

OUT-OF-STATE HEALTH PROFESSIONALS

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Senate Bill 759 (S-1) as reported from House committee
Sponsor: Sen. Curtis S. VanderWall
House Committee: Health Policy
Senate Committee: Health Policy and Human Services
Complete to 12-14-21

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 167 of 2021)

SUMMARY:

Senate Bill 759 would amend the Public Health Code to allow qualified individuals authorized to practice a health profession in another state to practice in Michigan during an epidemic under certain circumstances.

Currently, the code exempts individuals in certain situations from the general licensing requirements under Article 15 (Occupations), including students training to be health professionals.

The bill would create an additional exemption if the director of the Department of Health and Services (DHHS) determines that control of an epidemic is necessary to protect the public health. In that case, health professionals who are authorized to practice in another state and who would otherwise meet the requirements of Article 15 for licensure could render medical care during an epidemic-related staffing shortage.

MCL 333.16101 and 333.16171

BRIEF DISCUSSION:

According to committee testimony, the provision that the Department of Licensing and Regulatory Affairs (LARA) put in place in March 2020 to allow licensure flexibility for health professionals during the pandemic is set to expire on January 11, 2022. Reportedly, there are about 96 out-of-state health professionals currently working in Michigan, but there have been thousands during the course of the pandemic as cases have spiked and waned in different states and health professionals have traveled to fill the need. States have taken a variety of measures to account for the increased need for and decreasing availability of health professionals over the course of the pandemic.¹

FISCAL IMPACT:

Senate Bill 759 would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs (LARA). By allowing individuals to practice under Article 15 of the Public Health Code without a license in the instances allowed under the bill, there may be reduced amounts of various licensure revenues collected. The magnitude of this

¹ <https://www.ncsl.org/research/labor-and-employment/covid-19-occupational-licensing-in-public-emergencies.aspx>

reduction would depend on the number of individuals seeking to practice in Michigan under this bill's provisions and the duration of the epidemic-related staffing shortage, both of which are indeterminate.

POSITIONS:

Representatives of the following entities testified in support of the bill (12-9-21):

Michigan Health and Hospital Association
Trinity Health–Michigan

The following entities indicated support for the bill (12-9-21):

Henry Ford Health System
Mackinac Center for Public Policy
Ascension Michigan
Beaumont Health
Sparrow Health System
Ascension Northern Ministries

The Department of Licensing and Regulatory Affairs indicated a neutral position on the bill. (12-9-21)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.