

HOUSE BILL No. 5750

February 23, 2006, Introduced by Rep. Stakoe and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16106 and 17211 (MCL 333.16106 and 333.17211), section 16106 as amended by 2002 PA 643.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16106. (1) "Incompetence" means a departure from, or
2 failure to conform to, minimal standards of acceptable and
3 prevailing practice for a health profession, whether or not actual
4 injury to an individual occurs.

5 (2) "License", except as otherwise provided in this
6 subsection, means an authorization issued under this article to
7 practice where practice would otherwise be unlawful. License
8 includes an authorization to use a designated title which use would

1 otherwise be prohibited under this article and may be used to refer
2 to a health profession subfield license, limited license, or a
3 temporary license. For purposes of the definition of "prescriber"
4 contained in section 17708(2) only, license includes an
5 authorization issued under the laws of another state, or the
6 country of Canada to practice in that state or in the country of
7 Canada, where practice would otherwise be unlawful, and is limited
8 to a licensed doctor of medicine, a licensed doctor of osteopathic
9 medicine and surgery, or another licensed health professional
10 acting under the delegation and using, recording, or otherwise
11 indicating the name of the delegating licensed doctor of medicine
12 or licensed doctor of osteopathic medicine and surgery. License
13 does not include a health profession specialty field license.

14 (3) "Licensee", as used in a part that regulates a specific
15 health profession, means an individual to whom a license is issued
16 under that part, and as used in this part means each licensee
17 regulated by this article. **LICENSEE INCLUDES AN INDIVIDUAL WHO IS**
18 **AUTHORIZED TO ENGAGE IN THE PRACTICE OF NURSING OR THE PRACTICE OF**
19 **NURSING AS A LICENSED PRACTICAL NURSE PURSUANT TO A MULTISTATE**
20 **LICENSURE PRIVILEGE RECOGNIZED UNDER THE NURSE LICENSURE COMPACT.**

21 (4) "Limitation" means an action by which a board imposes
22 restrictions or conditions, or both, on a license.

23 (5) "Limited license" means a license to which restrictions or
24 conditions, or both, as to scope of practice, place of practice,
25 supervision of practice, duration of licensed status, or type or
26 condition of patient or client served are imposed by a board.

27 Sec. 17211. (1) A person shall not engage in the practice of

1 nursing or the practice of nursing as a licensed practical nurse
2 unless licensed or otherwise authorized by this article **OR THE**
3 **NURSE LICENSURE COMPACT.**

4 (2) **BY DECEMBER 31, 2010, THE DEPARTMENT SHALL SUBMIT A**
5 **WRITTEN REPORT TO THE LEGISLATURE REGARDING THE IMPACT AND**
6 **EFFECTIVENESS OF THE NURSE LICENSURE COMPACT.**

7 Enacting section 1. This amendatory act does not take effect
8 unless House Bill No. 5493 of the 93rd Legislature is enacted into
9 law.