

HOUSE BILL No. 4582

May 12, 2015, Introduced by Rep. Tedder and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501),
as amended by 2006 PA 161, and by adding sections 17011a and
17511a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 17001. (1) As used in this part:
- 2 (a) "Academic institution" means either of the following:
- 3 (i) A medical school approved by the board.
- 4 (ii) A hospital licensed under article 17 that meets all of
- 5 the following requirements:
- 6 (A) Was the sole sponsor or a co-sponsor, if each other co-
- 7 sponsor is either a medical school approved by the board or a
- 8 hospital owned by the federal government and directly operated by

1 the United States department of veterans' affairs, of not less than
2 4 postgraduate education residency programs approved by the board
3 under section 17031(1) for not less than the 3 years immediately
4 preceding the date of an application for a limited license under
5 section 16182(2)(c) or an application for a full license under
6 section 17031(2), provided that at least 1 of the residency
7 programs is in the specialty area of medical practice, or in a
8 specialty area that includes the subspecialty of medical practice,
9 in which the applicant for a limited license proposes to practice
10 or in which the applicant for a full license has practiced for the
11 hospital.

12 (B) Has spent not less than \$2,000,000.00 for medical
13 education during each of the 3 years immediately preceding the date
14 of an application for a limited license under section 16182(2)(c)
15 or an application for a full license under section 17031(2). As
16 used in this subparagraph, "medical education" means the education
17 of physicians and candidates for degrees or licenses to become
18 physicians, including, but not limited to, physician staff,
19 residents, interns, and medical students.

20 (b) "Electrodiagnostic studies" means the testing of
21 neuromuscular functions utilizing nerve conduction tests and needle
22 electromyography. It does not include the use of surface
23 electromyography.

24 (c) "Medical care services" means those services within the
25 scope of practice of physicians **WHO ARE** licensed **OR AUTHORIZED** by
26 the board, except those services that the board determines shall
27 not be delegated by a physician without endangering the health and

1 safety of patients as provided for in section 17048(3).

2 (d) "Physician" means an individual **WHO IS** licensed **OR**
3 **AUTHORIZED** under this article to engage in the practice of
4 medicine.

5 (e) "Podiatrist" means an individual **WHO IS** licensed under
6 this article to engage in the practice of podiatric medicine and
7 surgery.

8 (f) "Practice of medicine" means the diagnosis, treatment,
9 prevention, cure, or relieving of a human disease, ailment, defect,
10 complaint, or other physical or mental condition, by attendance,
11 advice, device, diagnostic test, or other means, or offering,
12 undertaking, attempting to do, or holding oneself out as able to
13 do, any of these acts.

14 (g) "Practice as a physician's assistant" means the practice
15 of medicine, osteopathic medicine and surgery, or podiatric
16 medicine and surgery performed under the supervision of a physician
17 or podiatrist licensed under this article.

18 (h) "Supervision" means that term as defined in section 16109,
19 except that it also includes the existence of a predetermined plan
20 for emergency situations, including, but not limited to, the
21 designation of a physician to supervise a physician's assistant in
22 the absence of the primary supervising physician.

23 (i) "Task force" means the joint task force created in section
24 17025.

25 (2) In addition to the definitions in this part, article 1
26 contains definitions and principles of construction applicable to
27 all articles in this code and part 161 contains definitions

1 applicable to this part.

2 SEC. 17011A. (1) AN ALLOPATHIC PHYSICIAN WHO HOLDS AN
3 EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS
4 AUTHORIZED TO ENGAGE IN THE PRACTICE OF MEDICINE UNDER THIS
5 ARTICLE.

6 (2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF
7 AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN UNDER THIS PART, AN
8 ALLOPATHIC PHYSICIAN WHO HOLDS AN EXPEDITED LICENSE UNDER THE
9 INTERSTATE MEDICAL LICENSURE COMPACT IS CONSIDERED A PHYSICIAN WHO
10 IS LICENSED UNDER THIS PART.

11 (3) AS USED IN THIS SECTION, "INTERSTATE MEDICAL LICENSURE
12 COMPACT" MEANS THE INTERSTATE MEDICAL LICENSURE COMPACT AS ENACTED
13 IN SECTION 16189.

14 Sec. 17501. (1) As used in this part:

15 (a) "Electrodiagnostic studies" means the testing of
16 neuromuscular functions utilizing nerve conduction tests and needle
17 electromyography. It does not include the use of surface
18 electromyography.

19 (b) "Medical care services" means those services within the
20 scope of practice of physicians **WHO ARE** licensed ~~and approved~~ **OR**
21 **AUTHORIZED** by the board, except those services that the board
22 determines shall not be delegated by a physician without
23 endangering the health and safety of patients as provided for in
24 section 17548(3).

25 (c) "Physician" means an individual **WHO IS** licensed **OR**
26 **AUTHORIZED** under this article to engage in the practice of
27 osteopathic medicine and surgery.

1 (d) "Practice of osteopathic medicine and surgery" means a
2 separate, complete, and independent school of medicine and surgery
3 utilizing full methods of diagnosis and treatment in physical and
4 mental health and disease, including the prescription and
5 administration of drugs and biologicals, operative surgery,
6 obstetrics, radiological and other electromagnetic emissions, and
7 placing special emphasis on the interrelationship of the
8 musculoskeletal system to other body systems.

9 (e) "Practice as a physician's assistant" means the practice
10 of medicine, osteopathic medicine and surgery, and podiatric
11 medicine and surgery performed under the supervision of a physician
12 or podiatrist licensed under this article.

13 (f) "Supervision" has the meaning ascribed to it in section
14 16109 except that it includes the existence of a predetermined plan
15 for emergency situations, including, but not limited to, the
16 designation of a physician to supervise a physician's assistant in
17 the absence of the primary supervising physician.

18 (g) "Task force" means the joint task force created in section
19 17025.

20 (2) In addition to the definitions in this part, article 1
21 contains general definitions and principles of construction
22 applicable to all articles in the code and part 161 contains
23 definitions applicable to this part.

24 **SEC. 17511A. (1) AN OSTEOPATHIC PHYSICIAN WHO HOLDS AN**
25 **EXPEDITED LICENSE UNDER THE INTERSTATE MEDICAL LICENSURE COMPACT IS**
26 **AUTHORIZED TO ENGAGE IN THE PRACTICE OF OSTEOPATHIC MEDICINE AND**
27 **SURGERY UNDER THIS ARTICLE.**

1 (2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF
2 AN INDIVIDUAL WHO IS LICENSED AS A PHYSICIAN UNDER THIS PART, AN
3 OSTEOPATHIC PHYSICIAN WHO HOLDS AN EXPEDITED LICENSE UNDER THE
4 INTERSTATE MEDICAL LICENSURE COMPACT IS CONSIDERED A PHYSICIAN WHO
5 IS LICENSED UNDER THIS PART.

6 (3) AS USED IN THIS SECTION, "INTERSTATE MEDICAL LICENSURE
7 COMPACT" MEANS THE INTERSTATE MEDICAL LICENSURE COMPACT AS ENACTED
8 IN SECTION 16189.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.

11 Enacting section 2. This amendatory act does not take effect
12 unless Senate Bill No. ____ or House Bill No. ____ (request no.
13 01740'15) of the 98th Legislature is enacted into law.