

HOUSE BILL NO. 5464

February 22, 2024, Introduced by Reps. Bierlein, Kunse, Schuette, Alexander, DeBoyer, Martus, Tyrone Carter, Rheingans, Aragona, Thompson and Farhat and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16177 (MCL 333.16177), as amended by 2006 PA
481.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16177. (1) An individual applying for licensure or
2 registration under this article shall do so on a form provided by
3 the department. The department shall require each applicant to
4 include on the application form ~~his or her social security~~ **the**

1 **applicant's Social Security** number. The department shall not
2 display an applicant's ~~social security~~ **Social Security** number on
3 ~~his or her license or registration.~~ **the applicant's certificate of**
4 **licensure or certificate of registration.** If the facts set forth in
5 the application meet the requirements of the board or task force
6 and this article for licensure or registration, the board or task
7 force shall grant a license or registration to the applicant. A
8 board or task force may require the applicant to take an
9 examination to determine if the applicant meets the qualifications
10 for licensure or registration. The examination ~~shall~~ **must** include
11 subjects determined by the board or task force to be essential to
12 the safe and competent practice of the health profession, the
13 appropriate use of a title, or both. Passing scores or the
14 procedure used to determine passing scores ~~shall~~ **must** be
15 established before an examination is administered.

16 (2) In addition to the information required under subsection
17 (1), an applicant for licensure or registration or a licensee or
18 registrant applying for renewal shall include on a form provided by
19 the department all of the following information, if applicable:

20 (a) A felony conviction.

21 (b) A misdemeanor conviction punishable by imprisonment for a
22 maximum term of 2 years or a misdemeanor conviction involving the
23 illegal delivery, possession, or use of alcohol or a controlled
24 substance.

25 (c) Sanctions imposed against the applicant by a similar
26 licensure, registration, certification, or disciplinary board of
27 another state or country.

28 (3) In addition to the information required under subsections
29 (1) and (2), a physician, osteopathic physician, dentist, or

1 podiatrist applying for licensure or renewal under this article
2 shall report to the department on a form provided by the department
3 the name of each hospital with which ~~he or she~~ **the physician,**
4 **osteopathic physician, dentist, or podiatrist** is employed or under
5 contract, and each hospital in which ~~he or she~~ **the physician,**
6 **osteopathic physician, dentist, or podiatrist** is allowed to
7 practice.

8 (4) In addition to the information required under subsections
9 (1), (2), and (3), an applicant for licensure and ~~beginning the~~
10 ~~license renewal cycle after the effective date of the amendatory~~
11 ~~act that added section 16213,~~ a licensee applying for renewal shall
12 provide the department, on the application or the license renewal
13 form, with an affidavit stating that ~~he or she~~ **the applicant or**
14 **licensee** has a written policy for protecting, maintaining, and
15 providing access to ~~his or her~~ **the applicant's or licensee's**
16 medical records in accordance with section 16213 and for complying
17 with section 16213 in the event that ~~he or she~~ **the applicant or**
18 **licensee** sells or closes ~~his or her~~ **the applicant's or licensee's**
19 practice, retires from practice, or otherwise ceases to practice
20 under this article. The applicant or licensee shall make the
21 written policy available to the department upon request.

22 (5) In addition to the information required under subsections
23 (1), (2), (3) and (4), the department may require an applicant for
24 licensure or registration or a licensee or registrant applying for
25 renewal to answer both of the following questions on an application
26 or renewal form:

27 (a) "Do you have any reason to believe that you would pose a
28 risk to the safety or well-being of a patient or client?".

29 (b) "Are you able to perform the essential functions of the

1 health profession for which you are seeking a license,
2 registration, or renewal, with or without reasonable
3 accommodation?".

4 (6) Except for the questions described in subsection (5), the
5 department shall not include on an application or renewal form any
6 question pertaining to the mental health of an applicant for
7 licensure or registration or the mental health of a licensee or
8 registrant applying for renewal.

9 (7) ~~(5)~~—A requirement under this section to include a ~~social~~
10 ~~security~~ **Social Security** number on an application does not apply to
11 an applicant who demonstrates ~~he or she~~ **that the applicant** is
12 exempt under law from obtaining a ~~social security~~ **Social Security**
13 number or to an applicant who for religious convictions is exempt
14 under law from disclosure of ~~his or her social security~~ **the**
15 **applicant's Social Security** number under these circumstances. The
16 department shall inform the applicant of this possible exemption.