

# HOUSE BILL NO. 5295

November 02, 2023, Introduced by Reps. Bezotte, Wozniak, BeGole and Bruck and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7303a, 16325, 16331, 17001, 17011, 17501, and 17511 (MCL 333.7303a, 333.16325, 333.16331, 333.17001, 333.17011, 333.17501, and 333.17511), section 7303a as amended by 2019 PA 43, sections 16325 and 16331 as added by 1993 PA 80, section 17001 as amended by 2018 PA 624, sections 17011 and 17511 as amended by 2006 PA 398, and section 17501 as amended by 2018 PA 524, and by adding sections 16325a, 17034, 17034a, 17034b, 17534, 17534a, and 17534b.

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

1           Sec. 7303a. (1) A prescriber who holds a controlled substances  
2 license may administer or dispense a controlled substance listed in  
3 schedules 2 to 5 without a separate controlled substances license  
4 for those activities.

5           (2) Except as otherwise provided in rules promulgated under  
6 section 16204e and for a patient who is under the care of a  
7 hospice, beginning March 31, 2019 or, if rules are promulgated  
8 under section 16204e before March 31, 2019, on the date on which  
9 rules are promulgated under section 16204e, a licensed prescriber  
10 shall not prescribe a controlled substance listed in schedules 2 to  
11 5 unless the prescriber is in a bona fide prescriber-patient  
12 relationship with the patient for whom the controlled substance is  
13 being prescribed. Except as otherwise provided in this subsection,  
14 if a licensed prescriber prescribes a controlled substance under  
15 this subsection, the prescriber shall provide follow-up care to the  
16 patient to monitor the efficacy of the use of the controlled  
17 substance as a treatment of the patient's medical condition. If the  
18 licensed prescriber is unable to provide follow-up care, ~~he or she~~  
19 **the licensed prescriber** shall refer the patient to the patient's  
20 primary care provider for follow-up care or, if the patient does  
21 not have a primary care provider, ~~he or she~~ **the licensed prescriber**  
22 shall refer the patient to another licensed prescriber who is  
23 geographically accessible to the patient for follow-up care.

24           (3) Before prescribing or dispensing a controlled substance to  
25 a patient, a licensed prescriber shall ask the patient about other  
26 controlled substances the patient may be using. The prescriber  
27 shall record the patient's response in the patient's medical or  
28 clinical record.

1           (4) Beginning June 1, 2018, before prescribing or dispensing  
2 to a patient a controlled substance in a quantity that exceeds a 3-  
3 day supply, a licensed prescriber shall obtain and review a report  
4 concerning that patient from the electronic system for monitoring  
5 schedule 2, 3, 4, and 5 controlled substances established under  
6 section 7333a. This subsection does not apply under any of the  
7 following circumstances:

8           (a) If the dispensing occurs in a hospital or freestanding  
9 surgical outpatient facility licensed under article 17 and the  
10 controlled substance is administered to the patient in that  
11 hospital or facility.

12           (b) If the patient is an animal as that term is defined in  
13 section 18802, the dispensing occurs in a veterinary hospital or  
14 clinic and the controlled substance is administered to the patient  
15 in that hospital or clinic.

16           (c) If the controlled substance is prescribed by a licensed  
17 prescriber who is a veterinarian and the controlled substance will  
18 be dispensed by a pharmacist.

19           (d) If the patient is under the care of a hospice and the  
20 report described in this subsection was obtained and reviewed at  
21 the time the patient was admitted to the hospice.

22           (5) Beginning June 1, 2018, before prescribing or dispensing a  
23 controlled substance to a patient, a licensed prescriber shall  
24 register with the electronic system for monitoring schedule 2, 3,  
25 4, and 5 controlled substances established under section 7333a.

26           (6) A licensed prescriber who dispenses controlled substances  
27 shall maintain all of the following records separately from other  
28 prescription records:

29           (a) All invoices and other acquisition records for each

1 controlled substance acquired by the prescriber for not less than 5  
2 years after the date the prescriber acquires the controlled  
3 substance.

4 (b) A log of all controlled substances dispensed by the  
5 prescriber for not less than 5 years after the date the controlled  
6 substance is dispensed.

7 (c) Records of all other dispositions of controlled substances  
8 under the licensee's control for not less than 5 years after the  
9 date of the disposition.

10 (7) The requirement under section 7303 for a license is waived  
11 in the following circumstances:

12 (a) When a controlled substance listed in schedules 2 to 5 is  
13 administered on the order of a licensed prescriber by an individual  
14 who is licensed under article 15 as a practical nurse, ~~or a~~  
15 registered professional nurse, **or a certified anesthesiologist**  
16 **assistant.**

17 (b) When methadone or a methadone congener is dispensed on the  
18 order of a licensed prescriber in a methadone treatment program  
19 licensed under article 6 or when a controlled substance listed in  
20 schedules 2 to 5 is dispensed on the order of a licensed prescriber  
21 in a hospice rendering emergency care services in a patient's home  
22 as described in section 17746 by a registered professional nurse  
23 licensed under article 15.

24 Sec. 16325. Fees for ~~a person~~**an individual** licensed or  
25 seeking licensure to engage in the practice of medicine under part  
26 170 are as follows:

- 27 (a) Application processing fee..... \$ 50.00
- 28 (b) License fee, per year..... 90.00
- 29 (c) Temporary license fee..... 25.00

1 (d) Limited license fee, per year..... 30.00

2 **Sec. 16325a. Fees for an individual licensed or seeking**  
3 **licensure to engage in practice as a certified anesthesiologist**  
4 **assistant under part 170 or part 175 are as follows:**

5 (a) Application processing fee..... \$ 75.00

6 (b) License fee, per year..... 60.00

7 (c) Educational limited license..... 25.00

8 Sec. 16331. Fees for ~~a person~~**an individual** licensed or  
9 seeking licensure to engage in the practice of osteopathic medicine  
10 and surgery under part 175 are as follows:

11 (a) Application processing fee..... \$ 50.00

12 (b) License fee, per year..... 90.00

13 (c) Temporary license fee..... 25.00

14 (d) Limited license fee, per year..... 30.00

15 Sec. 17001. (1) As used in this part:

16 (a) "Academic institution" means either of the following:

17 (i) A medical school approved by the board.

18 (ii) A hospital licensed under article 17 that meets all of the  
19 following requirements:

20 (A) Was the sole sponsor or a co-sponsor, if each other co-  
21 sponsor is either a medical school approved by the board or a  
22 hospital owned by the federal government and directly operated by  
23 the United States Department of Veterans Affairs, of not less than  
24 4 postgraduate education residency programs approved by the board  
25 under section 17031(1) for not less than the 3 years immediately  
26 preceding the date of an application for a limited license under  
27 section 16182(2)(c) or an application for a full license under  
28 section 17031(2), if at least 1 of the residency programs is in the  
29 specialty area of medical practice, or in a specialty area that

1 includes the subspecialty of medical practice, in which the  
2 applicant for a limited license proposes to practice or in which  
3 the applicant for a full license has practiced for the hospital.

4 (B) Has spent not less than \$2,000,000.00 for medical  
5 education during each of the 3 years immediately preceding the date  
6 of an application for a limited license under section 16182(2)(c)  
7 or an application for a full license under section 17031(2). As  
8 used in this sub-subparagraph, "medical education" means the  
9 education of physicians and candidates for degrees or licenses to  
10 become physicians, including, but not limited to, physician staff,  
11 residents, interns, and medical students.

12 (b) **"Anesthesiologist" means a physician who has successfully**  
13 **completed a training program in anesthesiology accredited by the**  
14 **Accreditation Council for Graduate Medical Education, the American**  
15 **Osteopathic Association, or an equivalent organization as**  
16 **determined by the board.**

17 (c) **"Certified anesthesiologist assistant" means an individual**  
18 **who is licensed under this article to engage in practice as a**  
19 **certified anesthesiologist assistant.**

20 (d) ~~(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 (e) ~~(c)~~ **"Genetic counselor" means an individual who is**  
25 **licensed under this ~~part~~ article to engage in the practice of**  
26 **genetic counseling.**

27 (f) ~~(d)~~ **"Medical care services" means those services within**  
28 **the scope of practice of physicians who are licensed or authorized**  
29 **by the board, except those services that the board prohibits or**

1 otherwise restricts within a practice agreement or determines shall  
2 not be delegated by a physician because a delegation would endanger  
3 the health and safety of patients as provided for in section  
4 17048(1).

5 **(g)** ~~(e)~~—"Participating physician" means a physician, a  
6 physician designated by a group of physicians under section 17049  
7 to represent that group, or a physician designated by a health  
8 facility or agency under section 20174 to represent that health  
9 facility or agency.

10 **(h)** ~~(f)~~—"Physician" means an individual who is licensed or  
11 authorized under this article to engage in the practice of  
12 medicine.

13 **(i)** ~~(g)~~—"Podiatrist" means an individual who is licensed under  
14 this article to engage in the practice of podiatric medicine and  
15 surgery.

16 **(j)** ~~(h)~~—"Practice agreement" means an agreement described in  
17 section 17047.

18 **(k)** "Practice as a certified anesthesiologist assistant" means  
19 providing assistance to an anesthesiologist engaged in the practice  
20 of anesthesiology by performing any of the functions described in  
21 section 17034a under the supervision of the anesthesiologist.

22 **(l)** "Practice as a physician's assistant" means the practice of  
23 medicine with a participating physician under a practice agreement.

24 **(m)** "Practice of anesthesiology" means engaging in the  
25 practice of medicine as an anesthesiologist.

26 **(n)** ~~(i)~~—"Practice of genetic counseling" means provision of  
27 any of the following services:

28 *(i)* Obtaining and evaluating individual, family, and medical  
29 histories to determine the genetic risk for genetic or medical

1 conditions or diseases in a client, the client's descendants, or  
2 other family members of the client.

3 (ii) Discussing with a client the features, natural history,  
4 means of diagnosis, genetic and environmental factors, and  
5 management of the genetic risks of genetic or medical conditions or  
6 diseases.

7 (iii) Identifying and coordinating appropriate genetic  
8 laboratory tests and other diagnostic studies for genetic  
9 assessment of a client.

10 (iv) Integrating genetic laboratory test results and other  
11 diagnostic studies with personal and family medical history to  
12 assess and communicate a client's risk factors for genetic or  
13 medical conditions or diseases.

14 (v) Explaining to a client the clinical implications of  
15 genetic laboratory tests and other diagnostic studies and their  
16 results.

17 (vi) Evaluating the responses of a client and the client's  
18 family to a genetic or medical condition or disease or to the risk  
19 of recurrence of that condition or disease and providing client-  
20 centered counseling and anticipatory guidance.

21 (vii) Identifying and utilizing community resources that  
22 provide medical, educational, financial, and psychosocial support  
23 and advocacy to a client.

24 (viii) Providing written documentation of medical, genetic, and  
25 counseling information for families of and health care  
26 professionals of a client.

27 (o) ~~(j)~~—"Practice of medicine" means the diagnosis, treatment,  
28 prevention, cure, or relieving of a human disease, ailment, defect,  
29 complaint, or other physical or mental condition, by attendance,



1 advice, device, diagnostic test, or other means, or offering,  
 2 undertaking, attempting to do, or holding oneself out as able to  
 3 do, any of these acts.

4 ~~(k) "Practice as a physician's assistant" means the practice~~  
 5 ~~of medicine with a participating physician under a practice~~  
 6 ~~agreement.~~

7 **(p)** ~~(l)~~ "Qualified supervisor" means an individual who is a  
 8 genetic counselor and who holds a license under this part other  
 9 than a temporary or limited license.

10 **(q)** "Supervision" means that term as defined in section 16109,  
 11 except that for subdivision (k) and sections 17034a to 17034b it  
 12 also includes the existence of a predetermined plan for emergency  
 13 situations, including, but not limited to, the designation of an  
 14 anesthesiologist to supervise a certified anesthesiologist  
 15 assistant in the absence of the primary supervising  
 16 anesthesiologist.

17 **(r)** ~~(m)~~ "Task force" means the joint task force created in  
 18 section 17025.

19 **(s)** ~~(n)~~ "Temporary licensed genetic counselor" means a genetic  
 20 counselor who has been issued a temporary license under this  
 21 article.

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

26 Sec. 17011. (1) An individual shall not engage in the practice  
 27 of medicine or practice as a physician's assistant unless licensed  
 28 or otherwise authorized by this article. An individual shall not  
 29 engage in teaching or research that requires the practice of

1 medicine unless the individual is licensed or otherwise authorized  
2 by this article.

3 (2) Notwithstanding section 16145 or rules promulgated under  
4 that section, the board may grant a license to an individual who  
5 meets the requirements of section 16186 or 17031(2) after reviewing  
6 the applicant's record of practice, experience, and credentials and  
7 determining that the applicant is competent to practice medicine.

8 (3) For individuals applying for licensure under section  
9 16186, the board shall not impose requirements on graduates of  
10 medical schools located outside the United States or Canada that  
11 exceed the requirements imposed on graduates of medical schools  
12 located in the United States or Canada.

13 (4) Notwithstanding section 16145 or rules promulgated under  
14 that section, the board may grant a license in accordance with  
15 section 16186 after determining that each of the following  
16 conditions is satisfied:

17 (a) The applicant has disclosed that a sanction is in force  
18 against ~~him or her~~ **the applicant** as described in section  
19 16174(2)(b) and considering the reasons for the sanction and the  
20 applicant's record of practice, experience, credentials, and  
21 competence to engage in the practice of medicine, that sanction  
22 should not prevent the applicant from being granted a license in  
23 this state.

24 (b) The sanction imposed by the other state is not permanent.

25 (c) The sanction imposed by the other state was not the result  
26 of a patient safety violation.

27 (d) If the applicant was required by the state that imposed  
28 the sanction to participate in and complete a probationary period  
29 or treatment plan as a condition of the continuation of ~~his or her~~

1 **the applicant's** licensure, the applicant did not complete the  
2 probationary period or treatment plan because the applicant ceased  
3 engaging in the practice of medicine in that state.

4 (e) As a condition of licensure under this subsection, the  
5 applicant voluntarily agrees to complete a probationary period or  
6 treatment plan, the terms of which are no less stringent than those  
7 imposed by the state that imposed the sanction.

8 (5) Except as otherwise provided in ~~this~~ subsection **(6)**, the  
9 following words, titles, or letters or a combination ~~thereof~~, **of**  
10 **the words, titles, or letters**, with or without qualifying words or  
11 phrases, are restricted in use only to those individuals authorized  
12 under this part to use the terms and in a way prescribed in this  
13 part: ~~"doctor of medicine",~~

14 (a) **"Doctor of medicine"**, "m.d.", "physician's assistant", and  
15 "p.a.".

16 (b) **Beginning August 1, 2024, "certified anesthesiologist**  
17 **assistant" and "c.a.a."**.

18 (6) Notwithstanding section 16261, an individual who was  
19 specially trained at an institution of higher education in this  
20 state to assist a physician in the field of orthopedics and, upon  
21 completion of training, received a 2-year associate of science  
22 degree as an orthopedic physician's assistant before January 1,  
23 1977 may use the title "orthopedic physician's assistant" whether  
24 or not the individual is licensed under this part.

25 **Sec. 17034. (1) Beginning 90 days after the effective date of**  
26 **the rules promulgated by the board under section 17034a, an**  
27 **individual shall not engage in practice as a certified**  
28 **anesthesiologist assistant unless the individual is licensed or**  
29 **otherwise authorized under this article.**

1           (2) The board may grant an educational limited license under  
2 section 16182(2) (a) to an individual who provides satisfactory  
3 evidence to the board that the individual meets all of the  
4 requirements for licensure except the certifying examination. An  
5 educational limited license issued under this section is valid  
6 until the expiration of a period determined by the board that does  
7 not exceed 1 year or until the results of the required certifying  
8 examination are made available, whichever is earlier.

9           (3) The board may grant a license as a certified  
10 anesthesiologist assistant to an individual who provides  
11 satisfactory evidence to the board that the individual has  
12 successfully completed all of the following:

13           (a) A graduate level training program approved by the board.

14           (b) A certifying examination for certified anesthesiologist  
15 assistants that is accredited by the Commission on Accreditation of  
16 Allied Health Education Programs or a predecessor or successor  
17 organization of the Commission on Accreditation of Allied Health  
18 Education Programs.

19           (c) A course in advanced cardiac life-support techniques  
20 approved by the board.

21           Sec. 17034a. (1) The board, in consultation with the  
22 department, shall promulgate rules to do all of the following:

23           (a) Limit the duties and activities described in subsection

24 (2) that may be performed by certified anesthesiologist assistants.

25           (b) Subject to section 16204, prescribe continuing education  
26 requirements as a condition for the renewal of a certified  
27 anesthesiologist assistant license.

28           (2) A certified anesthesiologist assistant shall not engage in  
29 the practice as a certified anesthesiologist assistant unless the

1 certified anesthesiologist assistant is under the supervision of an  
2 anesthesiologist. A certified anesthesiologist assistant may  
3 perform any of the following functions under the supervision of an  
4 anesthesiologist with whom the certified anesthesiologist assistant  
5 is assisting in the practice of anesthesiology:

6 (a) Obtaining a comprehensive patient history and presenting  
7 the history to the supervising anesthesiologist.

8 (b) Developing and implementing an anesthesia care plan for a  
9 patient.

10 (c) Ordering and performing a preoperative anesthetic patient  
11 evaluation and a postoperative anesthetic patient evaluation.

12 (d) Discussing and educating a patient about the patient's  
13 anesthesia care plan.

14 (e) Pretesting and calibrating an anesthesia delivery system  
15 and monitoring, obtaining, and interpreting information from the  
16 anesthesia delivery system and monitoring equipment.

17 (f) Performing a monitoring technique.

18 (g) Establishing airway management by performing ventilatory  
19 support and through the intubation of the trachea, the placement of  
20 a laryngeal mask airway, and the placement of other ancillary  
21 support, including, but not limited to, an oral and nasopharyngeal  
22 airway, and a bag valve mask.

23 (h) Administering and adjusting a vasoactive drug to a patient  
24 and monitoring the response of the patient.

25 (i) Administering an anesthetic drug, adjuvant drug, and  
26 accessory drug to a patient and monitoring the response of the  
27 patient.

28 (j) Performing monitored anesthesia care, deep sedation, and  
29 general anesthesia.

1           (k) Performing regional anesthesia, including, but not limited  
2 to, an epidural anesthetic procedure, a spinal anesthetic  
3 procedure, and a peripheral nerve block.

4           (l) Administering blood, blood products, and supportive fluids.

5           (m) Performing anesthesia-related health care, including, but  
6 not limited to, induction, maintenance, and emergence of anesthesia  
7 and addressing fluid and electrolyte balance.

8           (n) Participating in a function needed in the postanesthesia  
9 recovery area, including, but not limited to, administering  
10 postoperative sedation, anxiolysis, or analgesia medication to  
11 treat a patient's response to anesthesia.

12           (o) Performing a peripheral or central venous and arterial  
13 line procedure for blood sampling, monitoring, or access.

14           (p) Initiating and participating in a cardiopulmonary  
15 resuscitation team in response to a life-threatening situation.

16           (q) Relieving a member of an anesthesia care team that is  
17 engaged in a patient care if the member is acting under the  
18 supervision of an anesthesiologist.

19           Sec. 17034b. (1) An anesthesiologist who supervises a  
20 certified anesthesiologist assistant shall comply with all of the  
21 following:

22           (a) The anesthesiologist shall, at all times, be in the  
23 physical proximity of the certified anesthesiologist assistant in a  
24 manner that allows the anesthesiologist to return and reestablish  
25 direct contact with the patient to meet the patient's medical needs  
26 and address any of the patient's urgent or emergent clinical  
27 problems.

28           (b) The anesthesiologist shall ensure that all activities,  
29 functions, services, and treatment measures performed by a

1 certified anesthesiologist assistant are properly documented by the  
2 certified anesthesiologist assistant.

3 (c) The anesthesiologist shall not supervise more than 4  
4 certified anesthesiologist assistants concurrently.

5 (2) Subject to section 16215, an anesthesiologist who  
6 supervises a certified anesthesiologist assistant may delegate the  
7 performance of any of the following acts, tasks, and functions to  
8 the certified anesthesiologist assistant:

9 (a) The entry of verbal or written medication chart orders  
10 prescribed by the anesthesiologist into a patient's medical record.

11 (b) Performing, ordering, and interpreting preoperative,  
12 point-of-care intraoperative, or postoperative diagnostic testing  
13 or procedures.

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

15 (a) "Anesthesiologist" means a physician who has successfully  
16 completed a training program in anesthesiology accredited by the  
17 Accreditation Council for Graduate Medical Education, the American  
18 Osteopathic Association, or an equivalent organization as  
19 determined by the board.

20 (b) "Certified anesthesiologist assistant" means an individual  
21 who is licensed under this article to engage in practice as a  
22 certified anesthesiologist assistant.

23 (c) ~~(a)~~—"Electrodiagnostic studies" means the testing of  
24 neuromuscular functions utilizing nerve conduction tests and needle  
25 electromyography. It does not include the use of surface  
26 electromyography.

27 (d) ~~(b)~~—"Medical care services" means those services within  
28 the scope of practice of physicians who are licensed or authorized  
29 by the board, except those services that the board prohibits or

1 otherwise restricts within a practice agreement or determines shall  
 2 not be delegated by a physician ~~without endangering~~ **because a**  
 3 **delegation would endanger** the health and safety of patients as  
 4 provided for in section 17548(1).

5 (e) ~~(e)~~—"Participating physician" means a physician, a  
 6 physician designated by a group of physicians under section 17549  
 7 to represent that group, or a physician designated by a health  
 8 facility or agency under section 20174 to represent that health  
 9 facility or agency.

10 (f) ~~(d)~~—"Physician" means an individual who is licensed or  
 11 authorized under this article to engage in the practice of  
 12 osteopathic medicine and surgery.

13 (g) ~~(e)~~—"Practice agreement" means an agreement described in  
 14 section 17547.

15 (h) "Practice as a certified anesthesiologist assistant" means  
 16 providing assistance to an anesthesiologist engaged in the practice  
 17 of anesthesiology by performing any of the functions described in  
 18 section 17534a under the supervision of the anesthesiologist.

19 (i) "Practice as a physician's assistant" means the practice  
 20 of osteopathic medicine and surgery with a participating physician  
 21 under a practice agreement.

22 (j) "Practice of anesthesiology" means engaging in the  
 23 practice of osteopathic medicine and surgery as an  
 24 anesthesiologist.

25 (k) ~~(f)~~—"Practice of osteopathic medicine and surgery" means a  
 26 separate, complete, and independent school of medicine and surgery  
 27 utilizing full methods of diagnosis and treatment in physical and  
 28 mental health and disease, including the prescription and  
 29 administration of drugs and biologicals, operative surgery,



1 obstetrics, radiological and other electromagnetic emissions, and  
 2 placing special emphasis on the interrelationship of the  
 3 musculoskeletal system to other body systems.

4 ~~(g) "Practice as a physician's assistant" means the practice~~  
 5 ~~of osteopathic medicine and surgery with a participating physician~~  
 6 ~~under a practice agreement.~~

7 **(l) "Supervision" means that term as defined in section 16109,**  
 8 **except that for subdivision (h) and sections 17534a to 17534b it**  
 9 **also includes the existence of a predetermined plan for emergency**  
 10 **situations, including, but not limited to, the designation of an**  
 11 **anesthesiologist to supervise a certified anesthesiologist**  
 12 **assistant in the absence of the primary supervising**  
 13 **anesthesiologist.**

14 **(m) ~~(h)~~"Task force" means the joint task force created in**  
 15 **section 17025.**

16 (2) In addition to the definitions in this part, article 1  
 17 contains general definitions and principles of construction  
 18 applicable to all articles in the code and part 161 contains  
 19 definitions applicable to this part.

20 Sec. 17511. (1) A person shall not engage in the practice of  
 21 osteopathic medicine and surgery or practice as a physician's  
 22 assistant unless licensed or otherwise authorized by this article.

23 (2) Notwithstanding section 16145 or rules promulgated under  
 24 that section, the board may grant a license in accordance with  
 25 section 16186 after determining that each of the following  
 26 conditions is satisfied:

27 (a) The applicant has disclosed that a sanction is in force  
 28 against ~~him or her~~ **the applicant** as described in section  
 29 16174(2) (b) and considering the reasons for the sanction and the

1 applicant's record of practice, experience, credentials, and  
 2 competence to engage in the practice of osteopathic medicine and  
 3 surgery, that sanction should not prevent the applicant from being  
 4 granted a license in this state.

5 (b) The sanction imposed by the other state is not permanent.

6 (c) The sanction imposed by the other state was not the result  
 7 of a patient safety violation.

8 (d) If the applicant was required by the state that imposed  
 9 the sanction to participate in and complete a probationary period  
 10 or treatment plan as a condition of the continuation of ~~his or her~~  
 11 **the applicant's** licensure, the applicant did not complete the  
 12 probationary period or treatment plan because the applicant ceased  
 13 engaging in the practice of osteopathic medicine and surgery in  
 14 that state.

15 (e) As a condition of licensure under this subsection, the  
 16 applicant voluntarily agrees to complete a probationary period or  
 17 treatment plan, the terms of which are no less stringent than those  
 18 imposed by the state that imposed the sanction.

19 (3) Except as otherwise provided in ~~this~~ subsection **(4)**, the  
 20 following words, titles, or letters or a combination ~~thereof, of~~  
 21 **the words, titles, or letters**, with or without qualifying words or  
 22 phrases, are restricted in use only to those persons authorized  
 23 under this part to use the terms and in a way prescribed in this  
 24 part: ~~"osteopath",~~

25 (a) **"Osteopath"**, "osteopathy", "osteopathic practitioner",  
 26 "doctor of osteopathy", "diplomate in osteopathy", "d.o.",  
 27 "physician's assistant", and "p.a.".

28 (b) **Beginning August 1, 2024, "certified anesthesiologist**  
 29 **assistant" and "c.a.a."**.

1           (4) Notwithstanding section 16261, a person who was specially  
2 trained at an institution of higher education in this state to  
3 assist a physician in the field of orthopedics and, upon completion  
4 of training, received a 2-year associate of science degree as an  
5 orthopedic physician's assistant before January 1, 1977 may use the  
6 title "orthopedic physician's assistant" whether or not the  
7 individual is licensed under this part.

8           **Sec. 17534. (1) Beginning 90 days after the effective date of**  
9 **the rules promulgated by the board under section 17534a, an**  
10 **individual shall not engage in practice as a certified**  
11 **anesthesiologist assistant unless the individual is licensed or**  
12 **otherwise authorized under this article.**

13           (2) The board may grant an educational limited license under  
14 section 16182(2) (a) to an individual who provides satisfactory  
15 evidence to the board that the individual meets all of the  
16 requirements for licensure except the certifying examination. An  
17 educational limited license issued under this section is valid  
18 until the expiration of a period determined by the board that does  
19 not exceed 1 year or until the results of the required certifying  
20 examination are made available, whichever is earlier.

21           (3) The board may grant a license as a certified  
22 anesthesiologist assistant to an individual who provides  
23 satisfactory evidence to the board that the individual has  
24 successfully completed all of the following:

25           (a) A graduate level training program approved by the board.

26           (b) A certifying examination for certified anesthesiologist  
27 assistants that is accredited by the Commission on Accreditation of  
28 Allied Health Education Programs or a predecessor or successor  
29 organization of the Commission on Accreditation of Allied Health

1 Education Programs.

2 (c) A course in advanced cardiac life-support techniques  
3 approved by the board.

4 Sec. 17534a. (1) The board, in consultation with the  
5 department, shall promulgate rules to do all of the following:

6 (a) Limit the duties and activities described in subsection  
7 (2) that may be performed by certified anesthesiologist assistants.

8 (b) Subject to section 16204, prescribe continuing education  
9 requirements as a condition for the renewal of a certified  
10 anesthesiologist assistant license.

11 (2) A certified anesthesiologist assistant shall not engage in  
12 the practice as a certified anesthesiologist assistant unless the  
13 certified anesthesiologist assistant is under the supervision of an  
14 anesthesiologist. A certified anesthesiologist assistant may  
15 perform any of the following functions under the supervision of an  
16 anesthesiologist with whom the certified anesthesiologist assistant  
17 is assisting in the practice of anesthesiology:

18 (a) Obtaining a comprehensive patient history and presenting  
19 the history to the supervising anesthesiologist.

20 (b) Developing and implementing an anesthesia care plan for a  
21 patient.

22 (c) Ordering and performing a preoperative anesthetic patient  
23 evaluation and a postoperative anesthetic patient evaluation.

24 (d) Discussing and educating a patient about the patient's  
25 anesthesia care plan.

26 (e) Pretesting and calibrating an anesthesia delivery system  
27 and monitoring, obtaining, and interpreting information from the  
28 anesthesia delivery system and monitoring equipment.

29 (f) Performing a monitoring technique.

1 (g) Establishing airway management by performing ventilatory  
2 support and through the intubation of the trachea, the placement of  
3 a laryngeal mask airway, and the placement of other ancillary  
4 support, including, but not limited to, an oral and nasopharyngeal  
5 airway, and a bag valve mask.

6 (h) Administering and adjusting a vasoactive drug to a patient  
7 and monitoring the response of the patient.

8 (i) Administering an anesthetic drug, adjuvant drug, and  
9 accessory drug to a patient and monitoring the response of the  
10 patient.

11 (j) Performing monitored anesthesia care, deep sedation, and  
12 general anesthesia.

13 (k) Performing regional anesthesia, including, but not limited  
14 to, an epidural anesthetic procedure, a spinal anesthetic  
15 procedure, and a peripheral nerve block.

16 (l) Administering blood, blood products, and supportive fluids.

17 (m) Performing anesthesia-related health care, including, but  
18 not limited to, induction, maintenance, and emergence of anesthesia  
19 and addressing fluid and electrolyte balance.

20 (n) Participating in a function needed in the postanesthesia  
21 recovery area, including, but not limited to, administering  
22 postoperative sedation, anxiolysis, or analgesia medication to  
23 treat a patient's response to anesthesia.

24 (o) Performing a peripheral or central venous and arterial  
25 line procedure for blood sampling, monitoring, or access.

26 (p) Initiating and participating in a cardiopulmonary  
27 resuscitation team in response to a life-threatening situation.

28 (q) Relieving a member of an anesthesia care team that is  
29 engaged in a patient care if the member is acting under the

1 supervision of an anesthesiologist.

2 Sec. 17534b. (1) An anesthesiologist who supervises a  
3 certified anesthesiologist assistant shall comply with all of the  
4 following:

5 (a) The anesthesiologist shall, at all times, be in the  
6 physical proximity of the certified anesthesiologist assistant in a  
7 manner that allows the anesthesiologist to return and reestablish  
8 direct contact with the patient to meet the patient's medical needs  
9 and address any of the patient's urgent or emergent clinical  
10 problems.

11 (b) The anesthesiologist shall ensure that all activities,  
12 functions, services, and treatment measures performed by a  
13 certified anesthesiologist assistant are properly documented by the  
14 certified anesthesiologist assistant.

15 (c) The anesthesiologist shall not supervise more than 4  
16 certified anesthesiologist assistants concurrently.

17 (2) Subject to section 16215, an anesthesiologist who  
18 supervises a certified anesthesiologist assistant may delegate the  
19 performance of any of the following acts, tasks, and functions to  
20 the certified anesthesiologist assistant:

21 (a) The entry of verbal or written medication chart orders  
22 prescribed by the anesthesiologist into a patient's medical record.

23 (b) Performing, ordering, and interpreting preoperative,  
24 point-of-care intraoperative, or postoperative diagnostic testing.

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