

**SUBSTITUTE FOR
SENATE BILL NO. 825**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 2701, 2705, 2709, and 2723 (MCL 333.2701,
333.2705, 333.2709, and 333.2723), section 2701 as amended by 2022
PA 38, section 2705 as amended by 2022 PA 37, section 2709 as added
by 1990 PA 16, and section 2723 as amended by 2014 PA 173.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2701. As used in this part:

2 (a) "Board certified" means certified to practice in a
3 particular medical specialty by a national board recognized by the
4 American Board of Medical Specialties or the American Osteopathic
5 Association.

6 (b) "Certified nurse midwife" means an individual who is

1 licensed as a registered professional nurse under part 172 who has
2 been granted a specialty certification in the practice of nurse
3 midwifery by the Michigan board of nursing under section 17210.

4 (c) "Certified nurse practitioner" means an individual who is
5 licensed as a registered professional nurse under part 172 who has
6 been granted a specialty certification as a nurse practitioner by
7 the Michigan board of nursing under section 17210.

8 (d) "Clinical nurse specialist-certified" means an individual
9 who is licensed as a registered professional nurse under part 172
10 who has been granted a specialty certification as a clinical nurse
11 specialist by the Michigan board of nursing under section 17210.

12 (e) "Dental school" means an accredited program for the
13 training of individuals to become dentists.

14 (f) "Dentist" means an individual who is licensed to engage in
15 the practice of dentistry under part 166.

16 (g) "Designated advanced practice registered nurse" means a
17 certified nurse midwife, certified nurse practitioner, or clinical
18 nurse specialist-certified.

19 (h) "Designated mental health professional" means an
20 individual who is qualified in the area of mental illness or
21 developmental disabilities and who is 1 of the following:

22 (i) A nurse.

23 (ii) A psychologist.

24 (iii) A licensed master's social worker.

25 (iv) A licensed professional counselor.

26 (v) A marriage and family therapist.

27 (i) "Designated physician" means a physician qualified in 1 of
28 the physician specialty areas identified in section 2711.

29 (j) "Designated professional" means a designated physician,

1 designated advanced practice registered nurse, dentist, physician's
2 assistant, ~~or~~ designated mental health professional, **or midwife.**

3 (k) "Health resource shortage area" means a geographic area,
4 population group, or health facility designated by the department
5 under section 2717.

6 (l) "Licensed master's social worker" means an individual who
7 is licensed under part 185 to engage in the practice of social work
8 at the master's level.

9 (m) "Licensed professional counselor" means an individual who
10 is licensed under part 181 to engage in the practice of counseling
11 without supervision.

12 (n) "Marriage and family therapist" means an individual who is
13 licensed under part 169 to engage in the practice of marriage and
14 family therapy.

15 (o) "Medicaid" means benefits under the program of medical
16 assistance established under title XIX of the social security act,
17 42 USC 1396 to ~~1396w-6, 1396w-8~~, and administered by the department
18 under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

19 (p) "Medical school" means an accredited program for the
20 training of individuals to become physicians.

21 (q) "Medicare" means benefits under the federal Medicare
22 program established under title XVIII of the social security act,
23 42 USC 1395 to 1395III.

24 (r) "Mental health professional program" means an accredited
25 program for the training of individuals to become a designated
26 mental health professional.

27 (s) **"Midwife" means an individual who is licensed under part**
28 **171 to engage in the practice of midwifery.**

29 (t) **"Midwifery program" means an accredited program for the**

1 **training of individuals to become midwives.**

2 (u) ~~(s)~~—"National Health Service Corps" means the agency
3 established under 42 USC 254d.

4 (v) ~~(t)~~—"Nurse" means an individual who is licensed to engage
5 in the practice of nursing under part 172.

6 (w) ~~(u)~~—"Nursing program" means an accredited program for the
7 training of individuals to become nurses.

8 (x) ~~(v)~~—"Physician" means an individual who is licensed as a
9 physician under part 170 or part 175.

10 (y) ~~(w)~~—"Physician's assistant" means an individual who is
11 licensed as a physician's assistant under part 170 or part 175.

12 (z) ~~(x)~~—"Physician's assistant program" means an accredited
13 program for the training of individuals to become physician's
14 assistants.

15 (aa) ~~(y)~~—"Psychologist" means an individual licensed to engage
16 in the practice of psychology under part 182.

17 (bb) ~~(z)~~—"Service obligation" means the contractual obligation
18 undertaken by an individual under section 2705 or section 2707 to
19 provide health care services for a determinable time period at a
20 site designated by the department.

21 Sec. 2705. (1) The department shall administer an essential
22 health provider repayment program for designated professionals who
23 have incurred a debt or expenses as a result of a loan taken to
24 attend a medical school, dental school, mental health professional
25 program, nursing program for the training of certified nurse
26 midwives, certified nurse practitioners, or clinical nurse
27 specialists-certified, ~~or midwifery program, or~~ physician's
28 assistant program or as a result of providing services in a health
29 resource shortage area. The department may each year repay all or

1 part of a designated professional's debt or expenses, but the
2 amount repaid in any 1 year ~~shall~~**must** not exceed the amount
3 described in subsection (3). The department shall repay a debt or
4 expenses only for a designated professional who has entered into a
5 written contract with the department that requires the designated
6 professional to engage in the full-time practice of health care
7 services in a health resource shortage area to which ~~he or she~~**the**
8 **designated professional** is assigned by the department for a period
9 equal in years to the number of years for which the department has
10 agreed in the contract to make a debt or expense repayment, or for
11 a period of 2 years, whichever is greater.

12 (2) A debt or expense repayment on behalf of a designated
13 professional under subsection (1) for fulfilling a service
14 obligation for a particular year must be paid in a lump sum at the
15 completion of the service obligation for that year. A designated
16 professional who does not fulfill a service obligation for a
17 particular year forfeits ~~his or her~~**the** right to the debt or
18 expense repayment or any part of it for that year and the
19 department may treat an agreement for further debt or expense
20 repayment in a subsequent year as void. In its sole discretion, the
21 department may make a debt or expense repayment before or during
22 each year of service if there are extenuating circumstances. In its
23 sole discretion, the department may pay a pro rata amount of an
24 agreed debt or expense repayment to a designated professional or
25 ~~his or her~~**the designated professional's** estate if 1 of the
26 following occurs before the completion of the designated
27 professional's service obligation:

28 (a) The designated professional dies.

29 (b) The designated professional is unable, by reason of

1 permanent disability, to render the service.

2 (c) Other circumstances prevail that are considered by the
3 department to constitute a compelling reason to consider the
4 service obligation fulfilled.

5 (3) In any year of a debt or expense repayment program, the
6 maximum amount of a debt or expense repayment is \$40,000.00 per
7 year. The maximum amount of debt or expense repayment the
8 department may pay on behalf of a designated professional is
9 \$300,000.00, paid over a period of 10 years or more. The written
10 contract described in subsection (1) must include the amount the
11 department shall pay on behalf of a designated professional and the
12 amount payable for each year of service.

13 (4) The department may accept funds from any source for the
14 operation of the essential health provider repayment program, and
15 the department shall distribute those funds in a manner consistent
16 with this section.

17 (5) The department shall give the essential health provider
18 repayment program created by this section priority over the other
19 programs created under this part.

20 Sec. 2709. ~~The department may cooperate with a certified nurse~~
21 ~~midwifery service to~~ **To** support the placement of certified nurse
22 midwives **or midwives** in health resource shortage areas, **the**
23 **department may cooperate with any of the following:**

24 (a) **A certified nurse midwifery service.**

25 (b) **An association representing midwives or certified nurse**
26 **midwives from this state.**

27 (c) **An association representing midwives and certified nurse**
28 **midwives from this state, who attend births in homes and in**
29 **freestanding birth centers licensed under article 17.**

1 Sec. 2723. (1) The department may promulgate rules necessary
2 for the implementation of the department's functions under this
3 part.

4 (2) The department shall report biennially to the house and
5 senate appropriations subcommittees on the department of ~~community~~
6 health **and human services**, the house and senate fiscal agencies,
7 the governor, ~~the state health planning council,~~ and the public
8 health advisory council on the status of the Michigan essential
9 health provider recruitment strategy for the preceding 2 years. In
10 addition to the status report, the report ~~shall~~ **must** include, but
11 not be limited to, all of the following:

12 (a) Review of state and federal legislation, rules,
13 guidelines, and policy directives affecting the health personnel of
14 health resource shortage areas.

15 (b) Recommendations concerning physician specialty areas or
16 other health professions for inclusion in the Michigan essential
17 health provider recruitment strategy based upon a determination of
18 the need for various types of health care providers in this state.

19 (c) An assessment of whether the amount of debt or expense
20 repayment an individual may receive under section 2705(3) is
21 sufficient to facilitate the placement and retention of designated
22 professionals in health resource shortage areas, or whether that
23 maximum amount should be adjusted to reflect changes in tuition
24 costs for students enrolled in medical schools, dental schools,
25 nursing programs, ~~or~~ physician's assistant programs, **or midwifery**
26 **programs.**

27 (d) An analysis of the return on investment and effectiveness
28 of the grant program under section 2707 and the essential health
29 provider repayment program under section 2705.