

**SUBSTITUTE FOR
SENATE BILL NO. 157**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16103, 16109, 16181, 16303, 16323, and 20950
(MCL 333.16103, 333.16109, 333.16181, 333.16303, 333.16323, and
333.20950), section 16103 as amended by 1993 PA 80, section 16109
as amended by 1991 PA 58, 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, Space Force, or Coast Guard or other**
3 **military force designated by Congress as part of the Armed Forces**

1 **of the United States, including the reserve components.**

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

5 (3) ~~(2)~~—"Certificate of licensure" means a document issued as
6 evidence of authorization to practice and use a designated title.

7 (4) ~~(3)~~—"Certificate of registration" means a document issued
8 as evidence of authorization to use a designated title.

9 (5) ~~(4)~~—"Controlled substance" means that term as defined in
10 section 7104.

11 (6) ~~(5)~~—"Conviction" means a judgment entered by a court ~~upon~~
12 **on** a plea of guilty, guilty but mentally ill, or nolo contendere or
13 ~~upon~~**on** a jury verdict or court finding that a defendant is guilty
14 or guilty but mentally ill.

15 Sec. 16109. (1) "Specialty certification" means an
16 authorization to use a title by a licensee who has met
17 qualifications established by a board for registration in a health
18 profession specialty field.

19 (2) "Supervision", except as otherwise provided in this
20 article, means the overseeing of or participation in the work of
21 another individual by a health professional licensed under this
22 article in circumstances where at least all of the following
23 conditions exist:

24 (a) The continuous availability of direct communication in
25 person or by radio, telephone, or telecommunication between the
26 supervised individual and a licensed health professional.

27 (b) The availability of a licensed health professional on a
28 regularly scheduled basis to review the practice of the supervised
29 individual, to provide consultation to the supervised individual,

1 to review records, and to further educate the supervised individual
2 in the performance of the individual's functions.

3 (c) The provision by the licensed supervising health
4 professional of predetermined procedures and drug protocol.

5 (3) "Task force" means a task force created by this article.

6 (4) "Temporary license" means a license of limited duration
7 granted to an applicant who has completed all requirements for
8 licensure except an examination or other required evaluation
9 procedure.

10 (5) **"Uniformed services" means the Commissioned Corps of the**
11 **United States Public Health Service and the National Oceanic and**
12 **Atmospheric Administration Commissioned Officer Corps.**

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

23 (2) The Michigan board of nursing may grant a nonrenewable,
24 temporary license to an applicant for a license under part 172 to
25 engage in the practice of nursing as a registered professional
26 nurse if the applicant is licensed as a registered professional
27 nurse by an equivalent licensing board or authority in another
28 state or is licensed as a registered professional nurse by an
29 equivalent licensing board or authority in Canada. A temporary

1 license issued under this subsection expires on the earliest of the
2 following:

3 (a) One year after the date of issuance.

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

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

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

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

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

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

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

29 (5) Beginning ~~90 days after the effective date of the~~

~~amendatory act that added this subsection, a board~~ **June 11, 2014,**
the department shall grant a temporary license **or registration** to
 an applicant who meets all of the following:

(a) He or she provides proof acceptable to the ~~board~~
department that he or she is ~~married to a dependent of~~ a member of
 the armed forces, ~~of the United States who is on active duty. As~~
~~used in this subdivision, "armed forces" means that term as defined~~
~~in section 20950.~~ **a dependent of a member of the uniformed services,**
or a dependent of a veteran. As used in this subdivision,
"dependent" and "veteran" mean those terms as defined in section
16303.

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

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

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

(6) A temporary license issued under subsection (5) is valid
 for 6 months and may be renewed for 1 additional 6-month term if

1 the board determines the temporary licensee continues to meet the
2 requirements of subsection (5) and needs additional time to fulfill
3 the requirements for initial licensure under this article.

4 Sec. 16186a. (1) Notwithstanding any other provision of this
5 article to the contrary, an applicant must be granted an initial
6 license or initial registration, without examination, if the
7 applicant meets all of the following:

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

10 (i) A member of the armed forces or the uniformed services.

11 (ii) A veteran.

12 (iii) A dependent of a member of the armed forces, a member of
13 the uniformed services, or a veteran.

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

23 (c) Demonstrates to the satisfaction of the department that he
24 or she is competent in the health profession for which he or she is
25 seeking licensure or registration, as demonstrated by the
26 applicant's training or experience or by another method prescribed
27 by the department, in consultation with the applicable board.

28 (d) He or she complies with section 16174(3) so that a
29 criminal history check is conducted in the manner prescribed in

1 that section.

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

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

10 (2) The department shall waive the fee for an initial license
11 or initial registration that is otherwise required under this
12 article, or an application processing fee charged by the department
13 for an initial license or initial registration, if the applicant
14 meets 1 of the following requirements:

15 (a) Is actively serving in the armed forces or the uniformed
16 services.

17 (b) Is an individual who served in the armed forces or
18 uniformed services and he or she provides to the department a form
19 DD214, form DD215, or any other form that is satisfactory to the
20 department that demonstrates he or she was separated from that
21 service with an honorable character of service or under honorable
22 conditions (general) character of service.

23 (c) Provides proof acceptable to the department that he or she
24 is a dependent of a member of the armed forces, a member of the
25 uniformed services, or a veteran.

26 (3) As used in this section:

27 (a) "Dependent" means a spouse, surviving spouse, child who is
28 under 26 years of age, or surviving child who is under 26 years of
29 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
(ii)	Dental assistant.....	10.00
(iii)	Dental hygienist.....	20.00
(iv)	Dental therapist.....	40.00

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

18 ~~(2) The department shall waive the application processing and~~
19 ~~license fees required under subsection (1) for an initial license~~
20 ~~to engage in practice as a dental assistant if the applicant for~~
21 ~~initial licensure, while on active duty as a member of the armed~~
22 ~~forces, served as a military dental specialist and was separated~~
23 ~~from service with an honorable character of service or under~~
24 ~~honorable conditions (general) character of service in the armed~~
25 ~~forces. The applicant shall provide a form DD214, DD215, or any~~
26 ~~other form that is satisfactory to the department to be eligible~~
27 ~~for the waiver of fees under this subsection. As used in this~~
28 ~~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, 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 proctored by the department or the department's designee and a practical examination approved by the department. The **instructors of the medical first responder course shall administer the**

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

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

18 (d) Meets other requirements of this part.

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

22 (4) The department shall issue a license as an emergency
23 medical services instructor-coordinator only to an individual who
24 meets the requirements of subsection (2) for an emergency medical
25 services instructor-coordinator and at the time of application is
26 currently licensed as a medical first responder, emergency medical
27 technician, emergency medical technician specialist, or paramedic
28 and has at least 3 years' field experience with a licensed life
29 support agency as a medical first responder, emergency medical

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

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

14 (6) Except as otherwise provided in this section, an applicant
15 for licensure under this section shall pay the following triennial
16 licensure fees:

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

23 (7) If a life support agency certifies to the department that
24 an applicant for licensure under this section will act as a
25 volunteer and if the life support agency does not charge for its
26 services, the department shall not require the applicant to pay the
27 fee required under subsection (6). If the applicant ceases to meet
28 the definition of a volunteer under this part at any time during
29 the effective period of his or her license and is employed as a

1 licensee under this part, the applicant shall at that time pay the
2 fee required under subsection (6).

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

11 (9) As used in this section, "armed forces" means ~~that term as~~
12 ~~defined in section 2 of the veteran right to employment services~~
13 ~~act, 1994 PA 39, MCL 35.1092.~~ **that term as defined in section 16103.**

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