

SUBSTITUTE FOR  
HOUSE BILL NO. 5377  
(As amended February 13, 2002)

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding part 186.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 186. CONTACT LENS PROVIDERS

2 SEC. 18601. (1) AS USED IN THIS PART:

3 [

4 ]

5 [(A)] "CONTACT LENS PRESCRIPTION" MEANS A WRITTEN, SIGNED, AND

6 DATED ORDER, AS DESCRIBED IN SECTION 18605, BY A PHYSICIAN OR

7 OPTOMETRIST DESCRIBING OPTICAL AND PHYSICAL CHARACTERISTICS OF

8 CONTACT LENSES TO BE DISPENSED.

9 [(B)] "CONTACT LENS PROVIDER" MEANS A PERSON, WHETHER LOCATED

10 WITHIN OR OUTSIDE OF MICHIGAN, WHO DISPENSES, SELLS, OR PROVIDES

11 CONTACT LENSES TO A MICHIGAN RESIDENT.

**HB5377, As Passed House, February 13, 2002**

House Bill No. 5377

2

1 (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1  
2 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION  
3 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS  
4 DEFINITIONS APPLICABLE TO THIS PART.

5 SEC. 18603. (1) EXCEPT AS OTHERWISE PROVIDED IN  
6 SUBSECTION (2), A CONTACT LENS PROVIDER SHALL NOT DISPENSE, SELL,  
7 OR PROVIDE CONTACT LENSES TO A STATE RESIDENT UNLESS THE CONTACT  
8 LENS PROVIDER REGISTERS WITH THE DEPARTMENT ON A FORM PRESCRIBED  
9 BY THE DEPARTMENT. THE REGISTRATION FORM SHALL CONTAIN ALL OF  
10 THE FOLLOWING:

11 (A) THE NAME OF THE CONTACT LENS PROVIDER.

12 (B) THE PRINCIPAL ADDRESS OF THE CONTACT LENS PROVIDER AND  
13 THE ADDRESS OF ALL OTHER OFFICES OF THE CONTACT LENS PROVIDER IN  
14 THIS STATE. IF THE CONTACT LENS PROVIDER DOES NOT MAINTAIN A  
15 PRINCIPAL OFFICE IN THIS STATE, THE REGISTRATION FORM SHALL CON-  
16 TAIN THE NAME AND ADDRESS OF THE PERSON HAVING CUSTODY OF ITS  
17 RECORDS.

18 (C) THE TELEPHONE NUMBER OF THE CONTACT LENS PROVIDER.

19 (D) IF THE CONTACT LENS PROVIDER IS NOT LOCATED IN THIS  
20 STATE, THE NAME OF A RESIDENT AGENT IN THIS STATE FOR ACCEPTANCE  
21 OF SERVICE OF PROCESS.

22 (E) A DECLARATION THAT THE CONTACT LENS PROVIDER WILL COMPLY  
23 WITH ALL APPLICABLE LAWS AND REGULATIONS IN THE CONDUCT OF ITS  
24 BUSINESS IN MICHIGAN.

25 (2) A PHYSICIAN OR OPTOMETRIST IS NOT REQUIRED TO REGISTER  
26 UNDER SUBSECTION (1) UNTIL HIS OR HER NEXT LICENSE RENEWAL DATE  
27 THAT IMMEDIATELY FOLLOWS THE EFFECTIVE DATE OF THIS SECTION.

HB5377, As Passed House, February 13, 2002

Sub. HB 5377 (H-2) as amended February 6, 2002

3

1 (3) THE DEPARTMENT SHALL REGISTER A CONTACT LENS PROVIDER  
2 UPON PROPER APPLICATION UNDER SUBSECTION (1) AND PAYMENT OF A  
3 \$20.00 APPLICATION PROCESSING FEE AND A \$30.00 LICENSE FEE.

4 (4) A CONTACT LENS PROVIDER REGISTRATION SHALL BE RENEWED  
5 EVERY 2 YEARS UPON APPLICATION TO THE DEPARTMENT AND PAYMENT OF A  
6 \$30.00 RENEWAL FEE.

7 (5) FEES COLLECTED UNDER THIS SECTION SHALL BE DEPOSITED IN  
8 THE HEALTH PROFESSIONS REGULATORY FUND ESTABLISHED UNDER SECTION  
9 16315.

10 [

11 ]

12       Enacting section 1. This amendatory act does not take  
13 effect unless all of the following bills of the 91st Legislature  
14 are enacted into law:

15 (a) House Bill No. 5376.

16 (b) House Bill No. 5378.

17 (c) House Bill No. 5379.