

# HOUSE BILL No. 5308

November 13, 2003, Introduced by Reps. Ruth Johnson, Rocca, Stakoe and Bieda and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2001 PA 139, and by adding section 16346 and part 176.

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

1       Sec. 16131. The terms of office of individual members of  
2 the boards and task forces, except those appointed to fill  
3 vacancies, expire 4 years after appointment as follows:

4	Nursing	June 30
5	Nursing home administrator	June 30
6	Optometry	June 30
7	Pharmacy	June 30
8	Podiatric medicine and surgery	June 30

1	Dentistry	June 30
2	Chiropractic	December 31
3	Counseling	June 30
4	Marriage and family therapy	June 30
5	<b>Speech-language pathology</b>	<b>December 31</b>
6	Medicine	December 31
7	Occupational therapists	December 31
8	Osteopathic medicine and surgery	December 31
9	Physical therapy	December 31
10	Psychology	December 31
11	Social work	December 31
12	Veterinary medicine	December 31

13       Sec. 16263. (1) Except as provided in subsection (2), the  
14 following words, titles, or letters or a combination thereof,  
15 with or without qualifying words or phrases, are restricted in  
16 use only to those persons authorized under this article to use  
17 the terms and in a way prescribed in this article:

18       (a) "Chiropractic", "doctor of chiropractic", "chiropractor",  
19 "d.c.", and "chiropractic physician".

20       (b) "Dentist", "doctor of dental surgery", "oral and  
21 maxillofacial surgeon", "orthodontist", "prosthodontist",  
22 "periodontist", "endodontist", "oral pathologist", "pediatric  
23 dentist", "dental hygienist", "registered dental hygienist",  
24 "dental assistant", "registered dental assistant", "r.d.a.",  
25 "d.d.s.", "d.m.d.", and "r.d.h.".

26       (c) "Doctor of medicine" and "m.d.".

27       (d) "Physician's assistant" and "p.a.".

1 (e) "Registered professional nurse", "registered nurse",  
2 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",  
3 "nurse anesthetist", "nurse practitioner", "trained attendant",  
4 and "t.a.".

5 (f) "Doctor of optometry", "optometrist", and "o.d.".

6 (g) "Osteopath", "osteopathy", "osteopathic practitioner",  
7 "doctor of osteopathy", "diplomate in osteopathy", and "d.o.".

8 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",  
9 "druggist", "medicine store", "prescriptions", and "r.ph.".

10 (i) "Physical therapy", "physical therapist",  
11 "physiotherapist", "registered physical therapist", "licensed  
12 physical therapist", "physical therapy technician", "p.t.",  
13 "r.p.t.", "l.p.t.", and "p.t.t.".

14 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",  
15 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot  
16 specialist", "podiatric physician and surgeon", and "d.p.m.".

17 (k) "Consulting psychologist", "psychologist", "psychological  
18 assistant", "psychological examiner", "licensed psychologist",  
19 and "limited licensed psychologist".

20 (l) "Licensed professional counselor", "licensed counselor",  
21 "professional counselor", and "l.p.c.".

22 (m) "Sanitarian", "registered sanitarian", and "r.s.".

23 (n) "Social worker", "certified social worker", "social work  
24 technician", "s.w.", "c.s.w.", and "s.w.t.".

25 (o) "Veterinary", "veterinarian", "veterinary doctor",  
26 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",  
27 "d.v.m.", "animal technician", or "animal technologist".

1 (p) "Occupational therapist", "occupational therapist  
2 registered", "certified occupational therapist", "o.t.",  
3 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",  
4 "occupational therapy assistant", or "c.o.t.a.".

5 (q) "Marriage advisor" or "marriage consultant"; "family  
6 counselor", "family advisor", "family therapist", or "family  
7 consultant"; "family guidance counselor", "family guidance  
8 advisor", or "family guidance consultant"; "marriage guidance  
9 counselor", "marriage guidance advisor", or "marriage guidance  
10 consultant"; "family relations counselor"; "marriage relations  
11 counselor", "marriage relations advisor", or "marriage relations  
12 consultant"; "marital counselor" or "marital therapist"; "limited  
13 licensed marriage and family therapist" or "limited licensed  
14 marriage counselor"; "licensed marriage and family therapist" or  
15 "licensed marriage counselor"; and "l.m.f.t.".

16 (r) "Nursing home administrator".

17 (s) **"Speech-language pathologist", "speech pathologist",**  
18 **"speech therapist", "speech correctionist", "speech clinician",**  
19 **"language therapist", "language pathologist", "logopedist",**  
20 **"communicologist", "aphasiologist", "phoniatriest", "voice**  
21 **therapist", and "voice pathologist".**

22 (2) Notwithstanding section 16261, a person who was specially  
23 trained at an institution of higher education in this state to  
24 assist a physician in the field of orthopedics and upon  
25 completion of training, received a 2-year associate of science  
26 degree as an orthopedic physician's assistant before January 1,  
27 1977, may use the title "orthopedic physician's assistant"

1 whether or not the person is licensed under this article.

2       Sec. 16346. Fees for an individual licensed or seeking  
3 licensure as a speech therapist or speech pathologist under part  
4 176 are as follows:

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

6       (b) License fee, per year..... 75.00.

7                   PART 176. SPEECH-LANGUAGE PATHOLOGY

8       Sec. 17601. (1) As used in this part:

9       (a) "Practice of speech-language pathology" means the  
10 application of principles, methods, and procedures related to the  
11 development of disorders of human communication including, but  
12 not limited to, the following:

13       (i) Screening, identifying, assessing, interpreting,  
14 diagnosing, rehabilitating, and preventing disorders of speech  
15 and language.

16       (ii) Screening, identifying, assessing, interpreting,  
17 diagnosing, rehabilitating, and preventing disorders of  
18 oral-pharyngeal function, dysphagia, and related disorders.

19       (iii) Screening, identifying, assessing, interpreting,  
20 diagnosing, rehabilitating, and preventing  
21 cognitive-communicative disorders.

22       (iv) Assessing, selecting, and developing augmentative and  
23 alternative communication systems and providing training in their  
24 use.

25       (v) Providing aural rehabilitation and related counseling  
26 services to hearing impaired individuals and their families.

27       (vi) Enhancing speech-language proficiency and communication

1 effectiveness.

2 (vii) Screening of hearing and other factors for the purpose  
3 of speech-language evaluation or the initial identification of  
4 individuals with other communication disorders provided that  
5 judgments and descriptive statements about results of that  
6 screening are limited to pass-fail determinations.

7 (b) "Speech-language pathologist" means an individual engaged  
8 in the practice of speech-language pathology.

9 (2) In addition to the definitions in this part, article 1  
10 contains general definitions and principles of construction  
11 applicable to all articles in this code and part 161 contains  
12 definitions applicable to this part.

13 Sec. 17603. Beginning the effective date of the amendatory  
14 act that added this part, an individual shall not use the titles  
15 "speech-language pathologist", "speech pathologist", "speech  
16 therapist", "speech correctionist", "speech clinician", "language  
17 therapist", "language pathologist", "logopedist",  
18 "communicologist", "aphasiologist", "phoniatriest", "voice  
19 therapist", and "voice pathologist", or similar words that  
20 indicate that the individual is a speech-language pathologist,  
21 unless the individual is licensed under this article as a  
22 speech-language pathologist.

23 Sec. 17605. The Michigan board of speech-language pathology  
24 is created in the department and consists of the following 7  
25 members who meet the requirements of part 161:

26 (a) Four individuals who meet the requirements of section  
27 16135(2). The speech-language pathologists shall be from a list

1 of at least 3 times the number of vacancies submitted to the  
2 governor by the Michigan speech-language-hearing association.

3 (b) Three public members.

4 Sec. 17607. (1) An individual shall not engage in the  
5 practice of speech-language pathology unless licensed under this  
6 part.

7 (2) Subsection (1) does not prevent any of the following:

8 (a) An individual licensed under any other part or act from  
9 performing activities that are considered speech-language  
10 pathology services if those activities are within the  
11 individual's scope of practice and if the individual does not use  
12 the titles protected under section 17603.

13 (b) An individual not licensed under this part from  
14 performing activities that are considered speech-language  
15 pathology services while under the supervision of an individual  
16 who is licensed under this part, if the individual does not use  
17 the titles protected under section 17603.

18 (c) The practice of speech-language pathology that is an  
19 integral part of a program of study by students enrolled in an  
20 accredited speech-language pathology educational program approved  
21 by the board, provided that they are identified as students and  
22 provide speech-language pathology services only while under the  
23 supervision of a licensed speech-language pathologist.

24 (d) An individual who meets the qualifications established  
25 by the state board of education as a teacher of the speech and  
26 language impaired, employed or contracted for employment by a  
27 school district, intermediate school district, nonpublic school,

1 or department of state government that provides educational  
2 services. This part does not prevent that individual from  
3 engaging in his or her employment so long as the individual does  
4 not use the titles protected under section 17603, and this part  
5 does not prevent a teacher of the speech and language impaired,  
6 employed or contracted for employment by school districts,  
7 intermediate school districts, nonpublic schools, or departments  
8 of state government that provide educational services, from  
9 obtaining a license under this part.

10 (e) Self-care by a patient or uncompensated care by a friend  
11 or family member who does not represent or hold himself or  
12 herself out to be a licensed speech-language pathologist.

13 Sec. 17609. (1) The department shall, upon submission of a  
14 completed application and payment of the appropriate application  
15 processing and license fee, issue a license under this part to an  
16 individual who possesses a master's or doctorate degree in  
17 speech-language pathology acceptable to the board and who  
18 fulfills either of the following:

19 (a) Successful completion of an accredited speech-language  
20 pathology training program approved by the department and the  
21 board having at least 9 months, or the equivalent, of full-time  
22 supervised postgraduate clinical experience in speech-language  
23 pathology and passing a national examination acceptable to the  
24 board.

25 (b) Having the credential conferred by the American  
26 speech-language-hearing association or its successor organization  
27 as a certified speech-language-pathologist or its successor



1 credential, acceptable to the board. The credential conferred by  
2 the American speech-language-hearing association as a certified  
3 speech-language pathologist is considered the substantial  
4 equivalent to the requirements of subdivision (a) and that  
5 credential and the standards of qualification for that  
6 credential, as they exist on the effective date of the amendatory  
7 act that added this part, are adopted by reference.

8 (2) The board may promulgate rules under section 16145 as  
9 necessary or appropriate to fulfill its functions under this  
10 article and to amend or supplement the requirements for licensure  
11 under subsection (1), including adopting updated standards of  
12 that organization or standards of any successor organization of  
13 the American speech-language-hearing association.

14 (3) Subject to section 16204, the department shall by rule  
15 prescribe continuing education requirements as a condition for  
16 licensure renewal.

17 Sec. 17611. The department shall issue a license to an  
18 applicant from another state that offers reciprocity to licensees  
19 in Michigan and has licensure requirements substantially  
20 equivalent to this part, as determined by the board.

21 Sec. 17613. This part does not require new or additional  
22 third party reimbursement or mandated worker's compensation  
23 benefits for services rendered by an individual licensed under  
24 this part.