

A SUMMARY OF HOUSE BILL 4647 AS INTRODUCED 4-24-01

The bill would add a new part to the Public Health Code (Part 186, "Respiratory Care") to require respiratory therapists to be registered, to restrict various titles used by respiratory therapists, to implement application and registration fees, to incorporate standards and guidelines by reference, and to require the Department of Consumer and Industry Services to function as the professional governing board for registered respiratory therapists.

Restricted titles. The bill would restrict the titles (and initials) "respiratory therapist (professional)" ["R.T." or "R.T. (P)"], "respiratory therapist (technical)" ["R.T. (T)"], and "respiratory care practitioner" ("R.C.P.") to individuals registered under the bill as respiratory therapists. The bill also would prohibit individuals from using these titles (or similar titles or words indicating that the individual were a respiratory therapist) unless they were registered under the bill as a respiratory therapist after the rules promulgated by the Department of Consumer and Industry Services took effect.

Definitions. The bill would define "respiratory therapist" to mean an individual who was responsible for providing "respiratory care services" and who was registered under the health code as a respiratory therapist. The bill also would define "respiratory care services" to mean the provision of preventative services, diagnostic services, therapeutic services, and rehabilitative services under the prescription of a physician to an individual with a disorder, disease, or abnormality of the cardiopulmonary system, as diagnosed by a physician.

Rules promulgation: registration and renewal. The Department of Consumer and Industry Services would function as the professional and disciplinary board for registered respiratory therapists. In serving the function of a board, the department would be required to adopt a list of requirements in promulgating rules to establish requirements for registration under the Public Health Code. The department also would be required to issue registrations under the bill if the applicant had been credentialed by the National Board for Respiratory Care and had applied for registration within one year after the bill took effect. The department also would be required to prescribe, by rule, continuing education requirements as a condition for registration renewal.

More specifically, in promulgating rules to establish requirements registration as a "respiratory therapist (professional)," the bill would require the department ("in serving the function of a board") to adopt all of the following requirements:

- Successful completion of an accredited respiratory therapist training program or a full-time respiratory therapist clinical experience program approved by the department;

- Having at least a two-year associate's degree or a minimum of 62 hours of credit from an accredited college or university approved by the department; and
- Having the credential conferred by the National Board for Respiratory Care or its successor organization as a "registered respiratory therapist" or its successor credential, as approved by the department.

The department would be required to issue a registration as a "respiratory therapist (professional)" to an individual who had the credential as a registered respiratory therapist conferred by the National Board for Respiratory Care (or its predecessor organization) on or before September 1, 1970 and who applied for registration under the bill as a respiratory therapist (professional) within one year after the bill took effect.

In promulgating rules to establish requirements for registration as a "respiratory therapist (technical)," the bill would require the department to adopt both of the following requirements:

- Successful completion of an accredited respiratory therapy training program approved by the department; and
- Having the credential conferred by the by the National Board for Respiratory Care or its successor organization as a "certified respiratory therapist" or its successor credential, as approved by the department.

The department would be required to issue a registration as a "respiratory therapist (technical)" to an individual who had the credential as a certified respiratory therapy technician conferred by the National Board for Respiratory Care (or its predecessor organization) on or before July 1, 1977, and who applied for registration under the health code as a respiratory therapist (technical) within one year after the bill took effect.

Fees. The bill would establish a \$20 application processing fee and an annual \$75 registration fee for individuals registered or seeking registration as respiratory therapists.

Standards and guidelines. The bill would incorporate by reference the document "American Association for Respiratory Care Clinical Practice Guidelines" (as issued by the American Association for Respiratory Care and by the Michigan society for Respiratory Care within the Michigan State Medical Society) on or before the bill's effective date. The Department of Consumer and Industry Services would be required to use the standards and guidelines incorporated by reference under the bill for guidance in promulgating rules and in taking any other action under the bill while serving the function of a board. The bill would allow the department to amend, update, or supplement the guidelines adopted under the bill by the promulgation of a rule.

Third party reimbursement. The bill would specify that it did not require new or additional third party reimbursement or mandated worker's compensation benefits for services rendered by someone registered as a respiratory therapist under the bill.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.