

SENATE BILL NO. 435

May 12, 2021, Introduced by Senator MACDONALD and referred to the Committee on Health Policy and Human Services.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701 and 2711 (MCL 333.2701 and 333.2711), section 2701 as amended by 2016 PA 499 and section 2711 as amended by 2014 PA 172.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2701. As used in this part:
- 2 (a) "Board certified" means certified to practice in a

1 particular medical specialty by a national board recognized by the
2 American Board of Medical Specialties or the American Osteopathic
3 Association.

4 (b) "Certified nurse midwife" means an individual who is
5 licensed as a registered professional nurse under part 172 who has
6 been granted a specialty certification in the practice of nurse
7 midwifery by the Michigan board of nursing under section 17210.

8 (c) "Certified nurse practitioner" means an individual who is
9 licensed as a registered professional nurse under part 172 who has
10 been granted a specialty certification as a nurse practitioner by
11 the Michigan board of nursing under section 17210.

12 (d) "Clinical nurse specialist-certified" means an individual
13 who is licensed as a registered professional nurse under part 172
14 who has been granted a specialty certification as a clinical nurse
15 specialist by the Michigan board of nursing under section 17210.

16 (e) "Dental school" means an accredited program for the
17 training of individuals to become dentists.

18 (f) "Dentist" means an individual who is licensed to engage in
19 the practice of dentistry under part 166.

20 (g) "Designated **advanced practice registered** nurse" means a
21 certified nurse midwife, certified nurse practitioner, or clinical
22 nurse specialist-certified.

23 (h) "**Designated mental health professional**" means an
24 individual who is qualified in the area of mental illness or
25 developmental disabilities and who is 1 of the following:

26 (i) **A nurse.**

27 (ii) **A psychologist.**

28 (iii) **A licensed master's social worker.**

29 (iv) **A licensed professional counselor.**

1 (v) **A marriage and family therapist.**

2 (i) ~~(h)~~—"Designated physician" means a physician qualified in
3 1 of the physician specialty areas identified in section 2711.

4 (j) ~~(i)~~—"Designated professional" means a designated
5 physician, designated **advanced practice registered** nurse, dentist,
6 ~~or~~ **physician's assistant, or designated mental health professional.**

7 (k) ~~(j)~~—"Health resource shortage area" means a geographic
8 area, population group, or health facility designated by the
9 department under section 2717.

10 (l) **"Licensed master's social worker" means an individual who**
11 **is licensed under part 185 to engage in the practice of social work**
12 **at the master's level.**

13 (m) **"Licensed professional counselor" means an individual who**
14 **is licensed under part 181 to engage in the practice of counseling**
15 **without supervision.**

16 (n) **"Marriage and family therapist" means an individual who is**
17 **licensed under part 169 to engage in the practice of marriage and**
18 **family therapy.**

19 (o) ~~(k)~~—"Medicaid" means benefits under the program of medical
20 assistance established under title XIX of the social security act,
21 42 USC 1396 to 1396w-5, and administered by the department under
22 the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

23 (p) ~~(l)~~—"Medical school" means an accredited program for the
24 training of individuals to become physicians.

25 (q) ~~(m)~~—"Medicare" means benefits under the federal Medicare
26 program established under title XVIII of the social security act,
27 42 USC 1395 to 1395lll.

28 (r) **"Mental health professional program" means an accredited**
29 **program for the training of individuals to become a designated**

1 **mental health professional.**

2 (s) ~~(n)~~—"National Health Service Corps" means the agency
3 established under 42 USC 254d.

4 (t) ~~(e)~~—"Nurse" means an individual who is licensed to engage
5 in the practice of nursing under part 172.

6 (u) ~~(p)~~—"Nursing program" means an accredited program for the
7 training of individuals to become nurses.

8 (v) ~~(q)~~—"Physician" means an individual who is licensed as a
9 physician under part 170 or part 175.

10 (w) ~~(r)~~—"Physician's assistant" means an individual who is
11 licensed as a physician's assistant under part 170 or part 175.

12 (x) ~~(s)~~—"Physician's assistant program" means an accredited
13 program for the training of individuals to become physician's
14 assistants.

15 (y) **"Psychologist" means an individual licensed to engage in**
16 **the practice of psychology under part 182.**

17 (z) ~~(t)~~—"Service obligation" means the contractual obligation
18 undertaken by an individual under section 2705 or section 2707 to
19 provide health care services for a determinable time period at a
20 site designated by the department.

21 Sec. 2711. (1) For the programs created in sections 2705 and
22 2707, the department shall only recruit physicians who are
23 qualified or students who are training to become qualified in 1 or
24 more of the following designated physician specialty areas:

- 25 (a) General practice.
- 26 (b) Family practice.
- 27 (c) Obstetrics.
- 28 (d) Pediatrics.
- 29 (e) Emergency medicine.

1 (f) Internal medicine.

2 (g) Preventive medicine.

3 (h) Psychiatry **or behavioral sciences.**

4 **(i) Geriatrics.**

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

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

15 Enacting section 1. This amendatory act does not take effect
16 unless Senate Bill No. 246 of the 101st Legislature is enacted into
17 law.