

# SENATE BILL No. 597

October 3, 2013, Introduced by Senators WARREN, PROOS, ANDERSON, JANSEN, ROBERTSON, NOFS, JONES, PAPPAGEORGE, SCHUITMAKER, BIEDA, HOPGOOD, ANANICH, CASPERSON, MOOLENAAR, BRANDENBURG, MARLEAU, ROCCA, MEEKHOF, CASWELL, HANSEN, BOOHER, COLBECK, YOUNG, HILDENBRAND, RICHARDVILLE, KAHN and EMMONS and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16148 and 17060 (MCL 333.16148 and 333.17060), section 16148 as amended by 1995 PA 115 and section 17060 as amended by 1990 PA 247.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 16148. (1) Except as provided in section 17060, only a  
2 board may promulgate rules to establish standards for the education  
3 and training of individuals to be licensed or registered, or whose  
4 licenses or registrations are to be renewed, for the purposes of  
5 determining whether graduates of a training program have the  
6 knowledge and skills requisite for practice of a health profession  
7 or use of a title. **THE RULES SHALL INCLUDE TRAINING STANDARDS FOR**  
8 **RECOGNIZING AND REPORTING SIGNS OF HUMAN TRAFFICKING.**

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1           (2) Except as provided in section 17060 and subject to  
2 subsection (6), only a board may accredit training programs in  
3 hospitals, schools, colleges, universities, and institutions  
4 offering training programs meeting educational standards and may  
5 deny or withdraw accreditation of training programs for failure to  
6 meet established standards. A hospital, school, college,  
7 university, or institution that has its program accreditation  
8 withdrawn shall have an opportunity for a hearing.

9           (3) An action or decision of a board pursuant to subsection  
10 (1) or (2) relating to a specific health profession subfield shall  
11 be made only after consultation with the task force in the affected  
12 health profession subfield and with at least 1 of the affected  
13 health profession subfield board members present.

14           (4) A member of a licensing board from the health profession  
15 subfield shall vote as an equal member in all matters except those  
16 issues designated in subsections (1) and (2) that are outside the  
17 health profession subfield.

18           (5) A decision of a board on standards for the education and  
19 training of individuals or the accreditation of a training program  
20 under subsection (1) or (2) shall be concurred in by a majority of  
21 the board members who are not health profession subfield licensees  
22 if the decision relates solely to licenses that are not health  
23 profession subfield licenses.

24           (6) The requirement of rule 305(2)(b)(iii), being R 338.10305 of  
25 the Michigan administrative code, that each member of the nursing  
26 faculty in a program of nursing education for registered nurses who  
27 provides instruction in the clinical laboratory or cooperating

1 agencies hold a baccalaureate degree in nursing science does not  
2 apply to a member of the nursing faculty described in this  
3 subsection who meets both of the following requirements:

4 (a) Was employed by or under contract to a program of nursing  
5 education on or before September 1, 1989.

6 (b) Is employed by or under contract to a program of nursing  
7 education on ~~the effective date of the amendatory act that added~~  
8 ~~this subsection.~~ **JUNE 29, 1995.**

9 (7) The requirement of rule 305(2)(c)(ii), being R 338.10305 of  
10 the Michigan administrative code, that each member of the nursing  
11 faculty in a program of nursing education for licensed practical  
12 nurses hold a baccalaureate degree in nursing science does not  
13 apply to a member of the nursing faculty described in this  
14 subsection who meets both of the following requirements:

15 (a) Was employed by or under contract to a program of nursing  
16 education on or before September 1, 1989.

17 (b) Is employed by or under contract to a program of nursing  
18 education on ~~the effective date of the amendatory act that added~~  
19 ~~this subsection.~~ **JUNE 29, 1995.**

20 Sec. 17060. The task force shall:

21 (a) Promulgate rules necessary for the implementation of its  
22 powers and duties and may perform the acts and make the  
23 determinations necessary for the proper implementations of those  
24 powers and duties.

25 (b) Promulgate rules to establish the requirements for the  
26 education, training, or experience of physician's assistants for  
27 licensure in this state. The requirements shall take into account

1 nationally recognized standards for education, training, and  
2 experience and the desired utilization of physician's assistants.

3 **THE RULES SHALL INCLUDE TRAINING STANDARDS FOR RECOGNIZING AND**  
4 **REPORTING SIGNS OF HUMAN TRAFFICKING.**

5 (c) Develop and make public guidelines on the appropriate  
6 delegation of functions to and supervision of physician's  
7 assistants according to the level of education, training, or  
8 experience of physician's assistants. The guidelines are not  
9 binding, but shall serve to explain how the task force's training  
10 criteria coincides with the board's expectation for delegation to  
11 and supervision of physician's assistants by physicians.

12 (d) Direct the department to issue licenses to applicants who  
13 meet the requirements of this part and the rules promulgated under  
14 this part for practice and use of the title of physician's  
15 assistant.

16 (e) Promulgate rules to establish criteria for the evaluation  
17 of programs for the education and training of physician's  
18 assistants for the purpose of determining whether graduates of the  
19 programs have the knowledge and skills requisite for practice and  
20 use of the title physician's assistant in this state as defined by  
21 this part and the rules promulgated under this part. The criteria  
22 established shall be substantially consistent with nationally  
23 recognized standards for the education and training of physician's  
24 assistants. Until the criteria are established, the criteria  
25 developed by the advisory commission on physician's assistants  
26 shall remain in effect. The task force shall consider and may use  
27 where appropriate the criteria established by professional

1 associations, education accrediting bodies, or governmental  
2 agencies. In establishing criteria for the evaluation of education  
3 and training programs, the task force may seek the advice of the  
4 boards and the department of education.

5 (f) Make written recommendations to the boards concerning the  
6 rules to be developed for approval by the boards of physicians to  
7 supervise physician's assistants, including recommendations for  
8 appropriate utilization of physician's assistants by level of  
9 preparation where appropriate.

10 (g) File an annual report with the department and the boards  
11 containing matters prescribed by the department and boards.