

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 213

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16285, 16287, 17210, and 17211 (MCL 333.16285,
333.16287, 333.17210, and 333.17211), sections 16285 and 16287 as
added by 2016 PA 359 and sections 17210 and 17211 as amended by
2016 PA 499.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16285. (1) A health professional who is providing a
2 telehealth service **TO A PATIENT** may prescribe the patient a drug if
3 both of the following are met:

4 (a) The health professional is a prescriber **WHO IS ACTING**
5 **WITHIN THE SCOPE OF HIS OR HER PRACTICE IN PRESCRIBING THE DRUG.**

6 (b) ~~The drug is not a controlled substance.~~ **IF THE HEALTH**
7 **PROFESSIONAL IS PRESCRIBING A DRUG THAT IS A CONTROLLED SUBSTANCE,**

1 THE HEALTH PROFESSIONAL MEETS THE REQUIREMENTS OF THIS ACT
 2 APPLICABLE TO THAT HEALTH PROFESSIONAL FOR PRESCRIBING A CONTROLLED
 3 SUBSTANCE.

4 (2) A HEALTH PROFESSIONAL WHO PRESCRIBES A DRUG UNDER
 5 SUBSECTION (1) SHALL COMPLY WITH BOTH OF THE FOLLOWING:

6 (A) IF THE HEALTH PROFESSIONAL CONSIDERS IT MEDICALLY
 7 NECESSARY, HE OR SHE SHALL PROVIDE THE PATIENT WITH A REFERRAL FOR
 8 OTHER HEALTH CARE SERVICES THAT ARE GEOGRAPHICALLY ACCESSIBLE TO
 9 THE PATIENT, INCLUDING, BUT NOT LIMITED TO, EMERGENCY SERVICES.

10 (B) AFTER PROVIDING A TELEHEALTH SERVICE, THE HEALTH
 11 PROFESSIONAL, OR A HEALTH PROFESSIONAL WHO IS ACTING UNDER THE
 12 DELEGATION OF THE DELEGATING HEALTH PROFESSIONAL, SHALL MAKE
 13 HIMSELF OR HERSELF AVAILABLE TO PROVIDE FOLLOW-UP HEALTH CARE
 14 SERVICES TO THE PATIENT OR REFER THE PATIENT TO ANOTHER HEALTH
 15 PROFESSIONAL FOR FOLLOW-UP HEALTH CARE SERVICES.

16 Sec. 16287. The department, in consultation with a board, ~~may~~
 17 **SHALL** promulgate rules to implement sections 16284 and 16285.

18 Sec. 17210. (1) The Michigan board of nursing may grant a
 19 specialty certification to a registered professional nurse who has
 20 advanced training beyond that required for initial licensure, who
 21 has demonstrated competency through examination or other evaluative
 22 processes, and who practices in 1 of the following health
 23 profession specialty fields:

24 (a) Nurse midwifery.

25 (b) Nurse anesthetist.

26 (c) Nurse practitioner.

27 (d) ~~Clinical~~**SUBJECT TO SUBSECTION (2), CLINICAL** nurse

1 specialist.

2 (2) THE MICHIGAN BOARD OF NURSING SHALL PROMULGATE RULES
3 ESTABLISHING THE QUALIFICATIONS FOR THE TRAINING AND COMPETENCY OF
4 THE HEALTH PROFESSION SPECIALTY FIELD OF CLINICAL NURSE SPECIALIST.
5 THE MICHIGAN BOARD OF NURSING SHALL NOT GRANT A SPECIALTY
6 CERTIFICATION AS A CLINICAL NURSE SPECIALIST UNDER SUBSECTION (1)
7 UNTIL AFTER THE EFFECTIVE DATE OF THE RULES PROMULGATED UNDER THIS
8 SUBSECTION.

9 Sec. 17211. (1) An individual shall not engage in the practice
10 of nursing or the practice of nursing as a licensed practical nurse
11 unless he or she is licensed or is otherwise authorized by this
12 article.

13 (2) The following words, titles, or letters or a combination
14 of the words, titles, or letters, with or without qualifying words
15 or phrases, are restricted in use only to those persons authorized
16 under this part to use the terms and in a way prescribed in this
17 part: ~~"registered~~

18 (A) **"REGISTERED** professional nurse", "registered nurse",
19 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
20 "certified nurse midwife", "c.n.m.", "advanced practice registered
21 nurse", "a.p.r.n.", "nurse anesthetist", "nurse practitioner",
22 "n.p.", "certified nurse practitioner", **AND** "c.n.p.". ~~"clinical~~
23 ~~nurse specialist", "c.n.s.", "clinical nurse specialist-certified",~~
24 ~~and "c.n.s.-c."~~

25 (B) BEGINNING 12 MONTHS AFTER THE EFFECTIVE DATE OF THE RULES
26 PROMULGATED UNDER SECTION 17210(2), "CLINICAL NURSE SPECIALIST",
27 "C.N.S.", "CLINICAL NURSE SPECIALIST-CERTIFIED", AND "C.N.S.-C."

1 Enacting section 1. This amendatory act takes effect March 29,
2 2017.