

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

**DIRECTOR'S OFFICE**

**TASK FORCE ON PHYSICIAN'S ASSISTANTS – GENERAL RULES**

~~GENERAL RULES~~

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45(a)(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

~~{(By authority conferred on the task force on physician's assistants~~ **director of the department of licensing and regulatory affairs** by sections 16145, **16148**, and 17060, **and 17068** of 1978 PA 368, MCL 333.16145, **333.16148**, and 333.17060, and **333.17068**, and Executive Reorganization Order Nos. 1991-9, ~~1996-1~~, 1996-2, 2003-1, and 2011-4, MCL 338.3501, ~~330.3101~~, 445.2001, 445.2011, and 445.2030)

R 338.6101, R 338.6103, R 338.6201, R 338.6301, R 338.6305, R 338.6308, and R 338.6311 of the Michigan Administrative Code are amended, and R 338.6309 is rescinded, to read as follows:

PART 1. GENERAL PROVISIONS

R 338.6101 Definitions.

Rule 101. (1) As used in these rules:

(a) "Code" means **the public health code**, 1978 PA 368, MCL 333.1101 to 333.25211.

(b) "Department" means the department of licensing and regulatory affairs.

(c) "Task force" means the **Michigan** task force on physician's assistants- **created under section 17025 of the code, MCL 333.17025.**

(2) ~~Terms~~ **The terms** defined in the code have the same ~~meanings~~ **meaning** when used in these rules.

R 338.6103 Training standards for identifying victims of human trafficking; requirements.

Rule 103. (1) Pursuant to section 17060 of the code, MCL 333.17060, an individual seeking licensure or licensed shall complete training in identifying victims of human trafficking that meets the following standards:

(a) Training content shall cover all of the following:

(i) Understanding the types and venues of human trafficking in Michigan or the United States.

(ii) Identifying victims of human trafficking in health care settings.

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- (iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.
- (iv) Resources for reporting the suspected victims of human trafficking.
- (b) Acceptable providers or methods of training include any of the following:
  - (i) Training offered by a nationally recognized or state-recognized, health-related organization.
  - (ii) Training offered by, or in conjunction with, a state or federal agency.
  - (iii) Training obtained in an educational program that has been approved by the task force for initial licensure, or by a college or university.
  - (iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of ~~subrule~~ **subdivision** (1)(a) of this ~~rule~~ **subrule** and is published in a peer review journal, health care journal, or professional or scientific journal.
- (c) Acceptable modalities of training may include any of the following:
  - (i) Teleconference or webinar.
  - (ii) Online presentation.
  - (iii) Live presentation.
  - (iv) Printed or electronic media.
- (2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:
  - (a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
  - (b) A self-certification statement by an individual. The certification statement shall include the individual's name and either of the following:
    - (i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
    - (ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.
- (3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply ~~to~~ **for** license renewals beginning with the ~~first~~ **2016** renewal cycle ~~after the promulgation of this rule~~ and for initial licenses issued ~~5 or more years after the promulgation of this rule.~~ **April 22, 2021.**

## PART 2. ~~PHYSICIANS'~~ **PHYSICIAN'S ASSISTANT PROGRAM APPROVAL**

R 338.6201 Educational program standards; adoption by reference.

Rule 201. (1) The standards for accrediting educational programs for physician's assistants approved by the accreditation review commission on education for the physician assistant (~~are pa~~) (**ARC-PA**) in the document entitled "Accreditation Standards for Physician Assistant Education, 4<sup>th</sup> Edition," effective September 1, 2010, updated ~~December 7, 2012,~~ **March 8, 2018**, are adopted by reference in these rules. The standards are available at no cost on the commission's website at <http://www.arc-pa.org>. Copies of

the standards are also available for inspection and distribution at cost from the Michigan Task Force on Physician's Assistants, Bureau of ~~Health Care Services~~, **Professional Licensing**, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

(2) ~~Any~~ **Only** educational ~~program~~ **programs** for physician's assistants that ~~is~~ **are** accredited by the ~~are-pa ARC-PA meets the qualifications for an~~ **are** approved physician's assistant educational ~~program~~ **programs**.

### PART 3. PHYSICIAN'S ASSISTANT LICENSE

R 338.6301 Application for physician's assistant license; requirements.

Rule 301. An applicant for a physician's assistant license shall submit the required fee and a completed application on a form provided by the department. In addition to meeting the requirements of the code and these rules, an applicant shall meet both of the following requirements:

(a) Have graduated from an accredited educational program for physician's assistants that meets the standards in R 338.6201.

(b) Have passed the certifying examination conducted and scored by the national commission on certification of physician assistants (~~neepa~~) (**NCCPA**).

R 338.6305 Licensure by endorsement; requirements.

Rule 305. (1) An applicant for a physician's assistant license by endorsement, in addition to meeting the requirements of the code and these rules, shall submit the required fee and a completed application on a form provided by the department. An applicant who satisfies the requirements of the code and this rule, is presumed to meet the requirements of section 16186, MCL 333.16186, of the code.

(2) If the applicant was first licensed, certified, or registered to practice as a physician's assistant in another state before July 7, 1986, then the applicant shall submit evidence of having passed the certifying examination conducted and scored by the ~~neepa~~ **NCCPA**.

(3) If the applicant was first licensed, certified, or registered to practice as a physician's assistant in another state on or after July 7, 1986, the applicant shall meet both of the following requirements:

(a) Have graduated from an accredited educational program for physician's assistants that meets the standards in R 338.6201.

(b) Have passed the certifying examination conducted and scored by the ~~neepa~~ **NCCPA**.

(4) An applicant shall have his or her license, certification, or registration verified by the licensing agency of any state of the United States in which the applicant holds a current license, certification, or registration or ever held a license, certification, or registration as a physician's assistant. If applicable, verification shall include the record of any disciplinary action taken or pending against the applicant.

R 338.6308 Requirements for relicensure.

Rule 308. (1) An applicant **for relicensure** whose license has **been** lapsed for less than 3 years preceding the date of application ~~for relicensure~~ may be relicensed under section 16201(3), **of the code**, MCL 333.16201(3), ~~of the code~~ if the applicant ~~submits the required fee and a completed application on a form provided by the department.~~ **satisfies all of the following requirements:**

(a) **Submits the required fee and a completed application on a form provided by the department.**

(b) **Establishes that he or she is of good moral character.**

(c) **Has his or her license, certification, or registration verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license, certification, or registration or ever held a license, certification, or registration as a physician's assistant. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.**

(2) An applicant **for relicensure** whose license has **been** lapsed for 3 years or more preceding the date of application ~~for relicensure~~ may be relicensed under section 16201(4), **of the code**, MCL 333.16201(4), ~~of the code~~ if the applicant ~~submits the required fee and a completed application on a form provided by the department and meets either~~ **satisfies all** of the following requirements:

(a) ~~Presents evidence to the department that he or she was licensed as a physician's assistant in another state of the United States during the 3-year period immediately preceding the date of the application for relicensure.~~ **Submits the required fee and a completed application on a form provided by the department.**

(b) ~~Establishes that he or she passed either the certifying or recertifying examination conducted and scored by the neepa during the 10-year period immediately preceding the date of the application for relicensure.~~ **Establishes that he or she is of good moral character.**

(c) **Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174(3).**

(d) **Does either of the following:**

(i) **Presents evidence to the department that he or she was licensed as a physician's assistant in another state of the United States during the 3-year period immediately preceding the date of the application for relicensure.**

(ii) **Establishes that he or she passed either the certifying or recertifying examination conducted and scored by the NCCPA during the 10-year period immediately preceding the date of the application for relicensure.**

(e) **Has his or her license, certification, or registration verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license, certification, or registration or ever held a license, certification, or registration as a physician's assistant. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.**

~~(3) An applicant shall have his or her license, certification, or registration verified by the licensing agency of any state of the United States in which the applicant holds a current license, certification, or registration or ever held a license, certification, or~~

registration as a physician's assistant. If applicable, verification shall include the record of any disciplinary action taken or pending against the applicant.

R 338.6309 Advertising. **Rescinded.**

Rule 309. (1) A licensee practicing as a physician's assistant in this state shall use the words "physician's assistant" or "physician assistant" or the initials "P.A." in conjunction with his or her names on all signs, letterheads, business cards, or similar items of identification.

R 338.6311 License renewal; requirements.

Rule 311. An applicant for license renewal who has been licensed for the 2-year period immediately preceding the application for renewal shall submit the required fee. **and a completed application on a form provided by the department.**

**PART 4. ADMINISTRATIVE HEARINGS**