

HOUSE BILL No. 5243

October 9, 1991, Introduced by Reps. Bennane, DeMars, Hertel, Gubow and Gnodtke and referred to the Committee on Public Health.

A bill to amend sections 16131 and 16263 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code,"

section 16131 as amended by Act No. 473 of the Public Acts of 1988 and section 16263 as amended by Act No. 216 of the Public Acts of 1990, being sections 333.16131 and 333.16263 of the Michigan Compiled Laws; and to add part 165.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 16131 and 16263 of Act No. 368 of the
2 Public Acts of 1978, section 16131 as amended by Act No. 473 of
3 the Public Acts of 1988 and section 16263 as amended by Act
4 No. 216 of the Public Acts of 1990, being sections 333.16131 and
5 333.16263 of the Michigan Compiled Laws, are amended and part 165
6 is added to read as follows:

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

5	ACUPUNCTURE	JUNE 30
6	Nursing	June 30
7	Optometry	June 30
8	Pharmacy	June 30
9	Podiatric medicine and surgery	June 30
10	Dentistry	June 30
11	Chiropractic	December 31
12	Counseling	June 30
13	Health occupations council	December 31
14	Medicine	December 31
15	Occupational therapists	December 31
16	Osteopathic medicine and surgery	December 31
17	Physical therapy	December 31
18	Psychology	December 31
19	Sanitaricians	December 31
20	Veterinary medicine	December 31

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

- 1 (a) "Chiropractic", "doctor of chiropractic",
2 "chiropractor", "d.c.", and "chiropractic physician".
- 3 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
4 lofacial surgeon", "orthodontist", "prosthodontist",
5 "periodontist", "endodontist", "oral pathologist", "pediatric
6 dentist", "dental hygienist", "registered dental hygienist",
7 "dental assistant", "registered dental assistant", "R.D.A.",
8 "d.d.s.", "d.m.d.", and "r.d.h.".
- 9 (c) "Doctor of medicine" and "m.d.".
- 10 (d) "Physician's assistant" and "p.a.".
- 11 (e) "Registered professional nurse", "registered nurse",
12 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
13 "nurse anesthetist", "nurse practitioner", "trained attendant",
14 and "t.a.".
- 15 (f) "Doctor of optometry", "optometrist", and "o.d.".
- 16 (g) "Osteopath", "osteopathy", "osteopathic practitioner",
17 "doctor of osteopathy", "diplomate in osteopathy", and "d.o.".
- 18 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",
19 "druggist", "medicine store", "prescriptions", and "r.ph.".
- 20 (i) "Physical therapy", "physical therapist",
21 "physiotherapist", "registered physical therapist", "licensed
22 physical therapist", "physical therapy technician", "p.t.",
23 "r.p.t.", "l.p.t.", and "p.t.t.".
- 24 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
25 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
26 specialist", "podiatric physician and surgeon", and "d.p.m.".

1 (k) "Consulting psychologist", "psychologist",
 2 "psychological assistant", and "psychological examiner",
 3 "licensed psychologist", and "limited licensed psychologist".

4 (l) "Licensed professional counselor", "licensed counselor",
 5 "professional counselor", and "l.p.c.".

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

7 (n) "Veterinary", "veterinarian", "veterinary doctor",
 8 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
 9 "d.v.m.", "animal technician", or "animal technologist".

10 (o) "Occupational therapist", "occupational therapist
 11 registered", "certified occupational therapist", "o.t.",
 12 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
 13 "occupational therapy assistant", or "c.o.t.a.".

14 (P) "ACUPUNCTURIST" OR "REGISTERED ACUPUNCTURIST".

15 (2) Notwithstanding section 16261, a person who was spe-
 16 cially trained at an institution of higher education in this
 17 state to assist a physician in the field of orthopedics and upon
 18 completion of training, received a 2-year associate of science
 19 degree as an orthopedic physician's assistant before January 1,
 20 1977, may use the title "orthopedic physician's assistant"
 21 whether or not the person is licensed under this article.

22 PART 165.

23 SEC. 16501. (1) AS USED IN THIS PART, "ACUPUNCTURIST" MEANS
 24 AN INDIVIDUAL WHO STIMULATES A CERTAIN POINT OR POINTS ON OR NEAR
 25 THE SURFACE OF THE HUMAN BODY BY THE INSERTION OF NEEDLES, APPLI-
 26 CATION OF PROBE TIPS, OR NONINVASIVE MEANS TO PREVENT OR MODIFY
 27 THE PERCEPTION OF PAIN OR TO NORMALIZE PHYSIOLOGICAL FUNCTIONS

1 INCLUDING PAIN CONTROL; USES SUPERFICIAL HEAT, ELECTRICAL
2 STIMULATION OF NEEDLES, AND HERBAL REMEDIES; AND IS REGISTERED
3 UNDER THIS PART.

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

8 SEC. 16503. THIS PART DOES NOT APPLY TO A CERTIFIED,
9 LICENSED, OR STATUTORILY RECOGNIZED MEMBER OF ANY OTHER PROFES-
10 SION WHO PRACTICES HIS OR HER PROFESSION AS AUTHORIZED BY LAW, OR
11 TO AN INDIVIDUAL ENGAGED IN THE PRACTICE OF MASSAGE AS DEFINED IN
12 SECTION 1701 OF THE OCCUPATIONAL CODE, ACT NO. 299 OF THE PUBLIC
13 ACTS OF 1980, BEING SECTION 339.1701 OF THE MICHIGAN COMPILED
14 LAWS, SO LONG AS THE INDIVIDUAL DOES NOT HOLD HIMSELF OR HERSELF
15 OUT AS AN ACUPUNCTURIST REGISTERED UNDER THIS ARTICLE.

16 SEC. 16511. AFTER RULES ARE PROMULGATED UNDER
17 SECTION 16145, AN INDIVIDUAL SHALL NOT USE THE TITLE
18 "ACUPUNCTURIST" OR "REGISTERED ACUPUNCTURIST" UNLESS REGISTERED
19 UNDER THIS ARTICLE.

20 SEC. 16521. THE MICHIGAN BOARD OF ACUPUNCTURE IS CREATED IN
21 THE DEPARTMENT AND SHALL CONSIST OF THE FOLLOWING 5 VOTING MEM-
22 BERS WHO MEET THE REQUIREMENTS OF PART 161:

23 (A) THREE INDIVIDUALS WHO MEET THE REQUIREMENTS OF
24 SECTION 16135(2) AND WHO ARE NOT LICENSED UNDER PART 170 OR 175.

25 (B) ONE PHYSICIAN LICENSED UNDER PART 170 OR 175.

26 (C) ONE PUBLIC MEMBER.

1 SEC. 16524. (1) IN ESTABLISHING REQUIREMENTS FOR
2 REGISTRATION UNDER SECTION 16145, THE BOARD MAY ADOPT BY
3 REFERENCE REQUIREMENTS SET BY A NATIONAL ORGANIZATION THAT CERTI-
4 FIES OR OTHERWISE APPROVES ACUPUNCTURISTS.

5 (2) FOR A PERIOD NOT TO EXCEED 2 YEARS AFTER THE BOARD
6 PROMULGATES RULES UNDER SECTION 16145 TO SPECIFY REQUIREMENTS FOR
7 REGISTRATION UNDER THIS PART, THE BOARD SHALL GRANT A CERTIFICATE
8 OF REGISTRATION TO AN INDIVIDUAL WHO HAS BEEN PRACTICING ACUPUNC-
9 TURE IN THIS STATE FOR A MINIMUM OF 3 OUT OF THE 5 YEARS IMMEDI-
10 ATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPLICATION FOR
11 REGISTRATION.

12 Section 2. This amendatory act shall not take effect unless
13 Senate Bill No. ____ or House Bill No. 5244 (request
14 no. 03046'91 a) of the 86th Legislature is enacted into law.