 licensure except for examination or other required evaluation
21 procedure. A board shall not grant a temporary license to an
22 individual who has previously failed the examination or other
23 required evaluation procedure or whose license has been suspended
24 or revoked. A temporary license issued under this subsection is
25 valid for 18 months, but a board shall automatically void the
26 temporary license if the applicant fails the examination or other
27 required evaluation procedure.

28 (2) The Michigan board of nursing may grant a nonrenewable,

temporary license to an applicant for a license under part 172 to engage in the practice of nursing as a registered professional nurse if the applicant is licensed as a registered professional nurse by an equivalent licensing board or authority in another state or is licensed as a registered professional nurse by an equivalent licensing board or authority in Canada. A temporary license issued under this subsection expires on the earliest of the following:

(a) One year after the date of issuance.

(b) The date the applicant is notified that he or she failed the ~~commission on graduates of foreign nursing schools~~ **CGFNS International, Inc.**, qualifying examination, as approved by the department.

(c) The date the applicant is notified that he or she failed the ~~national council licensure examination~~, **National Council Licensure Examination**, as approved by the department.

(d) The date the applicant is issued a license under part 172 to engage in the practice of nursing as a registered professional nurse.

(e) The date the applicant is notified that he or she has failed to meet the requirements of this article and rules promulgated under this article for licensure.

(f) The date the applicant is notified that he or she has failed to complete the application process for full licensure.

(3) The holder of a temporary license issued under subsection (1) or (5) shall practice only under the supervision of a licensee who holds a license, other than a health profession subfield license, in the same health profession. The holder of a temporary license issued under subsection (1) or (5) must not be supervised

1 by a licensee who holds a limited license or temporary license.

2 (4) The department shall issue a temporary license within 48
3 hours ~~upon receiving~~ **on receipt of** proof that the applicant's
4 license issued by another state or a province in Canada is
5 currently active and in good standing.

6 (5) Beginning ~~90 days after the effective date of the~~
7 ~~amendatory act that added this subsection,~~ a board **June 11, 2014,**
8 **the department** shall grant a temporary license **or registration** to
9 an applicant who meets all of the following:

10 (a) He or she provides proof acceptable to the ~~board~~
11 **department** that he or she is ~~married to a dependent of either a~~
12 ~~member of the armed forces of the United States~~ **Armed Forces** who is
13 on active duty **or a veteran.** ~~As used in this subdivision, "armed~~
14 ~~forces" means that term as defined in section 20950.~~ **As used in this**
15 **subdivision, "dependent" and "veteran" means those terms as defined**
16 **in section 16303.**

17 (b) He or she provides proof acceptable to the ~~board~~
18 **department** that he or she holds a current license in good standing,
19 or a current registration in good standing, in that health
20 profession, issued by an equivalent licensing department, board, or
21 authority **in another state or country,** as determined by the
22 **department, in consultation with the applicable** board. ~~, in another~~
23 ~~state of the United States, the District of Columbia, Puerto Rico,~~
24 ~~the United States Virgin Islands, another territory or protectorate~~
25 ~~of the United States, or a foreign country.~~

26 ~~(c) He or she provides proof acceptable to the board that his~~
27 ~~or her spouse is assigned to a duty station in this state and that~~
28 ~~he or she is also assigned to a duty station in this state under~~
29 ~~his or her spouse's permanent change of station orders.~~

1 (c) ~~(d)~~ He or she complies with section 16174(3) so that a
2 criminal history check is conducted in the manner prescribed in
3 that section.

4 (6) A temporary license issued under subsection (5) is valid
5 for 6 months and may be renewed for 1 additional 6-month term if
6 the board determines the temporary licensee continues to meet the
7 requirements of subsection (5) and needs additional time to fulfill
8 the requirements for initial licensure under this article.

9 **Sec. 16186a. (1) Notwithstanding any other provision of this**
10 **article to the contrary, an applicant must be granted an initial**
11 **license or initial registration, without examination, if the**
12 **applicant meets all of the following:**

13 (a) Demonstrates to the satisfaction of the department that he
14 or she is 1 of the following:

15 (i) A member of the Armed Forces on active duty.

16 (ii) A veteran.

17 (iii) A dependent of either a member of the Armed Forces on
18 active duty or a veteran.

19 (b) Demonstrates to the satisfaction of the department that he
20 or she holds a current license or registration in good standing in
21 another state or country for the health profession for which the
22 applicant is seeking licensure or registration in this state and
23 the department determines that the requirements for licensure or
24 registration in the other state or country are substantially
25 equivalent to or exceed the requirements of this article and rules
26 promulgated by the department, in consultation with the applicable
27 board, under this article for licensure or registration.

28 (c) Demonstrates to the satisfaction of the department that he
29 or she is competent in the health profession for which he or she is

1 seeking licensure or registration, as demonstrated by the
2 applicant's training or experience or by another method prescribed
3 by the department, in consultation with the applicable board.

4 (d) He or she complies with section 16174(3) so that a
5 criminal history check is conducted in the manner prescribed in
6 that section.

7 (2) As used in this section, "dependent" and "veteran" mean
8 those terms as defined in section 16303.

9 Sec. 16303. (1) ~~Each~~ Except as otherwise provided in this
10 section, each application for a license or registration ~~shall~~ must
11 be accompanied by a nonrefundable application processing fee, ~~—The~~
12 and the department may also require that the application be
13 accompanied by a fee for a required examination or inspection or
14 the fee for the initial license or registration period.

15 (2) The department shall waive the fee for an initial license
16 or initial registration that is otherwise required under this
17 article, or an application processing fee charged by the department
18 for an initial license or initial registration, if the applicant
19 meets 1 of the following requirements:

20 (a) Is an individual who served in the Armed Forces and he or
21 she provides to the department a form DD214, form DD215, or any
22 other form that is satisfactory to the department that demonstrates
23 he or she was separated from that service with an honorable
24 character of service or under honorable conditions (general)
25 character of service.

26 (b) Provides proof acceptable to the department that he or she
27 is a dependent of either a member of the Armed Forces who is on
28 active duty or a veteran.

29 (3) As used in this section:

(a) "Dependent" means a spouse, surviving spouse, child who is under 26 years of age, or surviving child who is under 26 years of age.

(b) "Veteran" means that term as defined in section 1 of 1965 PA 190, MCL 35.61.

Sec. 16323. ~~(1) Except as otherwise provided in subsection (2), fees~~ **Fees** for an individual licensed or seeking licensure to practice as a dentist, dental assistant, dental hygienist, or dental therapist under part 166 are as follows:

(a) Application processing fees:

(i)	Dentist.....	\$ 20.00
(ii)	Dental assistant.....	10.00
(iii)	Dental hygienist.....	15.00
(iv)	Dental therapist.....	15.00
(v)	Health profession specialty field license for a dentist.....	20.00

(b) Examination fees:

(i)	Dental assistant's examination, complete.....	70.00
(ii)	Dental assistant's examination, per part.....	35.00
(iii)	Dental therapist.....	300.00
(iv)	Dentist's health profession specialty field license examination, complete.....	300.00
(v)	Dentist's health profession specialty field license examination, per part.....	100.00
(c)	License fees, per year:	
(i)	Dentist.....	90.00

1	(ii)	Dental assistant.....	10.00
2	(iii)	Dental hygienist.....	20.00
3	(iv)	Dental therapist.....	40.00
4	(v)	Dentist's health profession specialty	
5		field license.....	15.00
6	(d)	Temporary license fees:	
7	(i)	Dentist.....	20.00
8	(ii)	Dental assistant.....	5.00
9	(iii)	Dental hygienist.....	10.00
10	(iv)	Dental therapist.....	15.00
11	(e)	Limited license fee, per year:	
12	(i)	Dentist.....	25.00
13	(ii)	Dental assistant.....	5.00
14	(iii)	Dental hygienist.....	10.00
15	(iv)	Dental therapist.....	15.00
16	(f)	Examination review fees:	
17	(i)	Dental preclinical or dentist's health	
18		profession specialty field license.....	50.00
19	(ii)	Dental assistant.....	20.00
20	(iii)	Dental therapist.....	50.00

~~(2) The department shall waive the application processing and license fees required under subsection (1) for an initial license to engage in practice as a dental assistant if the applicant for initial licensure, while on active duty as a member of the armed forces, served as a military dental specialist and was separated from service with an honorable character of service or under honorable conditions (general) character of service in the armed forces. The applicant shall provide a form DD214, DD215, or any~~

~~other form that is satisfactory to the department to be eligible for the waiver of fees under this subsection. As used in this subsection, "armed forces" means the United States Army, Air Force, Navy, Marine Corps, or Coast Guard or other military force designated by Congress as a part of the Armed Forces of the United States.~~

Sec. 20950. (1) An individual shall not practice or advertise to practice as a medical first responder, emergency medical technician, emergency medical technician specialist, paramedic, or emergency medical services instructor-coordinator unless licensed by the department under this section.

(2) The department shall issue a license under this section only to an individual who meets all of the following requirements:

(a) Is 18 years of age or older.

(b) Meets either of the following requirements:

(i) Has successfully completed the appropriate education program approved under section 20912.

(ii) While serving as a member of the ~~armed forces~~, **Armed Forces**, served as a military health care specialist and was separated from service with an honorable character of service or under an honorable conditions (general) character of service in the 2-year period preceding the date the license application is filed. The applicant shall provide a form DD214, DD215, or any other form that is satisfactory to the department to meet the criteria established in this subparagraph. This subparagraph only applies to an applicant for a license as an emergency medical technician.

(c) Subject to subsection (3), has attained a passing score on the appropriate department prescribed examination, as follows:

(i) A medical first responder must pass the written examination

1 proctored by the department or the department's designee and a
2 practical examination approved by the department. The **instructors**
3 **of the medical first responder course shall administer the**
4 practical examination. ~~shall be administered by the instructors of~~
5 ~~the medical first responder course.~~ The department or the
6 department's designee may also proctor the practical examination.
7 The individual shall pay the fee for the written examination
8 required under this subparagraph directly to the ~~national registry~~
9 ~~of emergency medical technicians~~ **National Registry of Emergency**
10 **Medical Technicians** or other organization approved by the
11 department.

12 (ii) An emergency medical technician, emergency medical
13 technician specialist, or paramedic must pass the written
14 examination proctored by the department or the department's
15 designee and a practical examination proctored by the department or
16 the department's designee. The individual shall pay the fee for the
17 written examination required under this subparagraph directly to
18 the ~~national registry of emergency medical technicians~~ **National**
19 **Registry of Emergency Medical Technicians** or other organization
20 approved by the department.

21 (d) Meets other requirements of this part.

22 (3) The department shall require for purposes of compliance
23 with subsection (2) (c) successful passage by each first-time
24 applicant of an examination.

25 (4) The department shall issue a license as an emergency
26 medical services instructor-coordinator only to an individual who
27 meets the requirements of subsection (2) for an emergency medical
28 services instructor-coordinator and at the time of application is
29 currently licensed as a medical first responder, emergency medical

1 technician, emergency medical technician specialist, or paramedic
2 and has at least 3 years' field experience with a licensed life
3 support agency as a medical first responder, emergency medical
4 technician, emergency medical technician specialist, or paramedic.
5 The department shall provide for the development and administration
6 of an examination for emergency medical services instructor-
7 coordinators. The license ~~shall~~**must** specify the level of
8 instruction-coordination the individual is licensed to provide. An
9 emergency medical services instructor-coordinator shall not
10 instruct or coordinate emergency medical training courses at a
11 level that exceeds his or her designated level of licensure and for
12 which he or she does not have at least 3 years' field experience at
13 that level of licensure.

14 (5) Except as otherwise provided in section 20952, a license
15 under this section is effective for 3 years from the date of
16 issuance unless revoked or suspended by the department.

17 (6) Except as otherwise provided in this section, an applicant
18 for licensure under this section shall pay the following triennial
19 licensure fees:

- 20 (a) Medical first responder - no fee.
21 (b) Emergency medical technician - \$40.00.
22 (c) Emergency medical technician specialist - \$60.00.
23 (d) Paramedic - \$80.00.
24 (e) Emergency medical services instructor-coordinator -
25 \$100.00.

26 (7) If a life support agency certifies to the department that
27 an applicant for licensure under this section will act as a
28 volunteer and if the life support agency does not charge for its
29 services, the department shall not require the applicant to pay the

1 fee required under subsection (6). If the applicant ceases to meet
2 the definition of a volunteer under this part at any time during
3 the effective period of his or her license and is employed as a
4 licensee under this part, the applicant shall at that time pay the
5 fee required under subsection (6).

6 (8) The department shall waive the fee required under
7 subsection (6) for the initial license if the applicant for initial
8 licensure was separated from service with an honorable character of
9 service or under honorable conditions (general) character of
10 service in the ~~armed forces.~~ **Armed Forces.** The applicant shall
11 provide a form DD214, DD215, or any other form that is satisfactory
12 to the department to be eligible for the waiver of the fee under
13 this subsection.

14 (9) As used in this section, ~~"armed forces"~~ **"Armed Forces"**
15 means ~~that term as defined in section 2 of the veteran right to~~
16 ~~employment services act, 1994 PA 39, MCL 35.1092.~~ **that term as**
17 **defined in section 16103.**

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