

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.20104 Definitions; C to G.**

Sec. 20104. (1) Except as otherwise provided in part 221, "certification" means the issuance of a document by the department to a health facility or agency attesting to the fact that the health facility or agency meets both of the following:

- (a) It complies with applicable statutory and regulatory requirements and standards.
- (b) It is eligible to participate as a provider of care and services in a specific federal or state health program.
- (2) "Consumer" means a person who is not a health care provider as that term is defined in 42 USC 300jj.
- (3) "County medical care facility" means a nursing care facility, other than a hospital long-term care unit, that provides organized nursing care and medical treatment to 7 or more unrelated individuals who are suffering or recovering from illness, injury, or infirmity and that is owned by a county or counties.
- (4) "Department" means the department of licensing and regulatory affairs.
- (5) "Direct access" means access to a patient or resident or to a patient's or resident's property, financial information, medical records, treatment information, or any other identifying information.
- (6) "Director" means the director of the department.
- (7) "Freestanding birth center" means that term as defined in section 20701.
- (8) "Freestanding surgical outpatient facility" means a facility, other than the office of a physician, dentist, podiatrist, or other private practice office, offering a surgical procedure and related care that in the opinion of the attending physician can be safely performed without requiring overnight inpatient hospital care. Freestanding surgical outpatient facility does not include a surgical outpatient facility owned by and operated as part of a hospital.
- (9) "Good moral character" means that term as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1978, Act 493, Eff. Mar. 30, 1979;—Am. 2010, Act 381, Imd. Eff. Dec. 22, 2010;—Am. 2015, Act 104, Eff. Oct. 1, 2015;—Am. 2015, Act 155, Eff. Jan. 18, 2016;—Am. 2022, Act 187, Imd. Eff. July 25, 2022;—Am. 2024, Act 252, Eff. Apr. 2, 2025.

**Compiler's note:** For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.

**Popular name:** Act 368