

Act No. 172  
Public Acts of 2014  
Approved by the Governor  
June 17, 2014  
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June 17, 2014  
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**STATE OF MICHIGAN  
97TH LEGISLATURE  
REGULAR SESSION OF 2014**

**Introduced by Senators Moolenaar, Ananich, Marleau, Pappageorge, Kahn, Brandenburg, Hildenbrand, Hansen, Green, Bieda, Booher, Proos and Colbeck**

# **ENROLLED SENATE BILL No. 648**

AN ACT to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 2701, 2705, and 2711 (MCL 333.2701, 333.2705, and 333.2711), as added by 1990 PA 16.

*The People of the State of Michigan enact:*

Sec. 2701. As used in this part:

- (a) “Board certified” means certified to practice in a particular medical speciality by a national board recognized by the American board of medical specialties or the American osteopathic association.
- (b) “Certified nurse midwife” means an individual licensed as a registered professional nurse under part 172 who has been issued a specialty certification in the practice of nurse midwifery by the board of nursing under section 17210.
- (c) “Certified nurse practitioner” means an individual licensed as a registered professional nurse under part 172 who has been issued a specialty certification as a nurse practitioner by the board of nursing under section 17210.
- (d) “Dental school” means an accredited program for the training of individuals to become dentists.
- (e) “Dentist” means an individual licensed to engage in the practice of dentistry under part 166.
- (f) “Designated nurse” means a certified nurse midwife or certified nurse practitioner.
- (g) “Designated physician” means a physician qualified in 1 of the physician specialty areas identified in section 2711.
- (h) “Designated professional” means a designated physician, designated nurse, dentist, or physician’s assistant.

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

(j) "Medicaid" means benefits under the program of medical assistance established under title XIX of the social security act, 42 USC 1396 to 1396w-5, and administered by the department of human services under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

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

(l) "Medicare" means benefits under the federal medicare program established under title XVIII of the social security act, 42 USC 1395 to 1395kkk-1.

(m) "National health service corps" means the agency established under 42 USC 254d.

(n) "Nurse" means an individual licensed to engage in the practice of nursing under part 172.

(o) "Nursing program" means an accredited program for the training of individuals to become nurses.

(p) "Physician" means an individual licensed as a physician under part 170 or an osteopathic physician under part 175.

(q) "Physician's assistant" means an individual licensed as a physician's assistant under part 170 or part 175.

(r) "Physician's assistant program" means an accredited program for the training of individuals to become physician's assistants.

(s) "Service obligation" means the contractual obligation undertaken by an individual under section 2705 or section 2707 to provide health care services for a determinable time period at a site designated by the department.

Sec. 2705. (1) The department shall administer an essential health provider repayment program for designated professionals who have incurred a debt or expenses as a result of a loan taken to attend a medical school, dental school, nursing program for the training of certified nurse midwives or certified nurse practitioners, or physician's assistant program or as a result of providing services in a health resource shortage area. The department may each year repay all or part of a designated professional's debt or expenses, but the amount repaid in any 1 year shall not exceed the amount described in subsection (3). The department shall repay a debt or expenses only for a designated professional who has entered into a written contract with the department that requires the designated professional to engage in the full-time practice of health care services in a health resource shortage area to which he or she is assigned by the department for a period equal in years to the number of years for which the department has agreed in the contract to make a debt or expense repayment, or for a period of 2 years, whichever is greater.

(2) A debt or expense repayment on behalf of a designated professional under subsection (1) for fulfilling a service obligation for a particular year shall be paid in a lump sum at the completion of the service obligation for that year. A designated professional who does not fulfill a service obligation for a particular year forfeits his or her right to the debt or expense repayment or any part of it for that year and the department may treat an agreement for further debt or expense repayment in a subsequent year as void. In its sole discretion, the department may make a debt or expense repayment prior to or during each year of service if there are extenuating circumstances. In its sole discretion, the department may pay a pro rata amount of an agreed debt or expense repayment to a designated professional or his or her estate if 1 of the following occurs prior to the completion of the designated professional's service obligation:

(a) The designated professional dies.

(b) The designated professional is unable, by reason of permanent disability, to render the service.

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

(3) In any year of a debt or expense repayment program, the maximum amount of a debt or expense repayment is \$40,000.00 per year. The maximum amount of debt or expense repayment the department may pay on behalf of a designated professional is \$200,000.00, paid over a period of 4 years or more. The amount the department shall pay on behalf of a designated professional and the amount payable for each year of service shall be included in the written contract under subsection (1).

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

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

Sec. 2711. (1) For the programs created in sections 2705 and 2707, the department shall only recruit physicians who are qualified or students who are training to become qualified in 1 or more of the following designated physician specialty areas:

(a) General practice.

(b) Family practice.

- (c) Obstetrics.
- (d) Pediatrics.
- (e) Emergency medicine.
- (f) Internal medicine.
- (g) Preventive medicine.
- (h) Psychiatry.

(2) When enrolling individuals to participate in the programs created in sections 2705 and 2707, the department may give preference to an individual who is qualified or studying in 1 or more of the specific designated physician specialty areas of general practice, family practice, obstetrics, pediatrics, or internal medicine over an individual qualified or studying in another designated physician specialty area described in subsection (1).

(3) As used in this section, "qualified" means board certified or eligible for board certification.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Jay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor