

# HOUSE BILL No. 4288

February 15, 1991, Introduced by Reps. Gubow, Bandstra, Law, Scott, Niederstadt, Perry Bullard, Fitzgerald, Profit and Leland and referred to the Committee on Public Health.

A bill to amend sections 3, 51, 53, 54, 55, and 57 of Act No. 152 of the Public Acts of 1979, entitled as amended "State license fee act," section 3 as amended by Act No. 268 of the Public Acts of 1990 and sections 51, 53, 55, and 57 as amended and section 54 as added by Act No. 461 of the Public Acts of 1988, being sections 338.2203, 338.2251, 338.2253, 338.2254, 338.2255, and 338.2257 of the Michigan Compiled Laws; and to add section 4.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 3, 51, 53, 54, 55, and 57 of Act  
2 No. 152 of the Public Acts of 1979, section 3 as amended by Act  
3 No. 268 of the Public Acts of 1990 and sections 51, 53, 55, and  
4 57 as amended and section 54 as added by Act No. 461 of the  
5 Public Acts of 1988, being sections 338.2203, 338.2251, 338.2253,

1 338.2254, 338.2255, and 338.2257 of the Michigan Compiled Laws,  
2 are amended and section 4 is added to read as follows:

3       Sec. 3. (1) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN  
4 SUBSECTION (3), THE fees prescribed by this act shall be used  
5 only to offset the cost of operating the department.

6       (2) Except as otherwise provided in SUBSECTION (3) AND IN  
7 sections 37 and 38, the fees collected pursuant to this act shall  
8 be credited to the general fund of the state.

9       (3) SUBSECTIONS (1) AND (2) DO NOT APPLY TO FEES COLLECTED  
10 UNDER SECTIONS 51, 53, 54, 55, 57, 59, 61, 63, 65, 67, 68, 69,  
11 71, 73, 74, AND 75. THE STATE TREASURER SHALL CREDIT THE FEES  
12 COLLECTED UNDER THE SECTIONS LISTED IN THIS SUBSECTION TO THE  
13 HEALTH PROFESSIONS REGULATORY FUND CREATED IN SUBSECTION (4).

14       (4) THE HEALTH PROFESSIONS REGULATORY FUND IS ESTABLISHED IN  
15 THE STATE TREASURY, TO BE ADMINISTERED BY THE DEPARTMENT. THE  
16 MONEY IN THE FUND SHALL BE EXPENDED ONLY AS PROVIDED IN  
17 SUBSECTIONS (5) TO (8).

18       (5) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE  
19 HEALTH PROFESSIONS REGULATORY FUND. INTEREST AND EARNINGS FROM  
20 FUND INVESTMENT SHALL BE CREDITED TO THE FUND.

21       (6) THE UNENCUMBERED BALANCE IN THE HEALTH PROFESSIONS REGU-  
22 LATORY FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE  
23 FUND AND SHALL NOT REVERT TO THE GENERAL FUND.

24       (7) THE FUND MAY RECEIVE GIFTS AND DEVISES AND OTHER MONEY  
25 AS PROVIDED BY LAW.

26       (8) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
27 DEPARTMENT SHALL USE THE FUND ONLY TO CARRY OUT ITS POWERS AND

1 DUTIES UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF  
2 THE PUBLIC ACTS OF 1978, BEING SECTIONS 333.16101 TO 333.18838 OF  
3 THE MICHIGAN COMPILED LAWS. OF THE MONEY IN THE HEALTH PROFES-  
4 SIONS REGULATORY FUND THAT IS ATTRIBUTABLE TO ANNUAL LICENSE FEES  
5 COLLECTED UNDER SECTION 59, UP TO \$2.00 OF EACH INDIVIDUAL ANNUAL  
6 LICENSE FEE COLLECTED SHALL BE USED TO ESTABLISH AND OPERATE AN  
7 OFFICE OF NURSING.

8 SEC. 4. (1) AT THE BEGINNING OF EACH STATE FISCAL YEAR, THE  
9 DEPARTMENT MAY INCREASE THE FEES COLLECTED UNDER SECTIONS 51, 53,  
10 54, 55, 57, 59, 61, 63, 65, 67, 68, 69, 71, 73, 74, AND 75 BY A  
11 PERCENTAGE AMOUNT EQUAL TO NOT MORE THAN THE AVERAGE PERCENTAGE  
12 WAGE AND SALARY INCREASE GRANTED FOR THAT FISCAL YEAR TO CLASSI-  
13 FIED CIVIL SERVICE EMPLOYEES EMPLOYED BY THE DEPARTMENT.

14 (2) IF THE DEPARTMENT INCREASES FEES UNDER SUBSECTION (1),  
15 THE INCREASE SHALL BE EFFECTIVE FOR THAT FISCAL YEAR. THE  
16 INCREASED FEES SHALL BE USED BY THE DEPARTMENT AS THE BASIS FOR  
17 CALCULATING FEE INCREASES IN SUBSEQUENT FISCAL YEARS.

18 (3) BY AUGUST 1 OF EACH YEAR THE DEPARTMENT SHALL PROVIDE TO  
19 THE DIRECTOR OF THE DEPARTMENT OF MANAGEMENT AND BUDGET AND THE  
20 CHAIRPERSONS OF THE APPROPRIATIONS COMMITTEES OF THE SENATE AND  
21 HOUSE OF REPRESENTATIVES A COMPLETE SCHEDULE OF FEES TO BE COL-  
22 LECTED UNDER THE SECTIONS LISTED IN SUBSECTION (1) FOR THE FOL-  
23 LOWING FISCAL YEAR.

24 Sec. 51. (1) Until September 30, 1993, fees for a person  
25 licensed or seeking licensure to engage in the ~~manufacture,~~  
26 ~~distribution~~ MANUFACTURING, DISTRIBUTING, prescribing, or  
27 dispensing of, ~~controlled substances~~ OR THE CONDUCTING OF

1 RESEARCH WITH CONTROLLED SUBSTANCES under part 73 of the public  
 2 health code, ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING  
 3 SECTIONS 333.7301 TO 333.7341 OF THE MICHIGAN COMPILED LAWS, are  
 4 as follows:

5 (a) Application processing fee.....\$10.00

6 (b) License fee, per year ~~, for a pharmacist, phar~~  
 7 ~~macy, manufacturer, or wholesaler, or for research~~  
 8 ~~and instructional activities..... 50.00 75.00~~

9 (2) After September 30, 1993, fees for a person licensed or  
 10 seeking licensure to engage in the ~~manufacture, distribution~~  
 11 MANUFACTURING, DISTRIBUTING, prescribing, or dispensing of con-  
 12 trolled substances OR THE CONDUCTING OF RESEARCH WITH CONTROLLED  
 13 SUBSTANCES under part 73 of the public health code, are as  
 14 follows:

15 (a) Application processing fee.....\$10.00

16 (b) License fee, per year ~~, for a pharmacist, phar~~  
 17 ~~macy, manufacturer, or wholesaler, or for research and~~  
 18 ~~instructional activities..... 20.00 55.00~~

19 Sec. 53. Fees for a person licensed or seeking licensure to  
 20 engage in the practice of chiropractic under part 164 of the  
 21 public health code, being sections 333.16401 to 333.16431 of the  
 22 Michigan Compiled Laws, are as follows:

23 (a) Application processing fee.....\$ 20.00

24 (b) Examination fees:

25 (i) Complete examination..... 100.00

1	(ii) Per part.....	15.00
2	(iii) Examination review.....	20.00
3	(c) License fee, per year.....	<del>50.00</del> 90.00
4	(d) Temporary license.....	25.00
5	(e) Limited license, per year.....	25.00

6       Sec. 54. Fees for a person licensed or seeking licensure to  
 7 engage in the practice of counseling under ~~article 15~~ PART 181  
 8 of the public health code, Act No. 368 of the Public Acts of  
 9 1978, being sections ~~333.16101 to 333.18038~~ 333.18101 TO  
 10 333.18117 of the Michigan Compiled Laws, are as follows:

11	(a) Application processing fee.....	\$ 50.00
12	(b) Examination fee.....	100.00
13	(c) License fee, per year.....	<del>50.00</del> 55.00
14	(d) Limited license fee, per year.....	25.00

15       Sec. 55. Fees for a person licensed or seeking licensure to  
 16 practice as a dentist, dental assistant, or dental hygienist  
 17 under part 166 of the public health code, being sections  
 18 333.16601 to 333.16648 of the Michigan Compiled Laws, are as  
 19 follows:

20       (a) Application processing fees:

21	(i) Dentist.....	\$ 20.00
22	(ii) Dental assistant.....	10.00
23	(iii) Dental hygienist.....	15.00
24	(iv) Dental specialty.....	20.00

25       (b) Examination fees:

1	(i) Dentist's preclinical examination, complete.....	200.00
2	(ii) Dental assistant's examination, complete.....	50.00
3	(iii) Dental assistant's examination, per part.....	25.00
4	(iv) Dental specialty examination, complete.....	200.00
5	(v) Dental specialty examination, per part.....	50.00
6	(c) License fees, per year:	
7	(i) Dentist.....	<del>40.00</del> 90.00
8	(ii) Dental assistant.....	<del>5.00</del> 10.00
9	(iii) Dental hygienist.....	<del>10.00</del> 20.00
10	(iv) Dental specialty.....	15.00
11	(d) Temporary license fees:	
12	(i) Dentist.....	20.00
13	(ii) Dental assistant.....	5.00
14	(iii) Dental hygienist.....	10.00
15	(e) Limited license fee, per year:	
16	(i) Dentist.....	25.00
17	(ii) Dental assistant.....	5.00
18	(iii) Dental Hygienist.....	10.00
19	(f) Examination review fees:	
20	(i) Dental preclinical or specialty.....	50.00
21	(ii) Dental assistant.....	10.00
22	Sec. 57. Fees for a person licensed or seeking licensure to	
23	engage in the practice of medicine or seeking approval to super-	
24	vise a physician's assistant under part 170 of the public health	
25	code, being sections 333.17001 to 333.17088 of the Michigan	
26	Compiled Laws, are as follows:	

1 (a) Application processing fee.....\$ 50.00  
 2 (b) Examination fees:  
 3 (i) Medical doctor, complete examination..... 400.00  
 4 (ii) Medical doctor, part I only..... 215.00  
 5 (iii) Medical doctor, part II only..... 265.00  
 6 (c) License fee, per year..... ~~40.00~~ 90.00  
 7 (d) Temporary license fee..... 25.00  
 8 (e) Limited license fee, per year..... 30.00  
 9 (f) Fees for approvals to supervise a physician's assistant:  
 10 (i) Application processing fee..... 30.00  
 11 (ii) Processing fee for amendments to application..... 25.00  
 12 (iii) Approval to supervise, per year..... 25.00

13 Section 2. This amendatory act shall not take effect unless  
 14 all of the following bills of the 86th Legislature are enacted  
 15 into law:

16 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 4279  
 17 (request no. 00772'91).

18 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 4289  
 19 (request no. 00781'91).