

Act No. 25
Public Acts of 2021
Approved by the Governor
June 9, 2021
Filed with the Secretary of State
June 9, 2021
EFFECTIVE DATE: September 7, 2021

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Senators Bizon and Hollier

ENROLLED SENATE BILL No. 157

AN ACT to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” 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:

Sec. 16103. (1) “Armed forces” means the United States Army, Air Force, Navy, Marine Corps, Space Force, or Coast Guard or other military force designated by Congress as part of the Armed Forces of the United States, including the reserve components.

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

(3) “Certificate of licensure” means a document issued as evidence of authorization to practice and use a designated title.

(4) “Certificate of registration” means a document issued as evidence of authorization to use a designated title.

(5) “Controlled substance” means that term as defined in section 7104.

(6) “Conviction” means a judgment entered by a court on a plea of guilty, guilty but mentally ill, or nolo contendere or on a jury verdict or court finding that a defendant is guilty or guilty but mentally ill.

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

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

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

(b) The availability of a licensed health professional on a regularly scheduled basis to review the practice of the supervised individual, to provide consultation to the supervised individual, to review records, and to further educate the supervised individual in the performance of the individual's functions.

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

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

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

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

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

(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 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, 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 by a licensee who holds a limited license or temporary license.

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

(5) Beginning 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 department that he or she is a dependent of a member of the armed forces, 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 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.

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

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

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

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

(ii) A veteran.

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

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

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

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

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

Sec. 16303. (1) Except as otherwise provided in this section, each application for a license or registration must be accompanied by a nonrefundable application processing fee, and the department may also require that the application be accompanied by a fee for a required examination or inspection or the fee for the initial license or registration period.

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

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

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

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

(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. 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
(v) Dentist's health profession specialty field license	15.00
(d) Temporary license fees:	
(i) Dentist	20.00
(ii) Dental assistant	5.00
(iii) Dental hygienist	10.00
(iv) Dental therapist	15.00
(e) Limited license fee, per year:	
(i) Dentist	25.00
(ii) Dental assistant	5.00
(iii) Dental hygienist	10.00
(iv) Dental therapist	15.00
(f) Examination review fees:	
(i) Dental preclinical or dentist's health profession specialty field license	50.00
(ii) Dental assistant	20.00
(iii) Dental therapist	50.00

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 practical examination. The department or the department's designee may also proctor the practical examination. The individual shall pay the fee for the written examination required under this subparagraph directly to the National Registry of Emergency Medical Technicians or other organization approved by the department.

(ii) An emergency medical technician, emergency medical technician specialist, or paramedic must pass the written examination proctored by the department or the department's designee and a practical examination proctored by the department or the department's designee. The individual shall pay the fee for the written examination required under this subparagraph directly to the National Registry of Emergency Medical Technicians or other organization approved by the department.

(d) Meets other requirements of this part.

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

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

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

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

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

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


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

(8) The department shall waive the fee required under subsection (6) for the initial license if the applicant for initial licensure 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 the fee under this subsection.

(9) As used in this section, "armed forces" means that term as defined in section 16103.

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

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor