

SUBSTITUTE FOR
HOUSE BILL NO. 4355

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16101 and 16171 (MCL 333.16101 and 333.16171),
section 16171 as amended by 2016 PA 60.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16101. (1) For purposes of this article, the words and
2 phrases defined in sections ~~16102 to 16109~~ **16103 to 16109a** have the
3 meanings ascribed to them in those sections **unless the context**
4 **requires a different meaning.**

5 (2) In addition, article 1 contains general definitions and
6 principles of construction applicable to all articles in this code.

7 Sec. 16171. Under the circumstances and subject to the
8 limitations stated in each case, the following individuals are not

1 required to have a license issued under this article for practice
2 of a health profession in this state:

3 (a) A student who is in a health profession training program,
4 that has been approved by the appropriate board, while performing
5 the duties assigned in the course of training.

6 (b) An individual who is practicing a health profession in the
7 discharge of official duties while in the military service of the
8 United States, the United States Public Health Service, the United
9 States Department of Agriculture, or the United States Department
10 of Veterans Affairs. The institution in which the individual
11 practices shall report the name and address of the individual to
12 the appropriate board within 30 days after the date of employment.

13 (c) An individual who by education, training, or experience
14 substantially meets the requirements of this article for licensure
15 while rendering medical care in a time of disaster or to an ill or
16 injured individual at the scene of an emergency.

17 (d) An individual who provides nonmedical nursing or similar
18 services in the care of the ill or suffering or an individual who
19 in good faith ministers to the ill or suffering by spiritual means
20 alone, through prayer, in the exercise of a religious freedom, and
21 who does not hold himself or herself out to be a health
22 professional.

23 (e) An individual who resides in another state or country and
24 is authorized to practice a health profession in that state or
25 country who, in an exceptional circumstance, is called in for
26 consultation or treatment by a health professional in this state.

27 (f) An individual who resides in another state or country and
28 is authorized to practice a health profession in that state or
29 country, when attending meetings or conducting lectures, seminars,

1 or demonstrations under the auspices of professional associations
2 or training institutions in this state, if the individual does not
3 maintain an office or designate a place to meet patients or receive
4 calls in this state.

5 (g) An individual who is authorized in another country to
6 practice a health profession and who is employed by the United
7 States Public Health Service or the government of another country
8 for the exclusive use of members of its merchant marine and members
9 of its consular and diplomatic corps, while caring for those
10 members in the performance of his or her official duties.

11 (h) An individual who resides adjacent to the land border
12 between this state and an adjoining state and is authorized under
13 the laws of that state to practice a health profession and whose
14 practice may extend into this state, but who does not maintain an
15 office or designate a place to meet patients or receive calls in
16 this state.

17 (i) An individual who is authorized to practice a health
18 profession in another state ~~or territory of the United States~~ and
19 who is appointed by the United States Olympic Committee to provide
20 health services exclusively to team personnel and athletes
21 registered to train and compete at a training site in this state
22 approved by the United States Olympic Committee or at an event
23 conducted under the sanction of the United States Olympic
24 Committee. An exemption granted under this subdivision applies to
25 the individual while he or she is performing the duties assigned in
26 the course of the sanctioned training program or event and for the
27 time period specified by the United States Olympic Committee.

28 (j) An individual who is currently authorized to practice a
29 health profession in another state and is providing health services

1 for an athletic team, if all of the following are met:

2 (i) The individual provides only those health services he or
3 she would be permitted to provide if he or she were authorized
4 under this article to engage in that health profession in this
5 state.

6 (ii) The athletic team is from the same state that authorized
7 the individual to practice the health profession.

8 (iii) The individual provides the health services under the
9 terms of a written agreement with the athletic team.

10 (iv) The individual only provides the health services while the
11 athletic team is traveling to or from or participating in a
12 sporting event in this state and only to any of the following:

13 (A) A member of the athletic team.

14 (B) A member of the athletic team's coaching, communications,
15 equipment, or sports medicine staff.

16 (C) A member of a band or cheerleading squad that is
17 accompanying the athletic team.

18 (D) The athletic team's mascot.

19 (v) The individual does not provide health services at a
20 health ~~care~~-facility or agency, as defined in section 20106,
21 located in this state.

22 **(k) An individual who is authorized to practice a health**
23 **profession in another state and who, while located in the state in**
24 **which he or she is authorized to practice the health profession,**
25 **provides a health service to a patient in this state through**
26 **telehealth as that term is defined in section 16283, if all of the**
27 **following are met:**

28 (i) The individual receives consent for the health service in
29 the same manner as provided in section 16284.

1 (ii) The individual provides only those health services he or
2 she would be permitted to provide if he or she were authorized
3 under this article to engage in that health profession in this
4 state.

5 (iii) Before providing the health service to the patient, the
6 individual provides the patient with a hyperlink to or website
7 address for the individual's authorization to practice the health
8 profession in the other state. The hyperlink or website address
9 described in this subparagraph must be to the website of the
10 licensing department, board, or other authority of the state in
11 which the individual is authorized to practice.