

# HOUSE BILL No. 6184

September 23, 1998, Introduced by Rep. Richner and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 16131, 16205, and 16263 (MCL 333.16131,  
333.16205, and 333.16263), sections 16131 and 16263 as amended by  
1995 PA 126 and section 16205 as amended by 1986 PA 290, by  
adding section 16322 and part 165.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 16131. The terms of office of individual members of  
2 the boards and task forces, except those appointed to fill vacan-  
3 cies, ~~shall~~ expire 4 years after appointment as follows:

4       Nursing	June 30
5       Optometry	June 30
6       Pharmacy	June 30
7       Podiatric medicine and surgery	June 30

1	Dentistry	June 30
2	Chiropractic	December 31
3	Counseling	June 30
4	INDUSTRIAL HYGIENE	JUNE 30
5	Marriage and family therapy	June 30
6	Medicine	December 31
7	Occupational therapists	December 31
8	Osteopathic medicine and surgery	December 31
9	Physical therapy	December 31
10	Psychology	December 31
11	Sanitarians	December 31
12	Veterinary medicine	December 31

13       Sec. 16205. (1) A board ~~which~~ THAT requires evidence of  
14 attendance at educational programs as a condition to license OR  
15 REGISTRATION renewal may waive those requirements if, upon writ-  
16 ten application, the board finds the failure of the licensee OR  
17 REGISTRANT to attend was due to ~~the licensee's~~ disability, mil-  
18 itary service, absence from the continental United States, or a  
19 circumstance beyond ~~the~~ HIS OR HER control ~~of the licensee~~  
20 ~~which~~ THAT the board considers good and sufficient.

21       (2) A board may promulgate rules to establish a system of  
22 assessing the continued competence of licensees OR REGISTRANTS as  
23 a condition of periodic license OR REGISTRATION renewal.

24       Sec. 16263. (1) Except as provided in subsection (2), the  
25 following words, titles, or letters or a combination thereof,  
26 with or without qualifying words or phrases, are restricted in

1 use only to those persons authorized under this article to use  
2 the terms and in a way prescribed in this article:

3 (a) "Chiropractic", "doctor of chiropractic",  
4 "chiropractor", "d.c.", and "chiropractic physician".

5 (b) "Dentist", "doctor of dental surgery", "oral and maxil-  
6 lofacial surgeon", "orthodontist", "prosthodontist",  
7 "periodontist", "endodontist", "oral pathologist", "pediatric  
8 dentist", "dental hygienist", "registered dental hygienist",  
9 "dental assistant", "registered dental assistant", "R.D.A.",  
10 "d.d.s.", "d.m.d.", and "r.d.h.".

11 (c) "Doctor of medicine" and "m.d.".

12 (d) "Physician's assistant" and "p.a.".

13 (e) "Registered professional nurse", "registered nurse",  
14 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",  
15 "nurse anesthetist", "nurse practitioner", "trained attendant",  
16 and "t.a.".

17 (f) "Doctor of optometry", "optometrist", and "o.d.".

18 (g) "Osteopath", "osteopathy", "osteopathic practitioner",  
19 "doctor of osteopathy", "diplomate in osteopathy", and "d.o.".

20 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",  
21 "druggist", "medicine store", "prescriptions", and "r.ph.".

22 (i) "Physical therapy", "physical therapist",  
23 "physiotherapist", "registered physical therapist", "licensed  
24 physical therapist", "physical therapy technician", "p.t.",  
25 "r.p.t.", "l.p.t.", and "p.t.t.".

1 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",  
2 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot  
3 specialist", "podiatric physician and surgeon", and "d.p.m.".

4 (k) "Consulting psychologist", "psychologist",  
5 "psychological assistant", and "psychological examiner",  
6 "licensed psychologist", and "limited licensed psychologist".

7 (l) "Licensed professional counselor", "licensed counselor",  
8 "professional counselor", and "l.p.c.".

9 (m) "Sanitarian", "registered sanitarian", and "r.s.".

10 (n) "Veterinary", "veterinarian", "veterinary doctor",  
11 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",  
12 "d.v.m.", "animal technician", or "animal technologist".

13 (o) "Occupational therapist", "occupational therapist  
14 registered", "certified occupational therapist", "o.t.",  
15 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",  
16 "occupational therapy assistant", or "c.o.t.a.".

17 (p) "Marriage advisor" or "marriage consultant"; "family  
18 counselor", "family advisor", "family therapist", or "family  
19 consultant"; "family guidance counselor", "family guidance  
20 advisor", or "family guidance consultant"; "marriage guidance  
21 counselor", "marriage guidance advisor", or "marriage guidance  
22 consultant"; "family relations counselor"; "marriage relations  
23 counselor", "marriage relations advisor", or "marriage relations  
24 consultant"; "marital counselor" or "marital therapist"; "limited  
25 licensed marriage and family therapist" or "limited licensed mar-  
26 riage counselor"; "licensed marriage and family therapist" or  
27 "licensed marriage counselor"; and "l.m.f.t.".

1 (Q) "INDUSTRIAL HYGIENIST", "REGISTERED INDUSTRIAL  
2 HYGIENIST", "I.H.", OR "R.I.H.".

3 (2) Notwithstanding section 16261, a person who was spe-  
4 cially trained at an institution of higher education in this  
5 state to assist a physician in the field of orthopedics and upon  
6 completion of training, received a 2-year associate of science  
7 degree as an orthopedic physician's assistant before January 1,  
8 1977, may use the title "orthopedic physician's assistant"  
9 whether or not the person is licensed under this article.

10 SEC. 16322. FEES FOR A PERSON REGISTERED OR SEEKING REGIS-  
11 TRATION AS A REGISTERED INDUSTRIAL HYGIENIST UNDER PART 165 ARE  
12 AS FOLLOWS:

13	(A) APPLICATION PROCESSING FEE.....	\$20.00
14	(B) EXAMINATION FEE.....	\$50.00
15	(C) REGISTRATION FEE, PER YEAR.....	\$50.00

16 PART 165. INDUSTRIAL HYGIENE

17 SEC. 16501. (1) AS USED IN THIS PART:

18 (A) "INDUSTRIAL HYGIENE" MEANS THE SCIENCE AND PRACTICE  
19 DEVOTED TO THE ANTICIPATION, RECOGNITION, EVALUATION, AND CONTROL  
20 OF THOSE ENVIRONMENTAL FACTORS AND STRESSES ARISING IN OR FROM  
21 THE WORKPLACE THAT MAY CAUSE SICKNESS, IMPAIRED HEALTH AND  
22 WELL-BEING, OR SIGNIFICANT DISCOMFORT AMONG WORKERS AND MAY ALSO  
23 IMPACT THE GENERAL PUBLIC.

24 (B) "INDUSTRIAL HYGIENIST" MEANS AN INDIVIDUAL WHO IS REGIS-  
25 TERED AS AN INDUSTRIAL HYGIENIST UNDER THIS PART.

26 (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1  
27 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION

1 APPLICABLE TO ALL ARTICLES IN THE CODE, AND PART 161 CONTAINS  
2 DEFINITIONS APPLICABLE TO THIS PART.

3 SEC. 16503. THIS PART DOES NOT APPLY TO A CERTIFIED,  
4 LICENSED, OR STATUTORILY RECOGNIZED MEMBER OF ANOTHER PROFESSION  
5 WHO PRACTICES HIS OR HER PROFESSION AS AUTHORIZED BY LAW, SO LONG  
6 AS THE INDIVIDUAL DOES NOT HOLD HIMSELF OR HERSELF OUT AS AN  
7 INDUSTRIAL HYGIENIST REGISTERED UNDER THIS ARTICLE.

8 SEC. 16511. (1) SUBJECT TO SUBSECTION (2), AFTER THE EFFEC-  
9 TIVE DATE OF THE RULES PROMULGATED UNDER SECTION 16145, AN INDI-  
10 VIDUAL SHALL NOT USE THE TITLE "INDUSTRIAL HYGIENIST" OR  
11 "REGISTERED INDUSTRIAL HYGIENIST" UNLESS HE OR SHE IS REGISTERED  
12 UNDER THIS ARTICLE, AND SHALL NOT USE THE TERM "INDUSTRIAL  
13 HYGIENIST IN TRAINING" UNLESS HE OR SHE IS ENROLLED IN AN INDUS-  
14 TRIAL HYGIENIST EDUCATION OR TRAINING PROGRAM APPROVED BY THE  
15 BOARD.

16 (2) THE BOARD SHALL INCLUDE IN THE RULES PROMULGATED UNDER  
17 SECTION 16145 EDUCATIONAL REQUIREMENTS FOR REGISTRATION UNDER  
18 THIS PART INCLUDING, BUT NOT LIMITED TO, BOTH OF THE FOLLOWING  
19 REQUIREMENTS, 1 OF WHICH MUST BE MET:

20 (A) A BACCALAUREATE DEGREE OR A GRADUATE DEGREE IN INDUS-  
21 TRIAL HYGIENE, BIOLOGY, CHEMISTRY, ENGINEERING, PHYSICS, OR A  
22 CLOSELY RELATED PHYSICAL OR BIOLOGICAL SCIENCE FROM AN ACCREDITED  
23 COLLEGE OR UNIVERSITY APPROVED BY THE BOARD.

24 (B) A BACCALAUREATE DEGREE OR A GRADUATE DEGREE THAT  
25 REQUIRES NOT LESS THAN 60 SEMESTER CREDIT HOURS IN UNDERGRADUATE  
26 OR GRADUATE LEVEL COURSES, RESPECTIVELY, IN A COMBINATION OF

1 SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY, WITH NOT LESS  
2 THAN 15 OF THOSE HOURS AT THE JUNIOR, SENIOR, OR GRADUATE LEVEL.

3 SEC. 16521. THE MICHIGAN BOARD OF INDUSTRIAL HYGIENE IS  
4 CREATED IN THE DEPARTMENT AND SHALL CONSIST OF THE FOLLOWING 5  
5 VOTING MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

6 (A) THREE INDIVIDUALS WHO MEET THE REQUIREMENTS OF  
7 SECTION 16135(2).

8 (B) TWO PUBLIC MEMBERS.

9 SEC. 16523. THE BOARD SHALL ISSUE A REGISTRATION TO AN  
10 APPLICANT WHO MEETS THE REQUIREMENTS PRESCRIBED IN THE RULES  
11 PROMULGATED UNDER SECTION 16145 AND PASSES AN EXAMINATION ADOPTED  
12 AND CERTIFIED BY THE AMERICAN BOARD OF INDUSTRIAL HYGIENE AND  
13 ACCEPTED BY THE BOARD.

14 SEC. 16524. (1) IN PROMULGATING RULES THAT ESTABLISH  
15 REQUIREMENTS FOR REGISTRATION UNDER SECTION 16145, THE BOARD MAY  
16 ADOPT BY REFERENCE REQUIREMENTS SET BY THE AMERICAN BOARD OF  
17 INDUSTRIAL HYGIENE OR ITS SUCCESSOR ORGANIZATION. THE BOARD  
18 SHALL NOT PROMULGATE RULES THAT DIMINISH COMPETITION OR EXCEED  
19 THE MINIMUM LEVEL OF REGULATION NECESSARY TO PROTECT THE PUBLIC.

20 (2) FOR A PERIOD NOT TO EXCEED 2 YEARS AFTER THE EFFECTIVE  
21 DATE OF THE RULES PROMULGATED UNDER SECTION 16145 TO ESTABLISH  
22 REQUIREMENTS FOR REGISTRATION UNDER THIS PART, THE BOARD SHALL  
23 GRANT A CERTIFICATE OF REGISTRATION WITHOUT EXAMINATION TO AN  
24 INDIVIDUAL WHO HAS BEEN AN INDUSTRIAL HYGIENIST IN THIS STATE FOR  
25 A MINIMUM OF 3 OUT OF THE 5 YEARS IMMEDIATELY PRECEDING THE DATE  
26 OF THE INDIVIDUAL'S APPLICATION FOR REGISTRATION. HOWEVER, THE  
27 BOARD SHALL NOT RENEW A REGISTRATION ISSUED UNDER THIS SUBSECTION

1 UNLESS THE APPLICANT MEETS ALL OF THE REQUIREMENTS FOR  
2 REGISTRATION PRESCRIBED IN THE RULES PROMULGATED UNDER SECTION  
3 16145 AND PASSES THE EXAMINATION REQUIRED UNDER SECTION 16523.

4 SEC. 16527. (1) THE BOARD SHALL PROMULGATE RULES TO ESTAB-  
5 LISH A SYSTEM OF ASSESSING THE CONTINUED COMPETENCE OF REGIS-  
6 TRANTS AS A CONDITION OF REGISTRATION RENEWAL.

7 (2) THE BOARD SHALL REQUIRE, AT A MINIMUM, AS PART OF THE  
8 RULES PROMULGATED UNDER SUBSECTION (1), THAT EACH REGISTRANT COM-  
9 PLETE NOT LESS THAN 30 HOURS OF CONTINUING EDUCATION EACH RENEWAL  
10 PERIOD. THE BOARD SHALL ENFORCE THE CONTINUING EDUCATION  
11 REQUIREMENT OF THIS SUBSECTION BEGINNING THE SECOND RENEWAL  
12 PERIOD AFTER THE EFFECTIVE DATE OF THIS PART.