

SENATE BILL NO. 825

April 10, 2024, Introduced by Senators ANTHONY, GEISS, SANTANA, CHANG, CAVANAGH, WOJNO, SHINK, MOSS, BAYER and CAMILLERI and referred to the Committee on Housing and Human Services.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 2705, 2709, and 2723 (MCL 333.2701, 333.2705, 333.2709, and 333.2723), section 2701 as amended by 2022 PA 38, section 2705 as amended by 2022 PA 37, section 2709 as added by 1990 PA 16, and section 2723 as amended by 2014 PA 173.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2701. As used in this part:
- 2 (a) "Board certified" means certified to practice in a
- 3 particular medical specialty by a national board recognized by the

1 American Board of Medical Specialties or the American Osteopathic
2 Association.

3 (b) "Certified nurse midwife" means an individual who is
4 licensed as a registered professional nurse under part 172 who has
5 been granted a specialty certification in the practice of nurse
6 midwifery by the Michigan board of nursing under section 17210.

7 (c) "Certified nurse practitioner" means an individual who is
8 licensed as a registered professional nurse under part 172 who has
9 been granted a specialty certification as a nurse practitioner by
10 the Michigan board of nursing under section 17210.

11 (d) "Clinical nurse specialist-certified" means an individual
12 who is licensed as a registered professional nurse under part 172
13 who has been granted a specialty certification as a clinical nurse
14 specialist by the Michigan board of nursing under section 17210.

15 (e) "Dental school" means an accredited program for the
16 training of individuals to become dentists.

17 (f) "Dentist" means an individual who is licensed to engage in
18 the practice of dentistry under part 166.

19 (g) "Designated advanced practice registered nurse" means a
20 certified nurse midwife, certified nurse practitioner, or clinical
21 nurse specialist-certified.

22 (h) "Designated mental health professional" means an
23 individual who is qualified in the area of mental illness or
24 developmental disabilities and who is 1 of the following:

25 (i) A nurse.

26 (ii) A psychologist.

27 (iii) A licensed master's social worker.

28 (iv) A licensed professional counselor.

29 (v) A marriage and family therapist.

1 (i) "Designated physician" means a physician qualified in 1 of
2 the physician specialty areas identified in section 2711.

3 (j) "Designated professional" means a designated physician,
4 designated advanced practice registered nurse, dentist, physician's
5 assistant, ~~or~~ designated mental health professional, **or midwife**.

6 (k) "Health resource shortage area" means a geographic area,
7 population group, or health facility designated by the department
8 under section 2717.

9 (l) "Licensed master's social worker" means an individual who
10 is licensed under part 185 to engage in the practice of social work
11 at the master's level.

12 (m) "Licensed professional counselor" means an individual who
13 is licensed under part 181 to engage in the practice of counseling
14 without supervision.

15 (n) "Marriage and family therapist" means an individual who is
16 licensed under part 169 to engage in the practice of marriage and
17 family therapy.

18 (o) "Medicaid" means benefits under the program of medical
19 assistance established under title XIX of the social security act,
20 42 USC 1396 to ~~1396w-6, 1396w-8~~, and administered by the department
21 under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

22 (p) "Medical school" means an accredited program for the
23 training of individuals to become physicians.

24 (q) "Medicare" means benefits under the federal Medicare
25 program established under title XVIII of the social security act,
26 42 USC 1395 to 1395III.

27 (r) "Mental health professional program" means an accredited
28 program for the training of individuals to become a designated
29 mental health professional.

1 **(s)** "Midwife" means an individual who is licensed under part
2 171 to engage in the practice of midwifery.

3 **(t)** "Midwifery program" means an accredited program for the
4 training of individuals to become midwives.

5 **(u)** ~~(s)~~—"National Health Service Corps" means the agency
6 established under 42 USC 254d.

7 **(v)** ~~(t)~~—"Nurse" means an individual who is licensed to engage
8 in the practice of nursing under part 172.

9 **(w)** ~~(u)~~—"Nursing program" means an accredited program for the
10 training of individuals to become nurses.

11 **(x)** ~~(v)~~—"Physician" means an individual who is licensed as a
12 physician under part 170 or part 175.

13 **(y)** ~~(w)~~—"Physician's assistant" means an individual who is
14 licensed as a physician's assistant under part 170 or part 175.

15 **(z)** ~~(x)~~—"Physician's assistant program" means an accredited
16 program for the training of individuals to become physician's
17 assistants.

18 **(aa)** ~~(y)~~—"Psychologist" means an individual licensed to engage
19 in the practice of psychology under part 182.

20 **(bb)** ~~(z)~~—"Service obligation" means the contractual obligation
21 undertaken by an individual under section 2705 or section 2707 to
22 provide health care services for a determinable time period at a
23 site designated by the department.

24 Sec. 2705. (1) The department shall administer an essential
25 health provider repayment program for designated professionals who
26 have incurred a debt or expenses as a result of a loan taken to
27 attend a medical school, dental school, mental health professional
28 program, nursing program for the training of certified nurse
29 midwives, certified nurse practitioners, or clinical nurse

1 specialists-certified, ~~or midwifery program, or~~ physician's
 2 assistant program or as a result of providing services in a health
 3 resource shortage area. The department may each year repay all or
 4 part of a designated professional's debt or expenses, but the
 5 amount repaid in any 1 year ~~shall~~**must** not exceed the amount
 6 described in subsection (3). The department shall repay a debt or
 7 expenses only for a designated professional who has entered into a
 8 written contract with the department that requires the designated
 9 professional to engage in the full-time practice of health care
 10 services in a health resource shortage area to which ~~he or she~~**the**
 11 **designated professional** is assigned by the department for a period
 12 equal in years to the number of years for which the department has
 13 agreed in the contract to make a debt or expense repayment, or for
 14 a period of 2 years, whichever is greater.

15 (2) A debt or expense repayment on behalf of a designated
 16 professional under subsection (1) for fulfilling a service
 17 obligation for a particular year must be paid in a lump sum at the
 18 completion of the service obligation for that year. A designated
 19 professional who does not fulfill a service obligation for a
 20 particular year forfeits ~~his or her~~**the** right to the debt or
 21 expense repayment or any part of it for that year and the
 22 department may treat an agreement for further debt or expense
 23 repayment in a subsequent year as void. In its sole discretion, the
 24 department may make a debt or expense repayment before or during
 25 each year of service if there are extenuating circumstances. In its
 26 sole discretion, the department may pay a pro rata amount of an
 27 agreed debt or expense repayment to a designated professional or
 28 ~~his or her~~**the designated professional's** estate if 1 of the
 29 following occurs before the completion of the designated

1 professional's service obligation:

2 (a) The designated professional dies.

3 (b) The designated professional is unable, by reason of
4 permanent disability, to render the service.

5 (c) Other circumstances prevail that are considered by the
6 department to constitute a compelling reason to consider the
7 service obligation fulfilled.

8 (3) In any year of a debt or expense repayment program, the
9 maximum amount of a debt or expense repayment is \$40,000.00 per
10 year. The maximum amount of debt or expense repayment the
11 department may pay on behalf of a designated professional is
12 \$300,000.00, paid over a period of 10 years or more. The written
13 contract described in subsection (1) must include the amount the
14 department shall pay on behalf of a designated professional and the
15 amount payable for each year of service.

16 (4) The department may accept funds from any source for the
17 operation of the essential health provider repayment program, and
18 the department shall distribute those funds in a manner consistent
19 with this section.

20 (5) The department shall give the essential health provider
21 repayment program created by this section priority over the other
22 programs created under this part.

23 Sec. 2709. ~~The department may cooperate with a certified nurse~~
24 ~~midwifery service to~~ **To** support the placement of certified nurse
25 midwives **or midwives** in health resource shortage areas, **the**
26 **department may cooperate with any of the following:**

27 (a) **A certified nurse midwifery service.**

28 (b) **An association representing midwives or certified nurse**
29 **midwives from this state.**

1 (c) **An association representing midwives and certified nurse**
2 **midwives from this state, who attend births in homes and in**
3 **freestanding birth centers licensed under article 17.**

4 Sec. 2723. (1) The department may promulgate rules necessary
5 for the implementation of the department's functions under this
6 part.

7 (2) The department shall report biennially to the house and
8 senate appropriations subcommittees on the department of ~~community~~
9 **health and human services**, the house and senate fiscal agencies,
10 the governor, ~~the state health planning council,~~ and the public
11 health advisory council on the status of the Michigan essential
12 health provider recruitment strategy for the preceding 2 years. In
13 addition to the status report, the report ~~shall~~**must** include, but
14 not be limited to, all of the following:

15 (a) Review of state and federal legislation, rules,
16 guidelines, and policy directives affecting the health personnel of
17 health resource shortage areas.

18 (b) Recommendations concerning physician specialty areas or
19 other health professions for inclusion in the Michigan essential
20 health provider recruitment strategy based upon a determination of
21 the need for various types of health care providers in this state.

22 (c) An assessment of whether the amount of debt or expense
23 repayment an individual may receive under section 2705(3) is
24 sufficient to facilitate the placement and retention of designated
25 professionals in health resource shortage areas, or whether that
26 maximum amount should be adjusted to reflect changes in tuition
27 costs for students enrolled in medical schools, dental schools,
28 nursing programs, ~~or~~ physician's assistant programs, **or midwifery**
29 **programs.**

1 (d) An analysis of the return on investment and effectiveness
2 of the grant program under section 2707 and the essential health
3 provider repayment program under section 2705.

4 Enacting section 1. This amendatory act does not take effect
5 unless Senate Bill No.____ or House Bill No.____ (request no.
6 00315'23 *) of the 102nd Legislature is enacted into law.