

# SENATE BILL NO. 759

December 01, 2021, Introduced by Senator VANDERWALL 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 16101 and 16171 (MCL 333.16101 and 333.16171), section 16171 as amended by 2016 PA 60.

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

**1**       Sec. 16101. (1) For purposes of this article, the words and  
**2** phrases defined in sections ~~16102-16103~~ to ~~16109-16109a~~ have the  
**3** meanings ascribed to them in those sections **unless the context**

1 **requires a different meaning.**

2 (2) In addition, article 1 contains general definitions and  
3 principles of construction applicable to all articles in this code.

4 Sec. 16171. Under the circumstances and subject to the  
5 limitations stated in each case, the following individuals are not  
6 required to have a license issued under this article for practice  
7 of a health profession in this state:

8 (a) A student who is in a health profession training program,  
9 that has been approved by the appropriate board, while performing  
10 the duties assigned in the course of training.

11 (b) An individual who is practicing a health profession in the  
12 discharge of official duties while in the military service of the  
13 United States, the United States Public Health Service, the United  
14 States Department of Agriculture, or the United States Department  
15 of Veterans Affairs. The institution in which the individual  
16 practices shall report the name and address of the individual to  
17 the appropriate board within 30 days after the date of employment.

18 (c) An individual who by education, training, or experience  
19 substantially meets the requirements of this article for licensure  
20 while rendering medical care in a time of disaster or to an ill or  
21 injured individual at the scene of an emergency.

22 **(d) An individual who is authorized to practice a health**  
23 **profession in another state who would otherwise meet the**  
24 **requirements of this article for licensure while rendering medical**  
25 **care during a staffing shortage that is caused by a public health**  
26 **emergency and is declared by the bureau of EMS, trauma, and**  
27 **preparedness within the department of health and human services. As**  
28 **used in this subdivision, "staffing shortage" means a shortage of**  
29 **individuals who are licensed under this article.**

1           **(e)** ~~(d)~~—An individual who provides nonmedical nursing or  
2 similar services in the care of the ill or suffering or an  
3 individual who in good faith ministers to the ill or suffering by  
4 spiritual means alone, through prayer, in the exercise of a  
5 religious freedom, and who does not hold himself or herself out to  
6 be a health professional.

7           **(f)** ~~(e)~~—An individual who resides in another state or country  
8 and is authorized to practice a health profession in that state or  
9 country who, in an exceptional circumstance, is called in for  
10 consultation or treatment by a health professional in this state.

11           **(g)** ~~(f)~~—An individual who resides in another state or country  
12 and is authorized to practice a health profession in that state or  
13 country, when attending meetings or conducting lectures, seminars,  
14 or demonstrations under the auspices of professional associations  
15 or training institutions in this state, if the individual does not  
16 maintain an office or designate a place to meet patients or receive  
17 calls in this state.

18           **(h)** ~~(g)~~—An individual who is authorized in another country to  
19 practice a health profession and who is employed by the United  
20 States Public Health Service or the government of another country  
21 for the exclusive use of members of its merchant marine and members  
22 of its consular and diplomatic corps, while caring for those  
23 members in the performance of his or her official duties.

24           **(i)** ~~(h)~~—An individual who resides adjacent to the land border  
25 between this state and an adjoining state and is authorized under  
26 the laws of that state to practice a health profession and whose  
27 practice may extend into this state, but who does not maintain an  
28 office or designate a place to meet patients or receive calls in  
29 this state.

1           **(j)** ~~(i)~~—An individual who is authorized to practice a health  
2 profession in another state ~~or territory of the United States~~ and  
3 who is appointed by the United States Olympic Committee to provide  
4 health services exclusively to team personnel and athletes  
5 registered to train and compete at a training site in this state  
6 approved by the United States Olympic Committee or at an event  
7 conducted under the sanction of the United States Olympic  
8 Committee. An exemption granted under this subdivision applies to  
9 the individual while he or she is performing the duties assigned in  
10 the course of the sanctioned training program or event and for the  
11 time period specified by the United States Olympic Committee.

12           **(k)** ~~(j)~~—An individual who is currently authorized to practice  
13 a health profession in another state and is providing health  
14 services for an athletic team, if all of the following are met:

15           *(i)* The individual provides only those health services he or  
16 she would be permitted to provide if he or she were authorized  
17 under this article to engage in that health profession in this  
18 state.

19           *(ii)* The athletic team is from the same state that authorized  
20 the individual to practice the health profession.

21           *(iii)* The individual provides the health services under the  
22 terms of a written agreement with the athletic team.

23           *(iv)* The individual only provides the health services while the  
24 athletic team is traveling to or from or participating in a  
25 sporting event in this state and only to any of the following:

26           (A) A member of the athletic team.

27           (B) A member of the athletic team's coaching, communications,  
28 equipment, or sports medicine staff.

29           (C) A member of a band or cheerleading squad that is

1 accompanying the athletic team.

2 (D) The athletic team's mascot.

3 (v) The individual does not provide health services at a  
4 health ~~care~~-facility or agency, as **that term is** defined in section  
5 20106, located in this state.