

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.16186 Reciprocity; requirements; person licensed as respiratory therapist in Canada.

Sec. 16186. (1) An individual who is licensed to practice a health profession in another state or in a province of Canada, who is registered in another state, or who holds a health profession specialty field license or specialty certification from another state and who applies for licensure, registration, specialty certification, or a health profession specialty field license in this state may be granted an appropriate license or registration or specialty certification or health profession specialty field license upon satisfying the board or task force to which the applicant applies as to all of the following:

(a) The applicant substantially meets the requirements of this article and rules promulgated under this article for licensure, registration, specialty certification, or a health profession specialty field license.

(b) Subject to subsection (3), the applicant is licensed, registered, specialty certified, or specialty licensed in another state or is licensed in a province in Canada that maintains standards substantially equivalent to those of this state.

(c) Subject to subsection (3), if the applicant is licensed to practice a health profession in a province in Canada, the applicant completed the educational requirements in Canada or in the United States for licensure in Canada or in the United States.

(d) If the applicant is licensed to practice a health profession in a province in Canada, that the applicant will perform the professional services for which he or she bills in this state, and that any resulting request for third-party reimbursement will originate from the applicant's place of employment in this state.

(2) Before granting a license, registration, specialty certification, or a health profession specialty field license to the applicant, the board or task force to which the applicant applies may require the applicant to appear personally before it for an interview to evaluate the applicant's relevant qualifications.

(3) An applicant who is licensed in a province in Canada who meets the requirements of subsection (1)(c) and takes and passes a national examination in this country that is approved by the appropriate licensing board of this state, or who takes and passes a Canadian national examination approved by the appropriate licensing board of this state, is considered to have met the requirements of subsection (1)(b). This subsection does not apply if the department, in consultation with the appropriate licensing board, promulgates a rule disallowing the use of this subsection for an applicant licensed in a province in Canada who does not substantially meet the training or educational requirements expected of an applicant for the same health profession who received his or her education in the United States or who is not licensed in a province in Canada that maintains standards substantially equivalent to those of this state.

(4) If the department receives an application for licensure under part 187 from an individual who is licensed as a respiratory therapist in Canada, the department shall consult the international reciprocity agreement executed by the National Board for Respiratory Care and the Canadian Society of Respiratory Therapists in effect on July 1, 2004.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1986, Act 174, Imd. Eff. July 7, 1986;—Am. 1988, Act 81, Eff. May 1, 1988;—Am. 1993, Act 80, Eff. Apr. 1, 1994;—Am. 2002, Act 441, Imd. Eff. June 13, 2002;—Am. 2002, Act 643, Imd. Eff. Dec. 23, 2002;—Am. 2003, Act 234, Imd. Eff. Dec. 29, 2003;—Am. 2004, Act 3, Eff. July 1, 2004;—Am. 2006, Act 398, Imd. Eff. Sept. 27, 2006;—Am. 2020, Act 329, Eff. Mar. 24, 2021.

Compiler's note: Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."

Popular name: Act 368