



The University of Michigan
Department of Health Management & Policy
School of Public Health
1420 Washington Heights
Ann Arbor, Michigan 48109-2029
FAX 734 764-4338

September 3, 2014

Representative Gail Haines
N-892 House Office Building
P.O. Box 30014
Lansing, MI 48909

Re: Senate Bill 2

Dear Representative Haines:

I am writing you to provide what might be useful background for the House Health Policy Committee in its consideration of S.B. 2. I understand (and am pleased to learn) that your committee has scheduled a hearing on this bill, and I hope to have an opportunity to present oral testimony.

I was the Chair of the Governor's Commission on Public Health Statute Reform, appointed by then Governor William Milliken to work together with a legislative committee in writing and securing passage of Michigan's Public Health Code. Significant reforms in Michigan's health professions licensure system were incorporated into that legislation, with the goal of utilizing the various health professions in the most efficient and cost effective manner consistent with protection of the public health and safety. Included in the Code's reforms was the recognition of the educational level and practice competency of the nursing profession and its nurse practitioner and nurse midwife specialty levels.

Section 17210 of the Code, as enacted, enabled the board of nursing to issue a specialty certification of nurses with advanced training and demonstrated competency. Background materials on which these provisions were based state that "where a practitioner has attained certain additional skills beyond the minimal criteria set for initial licensure in that profession, the licensee may be issued special certification...and may perform certain other selected acts or categories of acts not permitted for the basic, minimum license..." Attempts to delete this provision during committee consideration of the Bill were consistently defeated. This provision must be considered along with Section 16111 of the Code as enacted, which provides that "a part in this article does not prohibit a licensee under another part or other law of this state from performing activities and using designated titles authorized by a license issued to him or her under that other part..." The combined effect of these provisions was to make clear that the regulatory bodies administering the licensure of nursing and its specialty areas could define the scope of practice of advanced specialty nurses consistent with their own statutory provisions, irrespective of any overlap with the scopes of practice of any other licensed profession. The ultimate goal of these provisions

September 8, 2014

was to make more efficient use of the health professions where the requisite levels of education and competency were present, and to enable each profession to determine competency pursuant to its own legislative authority.

It is my understanding that the full intent of the Legislature in enacting these original provisions of the Michigan Public Health Code has not been realized in practice, and that the advanced specialty areas of nursing have not been allowed to practice to the full extent of their education and competency, irrespective of the judgment of their own licensing authorities. The proposed legislation (S.B. 2) corrects this inappropriate limitation by specifying the expanded scope of practice of Advanced Practice Registered Nurses and by establishing the field's Task Force. While I cannot speak to all of its details, I can state with confidence that the Bill is very much in the spirit of the legislative reforms enacted as Michigan's Public Health Code. Moreover, the Bill is consistent with the public interest in maximizing the utilization of the state's professional resources free of governmental limitations unrelated to the public's health and safety. This goal is even more critical today than at the time of the Code's passage, given the expansion of demand for health services through health reform and the need to use our limited fiscal resources as efficiently as possible.

Sincerely,

A handwritten signature in cursive script that reads "Toby Citrin".

Toby Citrin, J.D.

Adjunct Professor of Health Management and Policy