

PUBLIC HEALTH CODE

Act 368 of 1978

AN ACT to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.

Compiler's Notes: <Paragraph><P>For transfer of the Department of Insurance and Office of the Commissioner on Insurance from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of licensing of substance abuse programs and certification of substance abuse workers in the division of program standards, evaluation, and data services of the center for substance abuse services, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

The People of the State of Michigan enact:

Article 1

PRELIMINARY PROVISIONS

Part 11

SHORT TITLE, GENERAL DEFINITIONS, AND CONSTRUCTION

333.1101 Short title.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of licensing of substance abuse programs and certification of substance abuse workers in the division of program standards, evaluation, and data services of the center for substance abuse services, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.1103 Meanings of words and phrases.

Popular Name: Act 368

333.1104 Definitions; A to G.

Popular Name: Act 368

333.1105 Definitions; I to M.

Popular Name: Act 368

333.1106 Definitions.

Popular Name: Act 368

333.1108 Definitions; R, S.

Popular Name: Act 368

333.1111 Intent and construction of code.

Popular Name: Act 368

333.1113 Headings or titles of code.

Popular Name: Act 368

333.1114 Prohibited construction of code.

Popular Name: Act 368

333.1115 Controlling provisions.

Popular Name: Act 368

333.1117 References to repealed or rescinded provisions.

Popular Name: Act 368

Part 12
GENERAL PROVISIONS

333.1201 Delaying promulgation of new rules.

Popular Name: Act 368

333.1203 Approval of certain plans or issuance of certain permits pursuant to code; effect.

Popular Name: Act 368

333.1205 Contested case hearing; appeal.

Popular Name: Act 368

333.1211 Expired. 1978, Act 368, Eff. Sept. 30, 1981.

Compiler's Notes: <Paragraph><P>The expired section pertained to transfer of property, personnel, and funds to successor agency.</P></Paragraph>

Popular Name: Act 368

333.1212 Members of predecessor agency; continuation in office.

Popular Name: Act 368

333.1213 Members of successor agency; increase or decrease in number.

Popular Name: Act 368

333.1214 New agency not succeeding former agency; terms of office.

Popular Name: Act 368

333.1216 Travel or other expenses; payment.

Popular Name: Act 368

333.1221 Expired. 1978, Act 368, Eff. Sept. 30, 1983.

Compiler's Notes: <Paragraph><P>The expired section pertained to the extension of outstanding license, registration, certificate, or permit beyond stated expiration date.</P></Paragraph>

Popular Name: Act 368

333.1222 Renewals; distribution of work; pro rata fee; waiver.

Popular Name: Act 368

333.1291 Obstruction of person enforcing health law.

Popular Name: Act 368

333.1299 Violation as misdemeanor; prosecution.

Popular Name: Act 368

Article 2
ADMINISTRATION
Part 22
STATE DEPARTMENT OF PUBLIC HEALTH

333.2201 Department of public health and office of director of public health continued.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of occupational health in the bureau of environmental

and occupational health, with the exception of dry cleaning unit, from the department of public health to the director of the department of labor, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of certain powers and duties of the office of policy, planning and evaluation from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.2202 Director of public health; appointment, term, and qualifications; designation and responsibility of chief medical executive; administrative experience defined.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the chief medical executive from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of chief medical executive to the new chief medical executive in the office of chief medical executive created within the department of health and human services, and abolishment of the position of chief medical executive, see E.R.O. No. 2016-4, compiled at MCL 333.26369.</P></Paragraph>
Popular Name: Act 368

333.2204 Director of public health; salary; full-time performance of functions; expenses.

Popular Name: Act 368

333.2205 Assignment, vesting, and exercise of functions; internal organization of department; allocation and reallocation of duties and functions.

Popular Name: Act 368

333.2208 Public health advisory council; creation; appointment, qualifications, and terms of members; removal; vacancy.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the public health advisory council to the director of the department of community health and abolishment of the council, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.2209 Public health advisory council; election and terms of chairperson and vice-chairperson; quorum; reimbursement; staff support.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the public health advisory council to the director of the department of community health and abolishment of the council, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.2210 Public health advisory council; powers and duties generally.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the public health advisory council to the director of the department of community health and abolishment of the council, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2211 Coordination between local health departments and local health planning agencies; review; annual assessment; information.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the public health advisory council to the director of the department of community health and abolishment of the council, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2213 Task forces.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the public health advisory council to the director of the department of community health and abolishment of the council, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2215 Termination of advisory committee or task force; exception; review of advisory council, commission, board, task force, or body.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the public health advisory council to the director of the department of community health and abolishment of the council, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2221 Organized programs to prevent disease, prolong life, and promote public health; duties of department.

Popular Name: Act 368

333.2223 Biennial plan for rural health; preparation; submission to standing committees.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the center for rural health from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the center for rural health to the director of the department of

community health and abolishment of the center, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2224 Promotion of local health services; coordination and integration of public health services.

Popular Name: Act 368

333.2226 Powers of department.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.60; R 325.921 et seq.; R 325.951 et seq.; R 325.2101 et seq.; R 325.2111 et seq.; R 325.3271 et seq.; R 325.3401 et seq.; R 325.3801 et seq.; R 325.5801 et seq.; R 325.9001 et seq.; R 325.9901 et seq.; R 325.13051 et seq.; R 325.13091 et seq.; R 325.23101 et seq.; and R 560.401 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2227 Racial and ethnic health disparities; duties of department.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.2228 Heads of intra-departmental units and employees; appointment; salaries and expenses; liability for damages; quarters and facilities.

Popular Name: Act 368

333.2229 Employees at veterans' facility physically injured by assault; wages; supplement; fringe benefits.

Popular Name: Act 368

333.2231 Furnishing information relating to public health; report.

Popular Name: Act 368

333.2232 Repealed. 1986, Act 79, Eff. Apr. 1, 1987.

Compiler's Notes: <Paragraph><P>The repealed section pertained to material safety data sheets, lists of hazardous chemicals, and access to information from employees regarding hazardous chemicals in workplace.</P></Paragraph>
Popular Name: Act 368

333.2232a Repeal of MCL 333.2232.

Popular Name: Act 368

333.2233 Rules.

Compiler's Notes: <Paragraph><P>In separate opinions, the Michigan Supreme Court held that Section 45(8), (9), (10), and (12) and the second sentence of Section 46(1) (â€œAn agency shall not file a rule ... until at least 10 days after the date of the certificate of approval by the committee or after the legislature adopts a concurrent resolution approving the rule.â€) of the Administrative Procedures Act of 1969, in providing for the Legislature's reservation of authority to approve or disapprove rules proposed by executive branch agencies, did not comply with the enactment and presentment requirements of Const 1963, Art 4, and violated the separation of powers provision of Const 1963, Art 3, and, therefore, were unconstitutional. These specified portions were declared to be severable with the remaining portions remaining effective. <Emph EmphType="underscore">Blank</Emph> v <Emph EmphType="underscore">Department of Corrections</Emph>, 462 Mich 103 (2000).</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 287.1; R 287.451 et seq.; R 287.481 et seq.; R 325.60; R 325.151 et seq.; R 325.921 et seq.; R 325.951 et seq.; R 325.1053 et seq.; R 325.1213 et seq.; R 325.1281 et seq.; R 325.1541 et seq.; R 325.2101 et seq.; R 325.2111 et seq.; R 325.2581; R 325.3271 et seq.; R 325.3311 et seq.; R 325.3401 et seq.; R 325.3801 et seq.; R 325.5810 et seq.; R 325.9001 et seq.; R 325.13051 et seq.; R 325.13091 et seq.; R 325.17101 et seq.; R 325.23101 et seq.; R 338.3801; and R 338.3821 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2235 Local health department; authorization to exercise power or function; primary organization as to services and programs; exceptions; summary reports.

Popular Name: Act 368

333.2237 Duties of department as to health education; â€œhealth educationâ€ defined.

Popular Name: Act 368

333.2241 Inspection or investigation to assure compliance; application for warrant.

Popular Name: Act 368

333.2242 Warrant; affidavit required for issuance.

Popular Name: Act 368

333.2243 Warrant; grounds for issuance.

Popular Name: Act 368

333.2244 Warrant; finding of cause.

Popular Name: Act 368

333.2245 Warrant; directing to law enforcement officer; contents.

Popular Name: Act 368

333.2246 Warrant; execution.

Popular Name: Act 368

333.2247 Warrant; procuring maliciously or without cause; misdemeanor.

Popular Name: Act 368

333.2251 Imminent danger to health or lives; informing individuals affected; order; noncompliance; petition to restrain condition or practice; conditions constituting menace to public health; promulgation of emergency rule under MCL 24.248; definitions.

Popular Name: Act 368

333.2253 Epidemic; emergency order and procedures; avian influenza; conditions requiring assistance of department of agriculture and rural development; visitation within qualified health care facility; LINDA;

definitions.

Popular Name: Act 368

333.2255 Injunctive action.

Popular Name: Act 368

333.2261 Violation as misdemeanor; penalty.

Popular Name: Act 368

333.2262 Violation; rules adopting schedule of monetary civil penalties; issuance, contents, and delivery of citation.

Popular Name: Act 368

333.2263 Citation; petition for administrative hearing; decision of hearings officer; review; provisions governing hearings and appeals; civil penalty.

Popular Name: Act 368

333.2264 Patient safety organization; certification of more than 1 entity.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

Part 23
BASIC HEALTH SERVICES

333.2301 Identification of priority health problems; preparation and basis of proposed list of basic health services.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2302 Annual budget request to include proposed list of basic health services and proposed program statement; review and comment.

Popular Name: Act 368

333.2305 Proposed program statement; contents.

Popular Name: Act 368

333.2311 Proposed health services as basic health services; revision, publication, and dissemination of list and program statement.

Popular Name: Act 368

333.2321 Availability and accessibility of basic health services; demonstration upon request; basic health service as required service; notice of nonavailability or nonaccessibility; investigation; notice to complainant.

Popular Name: Act 368

Part 24
LOCAL HEALTH DEPARTMENTS

333.2401 Meanings of words and phrases; general definitions and principles of construction.

Popular Name: Act 368

333.2403 Definitions; A to D.

Popular Name: Act 368

333.2406 Definitions; L.

Popular Name: Act 368

333.2408 Definitions; R to U.

Popular Name: Act 368

333.2411 Division of powers and duties.

Popular Name: Act 368

333.2413 County health department; county board of health.

Popular Name: Act 368

333.2415 Creation of district health department; composition of district board of health.

Popular Name: Act 368

333.2417 Claim against district health department; audit; allowance of claim; report; appeal; apportionment of allowed claims; formula; voucher.

Popular Name: Act 368

333.2419 Employment of personnel; consolidation of functions.

Popular Name: Act 368

333.2421 City health department; creation; powers and duties.

Popular Name: Act 368

333.2422 Selection of option by city; notice of intent.

Popular Name: Act 368

333.2423 Selection of option by city; failure to notify department; continuing local financial support for affected services.

Popular Name: Act 368

333.2424 Selection of option by city; planning period; transition plan; responsibility for local cost of required services; approval of developed plan; disposition of federal funds.

Popular Name: Act 368

333.2426 Real and personal property of village or township board or department of health; title; use and administration.

Popular Name: Act 368

333.2428 Local health officer; appointment; qualifications; powers and duties.

Popular Name: Act 368

333.2431 Local health department; requirements; report; reviewing plan for organization of local health department; waiver.

Popular Name: Act 368

333.2433 Local health department; powers and duties generally.

Popular Name: Act 368

333.2435 Local health department; additional powers.

Popular Name: Act 368

333.2437 Exercise by department of public health of power vested in local health department.

Popular Name: Act 368

333.2441 Adoption of regulations; purpose; approval; effective date; stringency; conflicting regulations.

Popular Name: Act 368

333.2442 Adoption of regulation; notice of public hearing.

Popular Name: Act 368

333.2443 Violation of regulation or order; misdemeanor; penalty.

Popular Name: Act 368

333.2444 Fees for services; expenses and compensation.

Popular Name: Act 368

333.2446 Inspection or investigation.

Popular Name: Act 368

333.2448 Intergovernmental contracts; existing contracts not affected.

Popular Name: Act 368

333.2451 Imminent danger to health or lives; informing individuals affected; order; noncompliance; petition to restrain condition or practice; “imminent danger” and “person” defined.

Popular Name: Act 368

333.2453 Epidemic; emergency order and procedures; involuntary detention and treatment; visitation within qualified health care facility; LINDA; definitions.

Popular Name: Act 368

333.2455 Building or condition violating health laws or constituting nuisance, unsanitary condition, or cause of illness; order; noncompliance; warrant; assessment and collection of expenses; liability; judicial order; other powers not affected.

Popular Name: Act 368

333.2458 Establishment of cemetery; requirements; determinations; approval; disposition of plats; vacating cemetery; removal and reinterment of bodies and remains.

Popular Name: Act 368

333.2461 Violation; schedule of monetary civil penalties; issuance, contents, and delivery of citation.

Popular Name: Act 368

333.2462 Citation; petition for administrative hearing; decision of local health officer; review; petition for judicial review; civil penalty.

Popular Name: Act 368

333.2463 Appearance tickets.

Popular Name: Act 368

333.2465 Injunctive action; liability for damages.

Popular Name: Act 368

333.2471 Program; establishment; objectives.

Popular Name: Act 368

333.2472 Services eligible for cost sharing; criteria and procedures for additional services; minimum standards for delivery of services.

Popular Name: Act 368

333.2473 Specific objectives of required services; demonstrating provision of service; contracts.

Popular Name: Act 368

333.2475 Reimbursement for costs of services; equitable distribution; schedule; local expenditure in excess of prior appropriation.

Popular Name: Act 368

333.2476 Reimbursement of certain expenditures prohibited.

Popular Name: Act 368

333.2477 Local governing entity not to receive less than received under prior provisions; providing, designating, and reallocating funds; accountability.

Popular Name: Act 368

333.2479 Criteria for determining costs for services.

Popular Name: Act 368

333.2481 Condition for approval of funding.

Popular Name: Act 368

333.2482 Minimum expenditure for health services; waiving maintenance of local funding; certain services considered health services.

Popular Name: Act 368

333.2483 Conditions for reimbursement.

Popular Name: Act 368

333.2484 Agreement implementing standards; basis for reimbursement; operating advance; adjustments.

Popular Name: Act 368

333.2486 Notice of appeal; informal conference; reaffirming, modifying, or revoking decision; hearing; petition for redress.

Popular Name: Act 368

333.2488 Appropriation request to include funds for reimbursement of local health departments; basis of

sums requested.

Popular Name: Act 368

333.2490 Administration of MCL 333.2471 to 333.2498.

Popular Name: Act 368

333.2492 Status report; appropriation for development and implementation of evaluation and related training.

Popular Name: Act 368

333.2495 Rules; determinations; review and comment.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.13001 et seq. and R 325.13051 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2497 Administrative compliance order.

Popular Name: Act 368

333.2498 Petition for administrative hearing; finality of order or compliance date; reaffirming, modifying, or revoking order; modifying time for compliance; petition for writ of mandamus.

Popular Name: Act 368

PART 25. HEALTH INFORMATION TECHNOLOGY

333.2501 Definitions.

Compiler's Notes: <Paragraph><P>For creation of department of health and human services and abolishment of department of community health, see E.R.O. No. 2015-1, compiled at MCL 400.227.</P></Paragraph>

Popular Name: Act 368

333.2503 Health information technology commission; creation; membership; appointment; representation; terms; vacancy; removal; election of chairperson and officers; meetings; conduct of business at public meeting; availability of writings; participation of professionals and advisors; compensation.

Popular Name: Act 368

333.2505 Commission; duties; strategic plan.

Popular Name: Act 368

333.2507 Personal liability of commission or commission members.

Popular Name: Act 368

333.2511 Healthcare information technology and infrastructure development fund; administration; use; authority of director or commission to accept money or make expenditures; prohibited conduct by commission members; conflict of interest; annual report.

Popular Name: Act 368

Part 26 DATA, INFORMATION, AND RESEARCH

333.2601 Applicability.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the center for health promotion and chronic disease prevention and the office of policy, planning and evaluation, from the department of public health to the director of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2602 Meanings of words and phrases; general definitions and principles of construction.

Popular Name: Act 368

333.2603 Definitions; D.

Popular Name: Act 368

333.2607 Definitions; R, S.

Popular Name: Act 368

333.2611 Coordination of activities; establishment of policy; interests to be considered; establishment, purpose, and powers of nonprofit corporation.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the Michigan public health institute from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2612 Nonprofit corporation; establishment; purpose; duties; selection and composition of board of directors; appointment and composition of internal management committee.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the center for rural health to the director of the department of community health and abolishment of the center, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2613 Nature of data to be defined by rule.

Popular Name: Act 368

333.2614 Duties of department generally.

Popular Name: Act 368

333.2615 Level of coverage; determination.

Popular Name: Act 368

333.2616 Comprehensive health information system; establishment; provisions.

Popular Name: Act 368

333.2617 Comprehensive health information system; statistics.

Popular Name: Act 368

333.2617a Maternal death; submission of information for inclusion in health information system.

333.2618 Publications; annual report; summary report; statement of limitations of data used.

Popular Name: Act 368

333.2619 Cancer registry; establishment; purpose; reports; records; rules; medical or department examination or supervision not required; contracts; evaluation of reports; publication of summary reports; commencement of reporting; effective date of section.

Popular Name: Act 368

333.2621 Comprehensive policy for conduct and support of research and demonstration activities; conducting and supporting demonstration projects and scientific evaluations.

Popular Name: Act 368

333.2623 Publication and dissemination of results and information obtained under MCL 333.2621.

Popular Name: Act 368

333.2624 Grants and contracts to conduct or support research activities and scientific evaluations.

Popular Name: Act 368

333.2631 Data concerning medical research project; confidentiality; use.

Popular Name: Act 368

333.2632 Data concerning medical research project; inadmissible as evidence; exhibition or disclosure.

Popular Name: Act 368

333.2633 Data concerning medical research projects; liability for furnishing.

Popular Name: Act 368

333.2635 Power to demand or require data.

Popular Name: Act 368

333.2637 Procedures protecting confidentiality and regulating disclosure of data and records.

Popular Name: Act 368

333.2638 Violation; penalty.

Popular Name: Act 368

333.2639 Review of personal records upon request; procedures for reviewing request; administrative hearing; records of requests.

Popular Name: Act 368

333.2640 Parentage registry; use and access by family independence agency; access to child's medical records and information; immunity; exception.

Popular Name: Act 368

333.2641 Fees; disposition of collections.

Popular Name: Act 368

333.2651 Repealed. 2006, Act 301, Imd. Eff. July 20, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to creation of the anatomy board.</P></Paragraph>

Popular Name: Act 368

333.2652 Receiving and allocating bodies or parts; purpose; records of receipt and disposition; universities designated to perform duties and responsibilities; powers.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the anatomy board to the director of the department community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2653 "Unclaimed body" defined; notice to persons with authority to control disposition of unclaimed body; availability of unclaimed body to department; request for notification concerning unclaimed body; time, manner, and contents of notice; release of body; notice and surrender of body to benevolent association.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the anatomy board to the director of the department community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2655 Embalming and disposing of unclaimed body; standards; holding period; identification and claim by person with authority over body.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the anatomy board to the director of the department community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2656 Receiving unclaimed body for educational purposes; expense; record; disposition.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the anatomy board to the director of the department community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2658 Postmortem examination of unclaimed body; certification of body unfit for scientific or education purposes; interment of unclaimed body; expense.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the anatomy board to the director of the department community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2659 Adoption of standards for unclaimed bodies or parts.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.951 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2661 Repealed. 2006, Act 301, Imd. Eff. July 20, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to autopsy upon and disposition of an unclaimed body.</P></Paragraph>

Popular Name: Act 368

333.2663 Violations; misdemeanor.

Popular Name: Act 368

333.2671 Public health and welfare dependent on humane use of animals for certain purposes.

Popular Name: Act 368

333.2672 Animal research advisory board; creation; membership.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the animal research advisory board to the director of the department of community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2673 Animal research advisory board; powers.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the animal research advisory board to the director of the department of community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2674 Administration of MCL 333.2671 to 333.2675; expenses of members.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the animal research advisory board to the director of the department of community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2675 Inspection of premises or property on which animals kept for experimental purposes; purpose.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the animal research advisory board to the director of the department of community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2676 Registration for humane use of animals for experimental purposes; compliance with standards; grounds for suspension or revocation of registration; findings of fact conclusive; application for review of questions of law; orders.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the animal research advisory board to the director of the department of community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2678 Rules.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the animal research advisory board to the director of the department of community health and the abolishment of the board, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.921 et seq. and R 325.951 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2681 Definitions.

Popular Name: Act 368

333.2682 Statewide network of cord blood stem cell banks.

Popular Name: Act 368

333.2683 Educational materials on uses and benefits of cord blood stem cells; development and dissemination; availability.

Popular Name: Act 368

333.2683a Statewide network of cord blood stem cell banks; public awareness efforts; report on expenditure of funds.

Popular Name: Act 368

333.2685 Use of live human embryo, fetus, or neonate for nontherapeutic research; prohibitions; presumption.

Popular Name: Act 368

333.2686 Diagnostic, assessment, or treatment procedures not prohibited.

Popular Name: Act 368

333.2687 Embryo, fetus, or neonate considered live.

Popular Name: Act 368

333.2688 Research on dead embryo, fetus, or neonate; consent of mother; presumption; authorized transfer to medical research facilities; research standards.

Popular Name: Act 368

333.2689 Abortion; consideration.

Popular Name: Act 368

333.2690 Selling, collecting fee for, transferring, distributing, or giving away embryo, fetus, or neonate; financial benefit or compensation prohibited; exception; definitions.

Popular Name: Act 368

333.2691 Violation; penalty.

Popular Name: Act 368

333.2692 "Nontherapeutic research" defined.

Popular Name: Act 368

Part 27

MICHIGAN ESSENTIAL HEALTH PROVIDER RECRUITMENT STRATEGY

333.2701 Definitions.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, and the division of managed care the bureau of health systems, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.
</P></Paragraph>

Popular Name: Act 368

333.2703 Michigan essential health provider recruitment strategy; creation; purpose; duties of department.

Popular Name: Act 368

333.2705 Essential health provider repayment program for designated professionals; administration; repayment of debt or expenses; contract; requirements; lump sum payment; forfeiture; discretionary debt or expense repayment; maximum amount of debt or expense repayment; source of funds; distribution of funds; priority.

Popular Name: Act 368

333.2707 Grant program for minority students; administration; eligibility; condition for award of grant; priority; determination of appropriate grant; failure to fulfill service obligation or complete training program; repayment; disposition of amounts repaid; service obligation considered fulfilled; source of funds; distribution of funds; definition.

Popular Name: Act 368

333.2709 Placement of certified nurse midwives.

Popular Name: Act 368

333.2711 Recruitment for programs created in MCL 333.2705 and 333.2707; designated physician specialty areas; preference; "qualified" defined.

Popular Name: Act 368

333.2713 Fulfillment of service obligation; commencement; guidelines for assignment of designated professionals; condition for placement.

Popular Name: Act 368

333.2715 Individuals ineligible to receive funds under MCL 333.2705 or 333.2707.

Popular Name: Act 368

333.2717 Health resource shortage area; criteria for identification and designation.

Popular Name: Act 368

333.2719 Departmental discretion; guidelines for priority.

Popular Name: Act 368

333.2721 Minority health profession grant fund; creation; funding; use; investments; crediting earnings to fund.

Popular Name: Act 368

333.2723 Rules; status report.

Popular Name: Act 368

333.2725 Short title.

Popular Name: Act 368

333.2727 Conditional effective date.

Compiler's Notes: <Paragraph><P>In Sec. 101 of Act 198 of 1990, the legislature appropriated \$400,000 for the "Michigan essential health care provider program." Act 198 was approved by the governor on July 24, 1990, and filed with the Secretary of State on July 25, 1990. </P></Paragraph>

Popular Name: Act 368

Part 28
VITAL RECORDS

333.2801 Meanings of words and phrases; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the office of policy, planning and evaluation from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.2803 Definitions; A to F.

Popular Name: Act 368

333.2804 Definitions; I to R.

Popular Name: Act 368

333.2805 Definitions; S to V.

Popular Name: Act 368

333.2811 Form and content of vital records and certificates.

Compiler's Notes: <Paragraph><P>Enacting section 2 of 1998 PA 332 provides:</P></Paragraph><Paragraph><P>“Enacting section 2. The family independence agency shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity.”</P></Paragraph>

Popular Name: Act 368

333.2813 State registrar; appointment; duties; inclusion of social security number; disclosure prohibited; violation; penalty.

Popular Name: Act 368

333.2814 City clerk or city department as local registrar; rules.

Popular Name: Act 368

333.2815 Local registrar; duties.

Popular Name: Act 368

333.2821 Birth registration required; filing record of birth; time of registration; transmission to childhood immunization registry.

Popular Name: Act 368

333.2822 Individuals required to report live birth occurring in state; "surrender" defined.

Popular Name: Act 368

333.2823 Registration of live birth occurring in moving conveyance.

Popular Name: Act 368

333.2823a Certificate; place of live birth.

Popular Name: Act 368

333.2824 Registering name of spouse as parent of child; registering surname of child; consent; acknowledgment of parentage; designating surname of child; entering name of other parent and surname of child on birth certificate; other parent not named on birth registration; reference to legitimacy or illegitimacy prohibited.

Popular Name: Act 368

333.2825 Assuming custody of live born child of unknown parentage; form, contents, and filing of report; place of birth; report as birth registration; sealing and opening of report.

Popular Name: Act 368

333.2827 Failure to register birth within time prescribed; filing certificate of birth; registration of birth subject to evidentiary requirements; marking certificate “delayed” and showing date of delayed registration; endorsing summary statement of evidence on certificate; failure to register due to conflict of information.

Popular Name: Act 368

333.2828 Conditions prohibiting registration of delayed certificate of birth; advising applicant of reasons and right of appeal; dismissal of application; judicial findings and order; forwarding order to state registrar; registration of order as certificate of birth; forwarding copy of delayed registration to local registrar.

Popular Name: Act 368

333.2829 Report of adoption; form; contents; report when adoption order amended, annulled, or rescinded; duty of probate register or clerk; requirements of birth certificate issued to adopted individual.

Popular Name: Act 368

333.2830 Adoption of child born outside United States, territory of United States, or Canada; filing, form, and contents of delayed registration of birth; petition for issuance of delayed registration of birth; entering change of name.

Popular Name: Act 368

333.2831 New certificate of birth; establishment; requirements.

Popular Name: Act 368

333.2832 New certificate of birth; actual place and date of birth to be shown; substitution for original certificate; inspection; restoration of original certificate upon notice of annulment or rescission of adoption; preparing new certificate on delayed birth certificate form; sealing or forwarding original certificate.

Popular Name: Act 368

333.2833 Recording death on decedent's birth certificate; notification; recordation by department or local registrar; recordation on face of copies of certificate; correction of record.

Popular Name: Act 368

333.2834 Report of fetal death; time, form, and manner; prohibited information; report if dead fetus delivered in or outside institution; notice to medical examiner; investigation and report; use and disposition of confidential statistical reports; disclosure identifying biological parents prohibited; incorporation of records into system of vital statistics; certificate of stillbirth.

Popular Name: Act 368

333.2835-333.2837 Repealed. 2023, Act 209, Eff. Feb. 13, 2024.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to the reporting of abortions and any physical complications or death resulting from abortion and the disposal of fetal remains.</P></Paragraph>

Popular Name: Act 368

333.2841 Death registration required; place of death; failure to report death to law enforcement agency, funeral home, or 9-1-1 operator; violation; penalty.

Popular Name: Act 368

333.2842 Death registration; death occurring in moving conveyance.

Popular Name: Act 368

333.2843 Report of death by funeral director; "dead body" defined; personal data; medical certification; neglecting or refusing to sign death certificate as misdemeanor; penalty; certification and filing of death record; deceased infant; information.

Popular Name: Act 368

333.2843a Ascertaining if deceased person veteran; releasing information for graves registration list of all burials of veterans.

Popular Name: Act 368

333.2843b Physician having actual knowledge of presence in deceased individual of infectious agent; notification of funeral director or authorized agent; refusal to render services prohibited; effective date of subsection (1); confidentiality; rules; violation as misdemeanor.

Compiler's Notes: <Paragraph><P>Subsection (1) of this section took effect September 2, 1986, the date emergency rules required by subsection (3) were promulgated by the Department of Public Health.</P></Paragraph>

Popular Name: Act 368

333.2844 Referral of case to county medical examiner; determining and certifying cause of death; investigation; completing and signing medical certification; notice to funeral director; final disposition.

Popular Name: Act 368

333.2844a Dental examination of dead body; forwarding records to law enforcement agency; entering information into national crime information center; cancellation of information.

Popular Name: Act 368

333.2845 Inability to locate body; registration of death upon receipt of findings of probate court; marking death registration; extension of time periods.

Popular Name: Act 368

333.2846 Failure to register death within prescribed time period; filing, registering, and marking certificate; evidentiary requirements.

Popular Name: Act 368

333.2847 Death of individual in county in which individual not a resident; information; issuance of certified

copy or certificate of registration prohibited.

Popular Name: Act 368

333.2848 Authorization for final disposition of dead body or fetus; time; form; retention of permit; religious service or ceremony not required; cremation; moving body; permit issued by other state.

Popular Name: Act 368

333.2850 Interment or other disposition of dead body or fetus; duty of individual in charge of premises; record of final disposition.

Popular Name: Act 368

333.2851 Permit request for disinterment of dead human body.

Popular Name: Act 368

333.2852 Weather conditions requiring storage of dead body; authorization for delayed interment; disinterment and reinterment permit not required.

Popular Name: Act 368

333.2853 Permit for disinterment and reinterment required; issuance; forms for permits and applications; retention of application; copy of permit as permanent record; petition for disinterment order.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.8051 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2854 Failure to comply with provisions of MCL 333.2848; violation; state civil infraction; civil fine.

Popular Name: Act 368

333.2855 Autopsy; physician to perform; consent; ordering of autopsy; exceptions; removal, retention, or use of pituitary gland; conditions; charge; submitting pituitary gland for treatment of human being; agreement.

Popular Name: Act 368

333.2855a Public display of autopsy photograph; court action; applicability of section to internet service provider; constitutionally protected speech or activity not prohibited; definitions.

333.2861 Original marriage license certificates; filing; incorporating information relating to marriages in system of vital statistics.

Popular Name: Act 368

333.2864 Report of divorce proceedings; filing; forms; specifying number of divorces granted; report by party petitioning for divorce; signing and filing report; incorporating divorce reports in system of vital statistics.

Popular Name: Act 368

333.2867 Information necessary to complete birth, death, marriage, or divorce registration; furnishing on demand; attesting accuracy of personal data regarding live birth registration.

Popular Name: Act 368

333.2871 Amendment of certificate or record; procedures; requirements; rules.

Popular Name: Act 368

333.2872 Acknowledgment of paternity; creating new certificate of birth; changing surname of child; sealing original certificate; addendum to certificate of live birth; creating new live birth certificate and sealing original.

Popular Name: Act 368

333.2873 Conditions precluding amendment of vital record; reason for refusal; appeal; reporting amendment; preservation of original information.

Popular Name: Act 368

333.2876 Preservation of vital records and vital statistics; procedures.

Popular Name: Act 368

333.2881 Procedures applicable to system of vital statistics; request and fee for verification of facts; request and fee for name and location of court which finalized adoption.

Popular Name: Act 368

333.2882 Issuance of certain certified copies; request; fee; request of adopted adult or confidential intermediary; phrase to be marked on certificate provided under subsection (2) or (3).

Popular Name: Act 368

333.2882a Heirloom birth certificate; issuance; administration; fee; design; seal; signature of governor; marketing and promotion; certificate not official record; section to be referred to as "Pam Posthumus law."

Popular Name: Act 368

333.2883 Furnishing copies or data from system of vital statistics; requirements; availability of copies of certificates or reports.

Popular Name: Act 368

333.2884 Transmitting transcripts of records and other reports to offices of vital statistics outside state; agreement; return of transcripts; transcripts received from other jurisdictions.

Popular Name: Act 368

333.2885 Transmission of vital records to library of Michigan.

Popular Name: Act 368

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of library of Michigan and state librarian, except pertaining to services for blind and physically handicapped and those related to census data functions, to department of education, see E.R.O. No. 2009-26, compiled at MCL 399.752.</P></Paragraph>

333.2886 Certified copies considered same as original; prima facie evidence.

Popular Name: Act 368

333.2888 Inspection of vital records, disclosure of information, and issuance of copies; procedures; appeal to state registrar.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.3231 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2889 Tagging birth certificate of missing child; notifying state police of request for copy of certificate; matching LEIN entry and certificate; tagging by local registrar; removal of tag.

Popular Name: Act 368

333.2890 Issuing birth certificate, certificate of registration, or information by mail; marking phrase "missing person" on face of document; telephoning state registrar upon receipt of request for tagged record; providing state registrar with certain information; telephoning state police; notice to law enforcement agency.

Popular Name: Act 368

333.2891 Search for vital record; request; fee; official statement if record not located; verification of identity; fees for search, establishment, or registration; furnishing copies without charge; fees for creation of new vital records and corrections of vital records; additional fees; disposition of fees; system of fees for local registrars; vital records fund; "central issuance system" defined.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 136 of 2013 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. This amendatory act takes effect October 1, 2013."</P></Paragraph>
Popular Name: Act 368

333.2892 Vital records fund creation; duties of state treasurer; disposition of fund; administrator of fund; expenditures; limitation.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 136 of 2013 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. This amendatory act takes effect October 1, 2013."</P></Paragraph>
Popular Name: Act 368

333.2894 Prohibited conduct.

Popular Name: Act 368

333.2895 Inspection or copying of information contained in system of vital statistics.

Popular Name: Act 368

333.2896 Rules; minimum requirements.

Popular Name: Act 368
Admin Rule: <Paragraph><P>R 325.1141 et seq.; R 325.3201 et seq.; R 325.3231 et seq.; and R 325.3251 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.2898 Violation; penalty.

Popular Name: Act 368

333.2899 Reporting violation; statement; initiation of proceedings.

Popular Name: Act 368

Part 32
EMERGENCY MEDICAL SERVICES SYSTEM

333.3201-333.3249 Repealed. 1981, Act 79, Imd. Eff. June 30, 1981.

Popular Name: Act 368

Part 36
NUTRITION SERVICES SYSTEM

333.3601-333.3625 Expired. 1978, Act 368, Eff. Oct. 1, 1980.

Popular Name: Act 368

Article 5
PREVENTION AND CONTROL OF DISEASES AND DISABILITIES
Part 51
GENERAL PROVISIONS

333.5101 Definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of infectious disease control from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5110 Expedited partner therapy.

Popular Name: Act 368

333.5111 List of reportable diseases, infections, and disabilities; rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.60 and R 325.171 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5112 Pandemic influenza plan; establishment and maintenance; annual review and update; availability to public; report.

Popular Name: Act 368

333.5113 Medical treatment, testing, or examination as violative of personal religious beliefs; compliance with provisions regarding sanitation and reporting of diseases.

Popular Name: Act 368

333.5114 HIV infected test subject; report; form.

Popular Name: Act 368

333.5114a Referral of individual to local health department; assistance with partner notification; information; legal obligation to inform sexual partners; criminal sanctions; partner notification program; confidentiality; priority duty of local health department; destruction of reports, records, and data; information exempt from disclosure.

Popular Name: Act 368

333.5115 Communicable diseases and serious communicable diseases and infections; minimum procedures and standards for control and elimination.

Popular Name: Act 368

333.5117 Individual with serious communicable disease or infection; order authorizing care; report; authority not restricted; financial liability for care.

Popular Name: Act 368

333.5119 Individual applying for marriage license; availability of tests for sexually transmitted infection and HIV infection; educational materials; informing HIV infected applicant of test results; definitions.

Popular Name: Act 368

333.5121 Prohibited conduct; misdemeanor.

Popular Name: Act 368

333.5123 Initial examination or third trimester of pregnant woman or woman recently delivering infant; test specimens required; exceptions; record; availability of test results and records.

Popular Name: Act 368

333.5125 Birth of infant; treatment of eyes; report.

Popular Name: Act 368

333.5127 Minor infected with sexually transmitted infection or HIV; consent to treatment; informing spouse, parent, guardian, or person in loco parentis; financial responsibility.

Popular Name: Act 368

333.5129 Individuals arrested and charged, bound over, or convicted of certain crimes; examination or testing for certain diseases; partner notification; expedited examination or testing; information and counseling; providing name, address, and telephone number of victim or individual; providing test results to victim or individual; transmitting test results and other medical information; confidentiality; referral of individual for appropriate medical care; financial responsibility; applicability of subsections (2), (3), and (4) to certain individuals; costs; definitions.

Popular Name: Act 368

333.5131 HIV infection and acquired immunodeficiency syndrome; confidentiality of reports, records, data, and information; test results; limitations and restrictions on disclosures in response to court order and subpoena; information released to legislative body; applicability of subsection (1); immunity; identification of individual; violation as misdemeanor; penalty.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9001 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5133 Information on HIV testing; notification of testing and opportunity for questions; authority to decline; partner notification; HIV test performed for purpose of research; inapplicability of section; conditions; informing patient of test results.

Popular Name: Act 368

333.5139 Report by physician or optometrist; definitions.

333.5141 Reflex sympathetic dystrophy/complex regional pain syndrome (RSD/CRPS); work group; education program; materials and brochures; funds.

Popular Name: Act 368

333.5145 Report on implementation of recommendations for nursing home COVID-19 preparedness; statewide policy for nursing home visitations; care and recovery center requirements; designated area for positive coronavirus patients; "coronavirus" defined.

Popular Name: Act 368

333.5145a Weekly posting of nursing home data related to coronavirus; "coronavirus" defined.

Popular Name: Act 368

Part 52
HAZARDOUS COMMUNICABLE DISEASES

333.5201 Definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of infectious disease control from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5203 Warning notice generally.

Popular Name: Act 368

333.5204 Request for testing made by officer, employee, or individual making lawful arrest; procedures; rules; definitions.

Popular Name: Act 368

333.5205 Failure or refusal to comply with warning notice; petition; hearing; notice; waiver; orders; recommendation and duties of commitment review panel and circuit court; appeal to circuit court; termination or continuation of commitment; cost of implementing order; right to counsel; appeal to court of appeals; leaving facility or refusal to undergo testing for certain infections as contempt.

Popular Name: Act 368

333.5207 Protection of public health in emergency; affidavit; court order; taking individual into custody; transporting individual to emergency care or treatment facility; temporary detention; notice of hearing; continued temporary detention; petition.

Popular Name: Act 368

333.5209 Power not limited.

Popular Name: Act 368

333.5210 Intercourse with specific intent or reckless disregard to infect with HIV; felony; violations as misdemeanor.

Popular Name: Act 368

333.5211-333.5269 Repealed. 1988, Act 491, Eff. Mar. 30, 1989.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to hazardous communicable diseases.</P></Paragraph>

Popular Name: Act 368

Part 53 EXPENSE OF CARE

333.5301 County chargeable with expense of care; reimbursement by state; individuals with tuberculosis or honorable discharges considered domiciled in state at large; expense of care paid by state on certification of department; reasonableness of claims and accounts; appeal.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of infectious disease control from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.5303 Care provided where individual found at expense of county where individual domiciled; notice; return of individual to county of domicile; disputed or contested claim arising between 2 or more counties; decision.

Popular Name: Act 368

333.5305 Determination that county where individual found not county of domicile; reimbursement.

Popular Name: Act 368

333.5307 Expenditure under MCL 333.5117 considered expenditure for protection of public health, not welfare or relief; reimbursement; notice and hearing; finding; order; distribution of receipts.

Popular Name: Act 368

Part 54 CHRONIC DISEASES

333.5401 "Chronic disease" defined; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the center for health promotion and chronic disease prevention from the department of public health to the director of the department community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.5411 Chronic disease prevention and control program; statewide program as to mental disabilities; establishment; scope; programs continued.

Popular Name: Act 368

333.5412 Scope of chronic disease program; availability of services subject to appropriation; contracts for programs; evaluation of program; recommending discontinuance of program.

Popular Name: Act 368

333.5413-333.5415 Repealed. 1992, Act 25, Eff. Mar. 30, 1996.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to establishment of a registry to record cases of spinal cord injury and traumatic brain injury; creation of a spinal cord injury and traumatic brain injury committee; and, appropriation of funds to implement the sections.</P></Paragraph>

Popular Name: Act 368

333.5421 Chronic disease advisory committee; creation; appointment of members; committee subject to MCL 333.2215.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities of the chronic disease advisory committee to the director of the Michigan state department of public health, see E.R.O. No 1994-1, compiled at MCL 333.26322 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5423 Chronic disease advisory committee; advising and assisting department; reimbursement for travel expenses.

Popular Name: Act 368

333.5425 Chronic disease advisory committee; creation and purpose of subcommittee; chairperson; membership.

Popular Name: Act 368

333.5429 Terminated. 1978, Act 368, Eff. Sept. 30, 1980.

Compiler's Notes: <Paragraph><P>Subsection (2) of this section provided :</P></Paragraph><Paragraph><P>â€œ(2) This section shall terminate when the renal disease subcommittee of the committee is appointed or 2 years after the effective date of this part, whichever occurs first.â€</P></Paragraph><Paragraph><P>The date the renal disease subcommittee was appointed is not determinable.</P></Paragraph>

Popular Name: Act 368

333.5430 Newborn screening quality assurance advisory committee; membership; appointment; screening tests; annual review of list; report; recommendations; approval or rejection by legislature.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the medical services administration to the health and aging services

administration created within the department of health and human services; and abolishment of the medical services administration, see E.R.O. No. 2021-2, compiled at MCL 400.562.

Popular Name: Act 368

333.5431 Testing newborn infant for certain conditions; reporting positive test results to parents, guardian, or person in loco parentis; compliance; fee; “Detroit consumer price index” defined; violation as misdemeanor; hardship waiver; conduct of department regarding blood specimens; pamphlet; additional blood specimen for future identification.

Popular Name: Act 368

Admin Rule: R 325.1471 et seq. of the Michigan Administrative Code.

333.5432 Hearing test and screening.

333.5439 Rules.

Popular Name: Act 368

Admin Rule: R 325.1471 et seq. of the Michigan Administrative Code.

Part 54A LEAD ABATEMENT

333.5451 Short title of part.

Popular Name: Act 368

333.5452 Words and phrases; meanings.

Popular Name: Act 368

333.5453 Definitions; A.

Popular Name: Act 368

333.5454 Definitions; C.

Popular Name: Act 368

333.5455 Definitions; C.

Popular Name: Act 368

333.5456 Definitions; D, E.

Compiler's Notes: <Paragraph><P>For creation of department of health and human services and abolishment of department of community health, see E.R.O. No. 2015-1, compiled at MCL 400.227.</P></Paragraph>
Popular Name: Act 368

333.5457 Definitions; G to I.

Popular Name: Act 368

333.5458 Definitions; L.

Popular Name: Act 368

333.5459 Definitions; M to S.

Popular Name: Act 368

333.5460 Definitions; T to V.

Popular Name: Act 368

333.5460a Lead-based paint activities; procedures and requirements.

Popular Name: Act 368

333.5461 Persons engaged in lead-based paint activity; certification required.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5461a Lead-based paint activities; training program; accreditation required.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5462 Lead-based paint activities; training program; accreditation generally.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5463 Training program; training hour requirements for accreditation in certain disciplines; rules; course test; hands-on skills assessment; course completion certificates; quality control plan; teaching work practice standards; duties of training manager.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5464 Accreditation of refresher course.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5465 Reaccreditation of training program.

Popular Name: Act 368

333.5466 Suspension, revocation, or modification of accreditation.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5467 Accreditation training program; availability and retention of records; notice of change of address.

Popular Name: Act 368

333.5468 Certification to engage in lead-based paint activities; fees; application; requirements for certification in specific discipline.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5469 Certification to engage in lead-based paint activities; employment of certified employees; requirements.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5470 Certification in appropriate discipline required.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5471 Training program or refresher courses; fees.

Popular Name: Act 368

333.5472 Notice of lead-based paint abatement.

Popular Name: Act 368

333.5473 Administration and enforcement of part.

Popular Name: Act 368

333.5473a Administration and enforcement of part by department; rules; establishment of programs; recommendations; disclosure; exemption.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5474 Establishment of lead poisoning prevention program; components; reports.

Popular Name: Act 368

333.5474a Repealed. 2004, Act 431, Eff. July 1, 2007.

Compiler's Notes: <Paragraph><P>The repealed section pertained to the childhood lead poisoning prevention and control commission.</P></Paragraph>

Popular Name: Act 368

333.5474b Lead safe housing registry.

Popular Name: Act 368

333.5474b[1] Lead safe housing registry.

Compiler's Notes: <Paragraph><P>This added section is compiled as MCL 333.5474b[1] to distinguish it from another Sec. 5474b deriving from Act 432 of 2004.</P></Paragraph>

Popular Name: Act 368

333.5474c Repealed. 2004, Act 400, Eff. July 1, 2007.

Compiler's Notes: <Paragraph><P>The repealed section pertained to report findings of environmental threats of lead poisoning to children.

</P></Paragraph>
Popular Name: Act 368

333.5474c[1] Lead Poisoning Prevention Week.

Compiler's Notes: <Paragraph><P>This added section is compiled as MCL 333.5474c[1] to distinguish it from another Sec. 5474c deriving from Act 400 of 2004.</P></Paragraph>
Popular Name: Act 368

333.5474d Testing of minors for lead poisoning; rules; exception.

Popular Name: Act 368

333.5475 Alleged violations or complaints; actions by department.

Popular Name: Act 368
Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5475a Rental unit containing lead-based hazard; presumption of actual knowledge; violation; penalties; defense; burden of proof; definitions.

Popular Name: Act 368

333.5476 Violation of part; fine; citation; administrative hearing.

Popular Name: Act 368
Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5477 Violation; failure to correct violation after notice as misdemeanor; sanctions, penalties, or other provisions.

Popular Name: Act 368
Admin Rule: <Paragraph><P>R 325.9901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5478, 333.5479 Repealed. 2007, Act 162, Eff. July 1, 2010.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to reinstatement and powers and duties of the childhood lead poisoning prevention and control commission.</P></Paragraph>
Popular Name: Act 368

PART 54B.
LEAD-BEARING SUBSTANCES

333.5481 Definitions.

Popular Name: Act 368

333.5482 Children's jewelry; use or application of lead-bearing substance prohibited.

Popular Name: Act 368

333.5483 Children's jewelry containing lead-bearing substance; sale, offer for sale, or transfer prohibited.

Popular Name: Act 368

333.5484 Hazards of lead-bearing substances; posting information on website.

Popular Name: Act 368

333.5485 Lunch box containing lead-bearing substance; exception; "lunch box" defined.

Popular Name: Act 368

333.5486 Violations; penalties; waiver.

Popular Name: Act 368

PART 54C.

TOXIC SUBSTANCES IN CHILDREN'S PRODUCTS

333.5491 Definitions.

Popular Name: Act 368

333.5492 Toxic substance in toy or child care article; prohibited conduct; exception.

Popular Name: Act 368

333.5493 Violation; penalties; waiver.

Popular Name: Act 368

Part 55

333.5501 Repealed. 1988, Act 442, Eff. Dec. 27, 1991.

Compiler's Notes: <Paragraph><P>The repealed section pertained to reports and records on Alzheimer's disease and related disorders.</P></Paragraph>

Popular Name: Act 368

333.5511 Alzheimer's disease or related disorder; state plan for network of regional, multidisciplinary diagnostic and assessment centers; submission to governor and legislature.

Popular Name: Act 368

333.5521 Meanings of words and phrases used in MCL 333.5521 to 333.5539.

Popular Name: Act 368

333.5523 Identification of Alzheimer's disease and related disorders autopsy network; tasks.

Popular Name: Act 368

333.5525 Identification of tissue repositories.

Popular Name: Act 368

333.5527 Tissue repository; access; collection and use of fees; report.

Popular Name: Act 368

333.5529 Request for autopsy; information; written consent.

Popular Name: Act 368

333.5533 Duty of chronic disease advisory committee.

Popular Name: Act 368

333.5535 Subsidy program.

Popular Name: Act 368

333.5537 Information on critical role of autopsies.

Popular Name: Act 368

333.5539 Authority of family representative.

Popular Name: Act 368

Part 55A
EYE CARE CONSUMER PROTECTION

333.5551 Eye care consumer protection law; meanings of words and phrases.

333.5553 Definitions; C to E.

333.5555 Definitions; L to S.

333.5557 Definitions; V.

333.5559 Spectacles and contact lenses as medical devices; exceptions.

333.5561 Prohibited acts; "supervision" defined.

333.5563 Administration and enforcement of part; rules.

333.5565 Allegation of violation; writing; review by department; hearing, oaths, and testimony; authority of department to proceed under MCL 333.5567; initiation of investigation.

333.5567 Order to cease and desist; hearing; costs; referral of case for further enforcement; action under MCL 333.5569 or 333.5571.

333.5569 Civil action; filing; injunction or other relief; civil fine; costs; attorney fees.

333.5571 Violation of part, rule, or order as misdemeanor; fine; costs; attorney fees.

Part 56
OCCUPATIONAL DISEASES

333.5601 "Occupational disease" defined; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of occupational health in the bureau of environmental and occupational health, with the exception of dry cleaning unit, from the department of public health to the director of the department of labor, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5611 Report of occupational disease or health condition aggravated by workplace exposures; time; contents; forms and instructions.

Popular Name: Act 368

333.5613 Investigation; advising physician of nature of hazardous substance or agent and conditions of exposure; confidentiality.

Popular Name: Act 368

333.5621 Reports not public records; exemption from disclosure; access to record.

Popular Name: Act 368

333.5623 Statistical summaries; dissemination of instructions and information.

Popular Name: Act 368

333.5639 Failure to make report or wilful false statement as misdemeanor; penalty.

Popular Name: Act 368

Part 56A

TERMINAL ILLNESS

333.5651 Short title of part.

Popular Name: Act 368

333.5652 Legislative findings; Michigan dignified death act.

Popular Name: Act 368

333.5653 Definitions.

Popular Name: Act 368

333.5654 Recommended medical treatment for advanced illness; duty of physician to inform orally; limitation or modification of disclosed information.

Popular Name: Act 368

333.5655 Recommended medical treatment for advanced illness; duty of physician to inform orally and in writing; requirements.

Compiler's Notes: <Paragraph><P>Enacting section 3 of Act 239 of 2001 provides:</P></Paragraph><Paragraph><P>Enacting section 3. The 2001 amendatory act that amended section 5655 of the public health code, 1978 PA 368, MCL 333.5655, shall not be construed as creating a new mandated benefit for any coverages issued under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, the nonprofit health care corporation reform act, 1980 PA 350, MCL 550.1101 to 550.1704, or any other health care payment or benefits plan.↝</P></Paragraph>

Popular Name: Act 368

333.5656 Updated standardized written summary; development; publication; contents; availability to physicians.

Compiler's Notes: <Paragraph><P>Enacting section 3 of Act 237 of 2001 provides:</P></Paragraph><Paragraph><P>Enacting section 3. The 2001 amendatory act that amended section 5656 of the public health code, 1978 PA 368, MCL 333.5656, shall not be construed as creating a new mandated benefit for any coverages issued under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, the nonprofit health care corporation reform act, 1980 PA 350, MCL 550.1101 to 550.1704, or any other health care payment or benefits plan.↝</P></Paragraph>

Popular Name: Act 368

333.5657 Availability of form to patient, patient surrogate, or patient advocate; compliance with MCL 333.5656; placement of signed form in patient's medical record; signed form as bar to civil or administrative action.

Popular Name: Act 368

333.5658 Prescription of controlled substance; immunity from administrative and civil liability.

Popular Name: Act 368

333.5659 Life insurer, health insurer, or health care payment or benefits plan; prohibited acts.

Popular Name: Act 368

333.5660 Scope of part; limitation.

Popular Name: Act 368

333.5661 Fraud resulting in death of patient; violation as felony; penalty.

Popular Name: Act 368

PART 56B
PHYSICIAN ORDERS FOR SCOPE OF TREATMENT

333.5671 Words and phrases; applicability of definitions and principles of construction.

Popular Name: Act 368

333.5672 Definitions: A to C.

Popular Name: Act 368

333.5673 Definitions; E to I.

Popular Name: Act 368

333.5674 Definitions; M to W.

Popular Name: Act 368

333.5675 Advisory committee; appointment; membership; recommendations; abolishment; "committee" defined.

Popular Name: Act 368

333.5676 Duties of department; publication of information or materials regarding POST form.

Popular Name: Act 368

333.5677 POST form; individuals consenting to medical orders; consent by patient representative; information to be provided by attending health professional; signature; copy of form as part of medical record; possession of original form.

Popular Name: Act 368

333.5678 Revocation of POST form.

Popular Name: Act 368

333.5679 POST form; use as communication tool; treatment by emergency medical services personnel; exceptions; noncompliance by health professional or health facility.

Popular Name: Act 368

333.5680 Treatment or services not subject to criminal prosecution, civil liability, or professional disciplinary action.

Popular Name: Act 368

333.5681 Valid execution of POST form; presumption.

Popular Name: Act 368

333.5682 Belief that execution of POST form contrary to wishes or best interests; petition; review; injunction.

Popular Name: Act 368

333.5683 Life or health insurer; prohibited conduct.

Popular Name: Act 368

333.5684 Provisions as cumulative; legal right not impaired or superseded; presumption.

Popular Name: Act 368

333.5685 Advisory committee to be appointed 3 years after effective date of amendatory act; meeting; recommendations; report; abolishment; "committee" defined.

Popular Name: Act 368

Part 57
EXPOSURE TO CHEMICAL HERBICIDES

333.5701 Definitions.

Popular Name: Act 368

333.5703 Toxicological studies; consent; report; information on physical health.

Popular Name: Act 368

333.5709 Studying causes of death.

Popular Name: Act 368

333.5711 Epidemiological studies; consent.

Popular Name: Act 368

333.5713 Annual report; recommendations.

Popular Name: Act 368

333.5715 Report or other information as public information; availability; confidentiality of medical information.

Popular Name: Act 368

333.5717 Birth defects registry; establishment; purposes.

Popular Name: Act 368

333.5721 Birth defects; reports; records; confidentiality; rules; submission to medical examination or supervision not required; contract for collection and analysis of data; evaluation of information reported to birth defects registry; public reports.

Popular Name: Act 368

333.5723 Referral services.

Popular Name: Act 368

333.5725 Class action; purpose.

Popular Name: Act 368

333.5731 Agent orange commission; creation; appointment, qualifications, and terms of members; vacancy.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the agent orange commission from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the agent orange commission to the director of the department of community health and the abolishment of the commission, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5735 Agent orange commission; duties.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the agent orange commission from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the agent orange commission to the director of the department of community health and the abolishment of the commission, see E.R.O. No. 1997-4, compiled at MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5737 Agent orange commission; election of chairperson; meetings; travel expenses; conducting business at public meeting; notice; writings available to public.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the agent orange commission from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the agent orange commission to the director of the department of community health and the abolishment of the commission, see E.R.O. No. 1997-4, compiled MCL 333.26324 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5745 Agent orange information resource center; creation; membership; duties.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the agent orange commission from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled

Laws.</P></Paragraph>
Popular Name: Act 368

333.5747 Rules.

Popular Name: Act 368

333.5749 Phasing in studies and birth defects registry.

Popular Name: Act 368

Part 58 CHILDREN AND YOUTH WITH SPECIAL HEALTH CARE NEEDS

333.5801 "Child or youth with special health care needs" or "child" defined; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.5805 Service to be developed, extended, and improved; purposes; referral of child to appropriate services; purposes of program.

Popular Name: Act 368

333.5811 Repealed. 2015, Act 91, Imd. Eff. June 25, 2015.

Compiler's Notes: <Paragraph><P>The repealed section pertained to crippled children's advisory committee.</P></Paragraph>
Popular Name: Act 368

333.5815 Program of services; establishment and administration; rules.

Popular Name: Act 368
Admin Rule: <Paragraph><P>R 722.601 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.5817 Duties of department.

Popular Name: Act 368

333.5821 Diagnostic clinics and services; availability of examination results.

Popular Name: Act 368

333.5823 Eligibility for services; application; investigation; medical evidence.

Popular Name: Act 368

333.5825 Eligibility for services; determination; financial assessment; transportation; referrals.

Popular Name: Act 368

333.5826 Approval of hospital, facilities, and specialists.

Popular Name: Act 368

333.5828 Hospital bed to be provided; operation or treatment by physician or surgeon.

Popular Name: Act 368

333.5831 Report from approved hospital; form; contents; time.

Popular Name: Act 368

333.5835 Educational services for hospitalized child; compliance; records.

Popular Name: Act 368

333.5841 Charges for medical care and treatment; agreement for payment; information; account; disposition of parent participation payments; modification or cancellation of agreement.

Popular Name: Act 368

333.5843 Cost of care and surgical and medical treatment; subrogation.

Popular Name: Act 368

333.5847 Payments not considered social services aid; individual not considered indigent.

Popular Name: Act 368

333.5861 Receiving and holding title to property; property as trust fund; disposition of property; children with special needs fund; minimum balance.

Popular Name: Act 368

333.5863 Duties of department of treasury.

Popular Name: Act 368

333.5871 Entering home or taking charge of child or youth with special health care needs; power to accept or refuse services.

Popular Name: Act 368

333.5874 Confidentiality of records; disclosure.

Popular Name: Act 368

333.5879 Unlawful conduct; misdemeanor.

Popular Name: Act 368

Part 58A
INFANT DEATH DUE TO UNSAFE SLEEP EDUCATION AND PREVENTION

333.5881 "Infant safe sleep act"; meanings of words and phrases; general definitions and principles of construction.

Popular Name: Act 368

333.5883 Definitions; H, I.

Popular Name: Act 368

333.5884 Definitions; P.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.5885 Infant safe sleep practices; information and materials to be provided by hospital; parent acknowledgment statement; form; birth occurring in setting other than hospital; use of materials consistent with or provided by department.

Popular Name: Act 368

333.5886 Parent acknowledgment statement; liability of hospital or health professional.

Popular Name: Act 368

333.5887 Duties of department and department of human services.

Popular Name: Act 368

Part 59
MICHIGAN HEALTH INITIATIVE PROGRAM

333.5901 Definitions.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the center for health promotion and chronic disease prevention from the department of public health to the director of the department community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of certain powers and duties of the bureau of infectious disease control from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.5903 Repealed. 2006, Act 238, Imd. Eff. June 26, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to creation of risk reduction and AIDS policy commission.</P></Paragraph>

Popular Name: Act 368

333.5905 Repealed. 2006, Act 238, Imd. Eff. June 26, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to membership of risk reduction and AIDS policy commission.</P></Paragraph>

Popular Name: Act 368

333.5906 Hepatitis C advisory task force; creation; membership; terms; chairperson and officers; compensation and expenses; business conducted at public meeting; writings; duties; abolishment of task force on June 30, 2010.

Popular Name: Act 368

333.5907 Repealed. 2006, Act 238, Imd. Eff. June 26, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to business conducted at meeting of risk reduction and AIDS policy commission.</P></Paragraph>

Popular Name: Act 368

333.5909 Repealed. 2006, Act 238, Imd. Eff. June 26, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to duties of risk reduction and AIDS policy commission.</P></Paragraph>

Popular Name: Act 368

333.5911 Michigan health initiative fund; creation; administration; expenditures; fund cumulative; amounts credited to fund; investment of fund; crediting earnings; disposition and use of unencumbered balance.

Popular Name: Act 368

333.5913 Michigan health initiative information clearinghouse; establishment; accessibility; duties.

Popular Name: Act 368

333.5915 Media campaign; public service announcements.

Popular Name: Act 368

333.5917 Risk reduction and AIDS education module; approval process.

Popular Name: Act 368

333.5919 Risk reduction, HCV information package, and AIDS information package.

Popular Name: Act 368

333.5921 Model AIDS information package; local AIDS information package.

Popular Name: Act 368

333.5923 HIV and HCV testing; counseling; costs.

Popular Name: Act 368

333.5925 Employee wellness programs; grants; applications; rules.

Popular Name: Act 368

333.5927 Educational programs for health care workers; availability of educational materials to individuals at high risk for hepatitis C virus.

Popular Name: Act 368

333.5929 Local community demonstration and pilot projects; grants.

Popular Name: Act 368

Part 59A
HEALTHY MICHIGAN FUND

333.5951 “Fund” defined.

Popular Name: Act 368

333.5953 Healthy Michigan fund; creation; expenditure; fund as additional appropriation; crediting amount and earnings; investment; grants or donations; availability of remaining funds; reversion.

Popular Name: Act 368

333.5955 Use and purpose of fund.

Popular Name: Act 368

Article 6
SUBSTANCE ABUSE
Part 61
GENERAL PROVISIONS (Repealed by 2012 PA 500)

333.6101-333.6141 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Popular Name: Act 368

Part 62
SUBSTANCE ABUSE SERVICES

333.6201 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to creation of office of substance abuse services.</P></Paragraph>

Popular Name: Act 368

333.6203 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to duties of office of substance abuse services.</P></Paragraph>

Popular Name: Act 368

333.6205 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to additional duties of office of substance abuse services.</P>

</Paragraph>

Popular Name: Act 368

333.6207 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to additional duties of office of substance abuse services.</P>

</Paragraph>

Popular Name: Act 368

333.6209 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to review of office of substance abuse services.</P></Paragraph>

Popular Name: Act 368

333.6211 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to formula recommendation for distribution of funds.</P></Paragraph>
Popular Name: Act 368

333.6213 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to powers of administrator.</P></Paragraph>
Popular Name: Act 368

333.6215 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to creation of state interdepartmental substance abuse services coordinating commission.</P></Paragraph>
Popular Name: Act 368

333.6217 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to duties of state interdepartmental substance abuse services coordinating commission.</P></Paragraph>
Popular Name: Act 368

333.6221 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to creation of advisory commission on substance abuse services.</P></Paragraph>
Popular Name: Act 368

333.6222 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to officers, meetings, and report of advisory commission on substance abuse services.</P></Paragraph>
Popular Name: Act 368

333.6223 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to duties of advisory commission on substance abuse services.</P></Paragraph>
Popular Name: Act 368

333.6226 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to city, county, or regional coordinating agency.</P></Paragraph>

Popular Name: Act 368

333.6228 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to duties of city, county, or regional coordinating agency.</P></Paragraph>

</Paragraph>

Popular Name: Act 368

333.6230 Definitions.

Popular Name: Act 368

333.6231 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Popular Name: Act 368

Compiler's Notes: <Paragraph><P>The repealed section pertained to promulgation of administrative rules.</P></Paragraph>

333.6232 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to waiting list for services.</P></Paragraph>

Popular Name: Act 368

333.6233 License required; licensing unit; exceptions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.6234 Rules.

Popular Name: Act 368

333.6235 Application for license; form; authorization to obtain information; evidence of notice to churches, schools, and incorporated nonprofit civic organizations.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.6236 License; comments by individuals in applicant's service delivery area; basis of issuing or denying license; explanation of denial.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.6237 License; annual fee; compliance; display.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.6238 Duration of standard or provisional license; renewal or extension of provisional license; duration and purpose of temporary, nonrenewable permit; visit to licensed substance use disorder program; waiver; confidentiality of accreditation information; complaint.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.6241 Premises of applicant; inspection; compliance; facility visit; health and sanitation matters; other matters; conduct.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.6243 License; denial, suspension, revocation, or refusal to renew; violation; hearing and appeal.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.6249 Individual, agent, representative, or officer; subject to part; violation; misdemeanor; revocation.

333.6251 Injunction or other process.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

Part 65
INCAPACITATED PERSONS (Repealed by 2012 PA 500)

333.6501-333.6523 Repealed. 2012, Act 500, Imd. Eff. Dec. 28, 2012.

Popular Name: Act 368

Article 7
CONTROLLED SUBSTANCES
Part 71
GENERAL PROVISIONS

333.7101 Meanings of words and phrases; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>
Popular Name: Act 368

333.7103 Definitions; A.

Popular Name: Act 368

333.7104 Definitions; B to E.

Compiler's Notes: Enacting section 1 of Act 233 of 2001 provides: Enacting section 1. Sections 7104, 7107, and 7109 of the public health code, 1978 PA 368, MCL 333.7104, 333.7107, and 333.7109, as amended by this amendatory act, take effect upon the promulgation of the rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data. The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.

Popular Name: Act 368

333.7105 Additional definitions.

Popular Name: Act 368

333.7106 Definitions; I to M.

Popular Name: Act 368

333.7107 Definitions; N.

Compiler's Notes: Enacting section 1 of Act 233 of 2001 provides: Enacting section 1. Sections 7104, 7107, and 7109 of the public health code, 1978 PA 368, MCL 333.7104, 333.7107, and 333.7109, as amended by this amendatory act, take effect upon the promulgation of the rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data. The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.

Popular Name: Act 368

333.7108 Definitions; O.

Popular Name: Act 368

333.7109 Definitions; P to U.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph><Paragraph><P>Enacting section 1 of Act 233 of 2001 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Sections 7104, 7107, and 7109 of the public health code, 1978 PA 368, MCL 333.7104, 333.7107, and 333.7109, as amended by this amendatory act, take effect upon the promulgation of the rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data."</P></Paragraph><Paragraph><P>The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.471 et seq. and R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7111 Controlled substances advisory commission; appointment and qualifications of members; ex officio members; secretary; appointment and qualifications of drug control administrator.

Popular Name: Act 368

Compiler's Notes: <Paragraph><P>For transfer of controlled substances committee to the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph><Paragraph><P>For renaming department of energy, labor, and economic growth to department of licensing and regulatory affairs, see E.R.O. No. 2011-4, compiled at MCL 445.2030.</P></Paragraph>

333.7112 Controlled substances advisory commission; compensation and expenses; terms; vacancy; meetings; report; recommendations.

Popular Name: Act 368

333.7113 Controlled substances advisory commission; monitoring; investigations; plan of action; annual report; establishment and use of standardized data base format; transmission of information.

Popular Name: Act 368

333.7113a Prescription drug and opioid abuse commission; recommendations to department of education.

Popular Name: Act 368

333.7121 Application and construction of article.

Popular Name: Act 368

333.7123 Effect of article on rights and duties, penalties, proceedings, prosecutions, sentencing, civil seizures or forfeitures, injunctive proceedings, and administrative proceedings.

Popular Name: Act 368

333.7125 Continuation of order or rule.

Popular Name: Act 368

Part 72
STANDARDS AND SCHEDULES

333.7201 Administration of article; adding, deleting, or rescheduling substances.

Constitutionality: <Paragraph><P>The Legislature's delegation to the Board of Pharmacy of the authority to schedule controlled substances in accordance with detailed criteria is not an unlawful delegation of power. <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Turmon</Emph>, 417 Mich 638; 340 NW2d 620 (1983).</P></Paragraph>

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7202 Considerations in making determination regarding substance; emergency rule.

Popular Name: Act 368

333.7203 Findings; rule controlling substance; imminent danger; extension of emergency rule; substance as precursor of controlled precursor.

Popular Name: Act 368

333.7204 Substance designated, rescheduled, or deleted as controlled substance under federal law; notice; board meeting; similar control of substance by administrator; publication of reasons for determination.

Popular Name: Act 368

333.7206 Scientific advisory commission; creation; purpose; appointment and terms of members; recommendations.

Popular Name: Act 368

333.7208 Authority to control; exclusions.

Popular Name: Act 368

333.7210 Inclusion of controlled substances by whatever name designated.

Popular Name: Act 368

333.7211 Schedule 1; placement of substance.

Constitutionality: <Paragraph><P>The Legislature's delegation to the Board of Pharmacy of the authority to schedule controlled substances in accordance with detailed criteria is not an unlawful delegation of power. <Emph EmphType="underline">People</Emph> v <Emph EmphType="underline">Turmon</Emph>, 417 Mich. 638; 340 NW2d 620 (1983).</P></Paragraph>

Popular Name: Act 368

333.7212 Schedule 1; controlled substances included.

Compiler's Notes: <Paragraph><P>In subsection (1)(e)(<Emph EmphType="italic">ix</Emph>), "3-(L-adamantoyl)indole structure" evidently should read "3-(1-adamantoyl)indole structure."</P></Paragraph>

Popular Name: Act 368

333.7213 Schedule 2; placement of substance.

Popular Name: Act 368

333.7214 Schedule 2; controlled substances included.

Popular Name: Act 368

333.7215 Schedule 3; placement of substance.

Popular Name: Act 368

333.7216 Schedule 3; controlled substances included; rules.

Popular Name: Act 368

333.7217 Schedule 4; placement of substance.

Popular Name: Act 368

333.7218 Schedule 4; controlled substances included.

Popular Name: Act 368

333.7219 Schedule 5; placement of substance.

Constitutionality: <Paragraph><P>The Legislature's delegation to the Board of Pharmacy of the authority to schedule controlled substances in accordance with detailed criteria is not an unlawful delegation of power. <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Turmon</Emph>, 417 Mich 638; 340 NW2d 620 (1983).</P></Paragraph>

Popular Name: Act 368

333.7220 Schedule 5; controlled substances included.

Popular Name: Act 368

333.7227 Substances excluded from schedules of controlled substances; excluded substance as deleterious drug; manufacturing, distributing, or dispensing excluded substance.

Popular Name: Act 368

333.7229 Excepted compound, mixture, or preparation; compliance.

Popular Name: Act 368

333.7231 Notice of change in scheduling or rescheduling.

Popular Name: Act 368

Part 73
MANUFACTURE, DISTRIBUTION, AND DISPENSING

333.7301 Rules.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: “This amendatory act shall only apply to contested cases filed on or after July 1, 1986.”</P></Paragraph><Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.471 et seq. and R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7301a Licensing activities subject to certain provisions.

Compiler's Notes: <Paragraph><P>The following sections referenced in MCL 333.7301a have been repealed or do not exist: Secs. 16203, 16309, and 16313.</P></Paragraph>

Popular Name: Act 368

333.7302 Labeling controlled substances; contents of label; altering, defacing, or removing label.

Popular Name: Act 368

333.7302a Identification of certain prescription drugs and manufacturer or distributor; descriptive material; national registry of prescription drugs; exemptions; rules; “prescription drug” defined;

violation as misdemeanor; penalty.

Popular Name: Act 368

333.7303 License required; renewal; scope of authority; compliance; additional requirements; persons exempted; waiving or imposing requirement for licensure; separate license for each principal place of business or professional practice; inspection; quarterly report.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.471 et seq. and R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7303a Licensed prescriber; administering or dispensing controlled substance without separate license; prescriber in bona fide prescriber-patient relationship with patient; follow-up care; use of other controlled substances; recording response; obtaining and reviewing report from electronic system; exceptions; registering with electronic system; records required to be maintained; waiver of requirement under MCL 333.7303.

Popular Name: Act 368

333.7303b First prescription in single course of treatment for controlled substance containing opioid; issuance to minor by prescriber; requirements; exceptions; talking consent form authorizing adult to consent to minor's medical treatment; form; definitions.

Popular Name: Act 368

333.7303c Information to be provided before controlled substance containing opioid is prescribed; signature; inclusion of signed form in patient's medical or clinical record; controlled substance prescribed for inpatient use; definitions.

Popular Name: Act 368

333.7304 Exemptions from licensure.

Popular Name: Act 368

333.7305 Permitting certain persons to apply for license; application upon expiration of existing license.

Popular Name: Act 368

333.7306 License to be granted unless inconsistent with public interest; factors in determining public interest; scope of licensure; license to dispense, prescribe, or conduct research with controlled substances in schedules 2 to 5; registration under federal law to conduct research with schedule 1 substances; effect of compliance with federal law as to registration; limitation on licensure.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.7311 Actions by disciplinary subcommittee; grounds; limitation; conviction of felony; placing under seal or seizing controlled substances; disposition of controlled substances; judicial order for sale; deposit of proceeds; forfeiture of controlled substances; notice of orders and forfeitures; voiding license under MCL 333.7306; effect of conviction; applicability of subsection (7).

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.493a et seq. and R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7314 Denial, suspension, revocation, or limitation of license; order to show cause; service of order; conduct of proceedings; effect of proceeding on existing license; suspension of license on finding of imminent danger; duration of suspension; applicability of subsection (1).

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.7315 Reinstatement of license; application; hearing.

Popular Name: Act 368

333.7316 Reinstatement of license; good moral character; public interest; disciplinary or corrective measure.

Popular Name: Act 368

333.7321 Records; inventories; annual inventory; retention.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.471 et seq. and R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7331 Authority to purchase schedule 1 or 2 controlled substance; order form.

Popular Name: Act 368

333.7333 "Good faith" defined; dispensing controlled substance included in schedule 2; prescription form; electronic transmission under MCL 333.17754a; emergency; filling and refilling prescription; dispensing controlled substance included in schedule 3, 4, or 5; requirements and use of written prescription; class B dealer; animal control shelter or animal protection shelter; limited permit; administration of commercially prepared, premixed solution of sodium pentobarbital or animal tranquilizer; liability of veterinarian; "animal tranquilizer" and "class B dealer" defined.

Compiler's Notes: <Paragraph><P>Enacting section 2 of Act 231 of 2001 provides:</P></Paragraph><Paragraph><P>Enacting section 2. Section 7333 of the public health code, 1978 PA 368, MCL 333.7333, as amended by this amendatory act, takes effect upon promulgation of the rules required under section 7333a(1) of the public health code, 1978 PA 368, MCL 333.7333a, as added by this amendatory act, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, as added by this amendatory act, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, as added by this amendatory act, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data."</P></Paragraph><Paragraph><P>The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.471 et seq. and R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7333a Electronic monitoring system; definitions.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7333b Treatment of patient for acute pain; prescription for opioid; limitation; "acute pain" defined.

Popular Name: Act 368

333.7334 Repealed. 2001, Act 231, Eff. Jan. 6, 2003.

Compiler's Notes: <Paragraph><P>The repealed section pertained to official prescription form.</P></Paragraph>
Popular Name: Act 368

333.7335 Repealed. 2013, Act 268, Imd. Eff. Dec. 30, 2013.

Compiler's Notes: <Paragraph><P>Former MCL 333.7335, pertaining to marihuana controlled substances therapeutic research program, expired November 1, 1982, pursuant to Act 125 of 1979.</P></Paragraph><Paragraph><P>The repealed section pertained to marihuana controlled substances therapeutic research program.</P></Paragraph>
Popular Name: Act 368

333.7336 Repealed. 2013, Act 268, Imd. Eff. Dec. 30, 2013.

Compiler's Notes: <Paragraph><P>Former MCL 333.7336, pertaining to patient qualification review board and certification of designated pharmacies</P></Paragraph><Paragraph><P>for participation in marihuana distribution, expired November 1, 1982, pursuant to Act 125 of 1979.</P></Paragraph><Paragraph><P>The repealed section pertained to patient qualification review board.</P></Paragraph>
Popular Name: Act 368

333.7339 Dispensing, selling, or giving product to individual less than 18 years of age; violation as misdemeanor; penalty.

Popular Name: Act 368

333.7340 Selling, distributing, delivering, or furnishing product containing ephedrine or pseudoephedrine; prohibition; exceptions; violation as felony; penalty.

Popular Name: Act 368

333.7340a Submission of information to NPLeX.

Popular Name: Act 368

333.7340c Soliciting or attempting to solicit another person to obtain ephedrine or pseudoephedrine; violation; penalty; other violation; report to state police; definitions.

Popular Name: Act 368

333.7341 Definitions; factors in determining imitation controlled substance; prohibited conduct; violation; civil fine; misdemeanor; penalty; default in payment of civil fine or costs; collection; prohibited advertisement or solicitation; violation as misdemeanor; penalty; section inapplicable to certain persons; violation as felony; penalty.

Popular Name: Act 368

Part 74 OFFENSES AND PENALTIES

333.7401 Manufacturing, creating, delivering, or possessing with intent to manufacture, create, or deliver controlled substance, prescription form, or counterfeit prescription form; dispensing, prescribing, or administering controlled substance; violations; penalties; consecutive terms; discharge from lifetime probation; "plant" defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>Enacting section 2 of Act 236 of 2001 provides:</P></Paragraph><Paragraph><P>Enacting section 2. Sections 7401, 7403, 7407, and 7521 of the public health code, 1978 PA 368, MCL 333.7401, 333.7403, 333.7407, and 333.7521, as amended by this amendatory act, take effect upon promulgation of the rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data.</P></Paragraph><Paragraph><P>The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.</P></Paragraph>

Popular Name: Act 368

333.7401a Delivery of controlled substance; violation of MCL 750.520b to 750.520e or MCL 750.520g.

Popular Name: Act 368

Popular Name: Date Rape

Popular Name: Date Rape Drug

333.7401b Manufacture, delivery, or possession of gamma-butyrolactone prohibited; exception; violation; definitions.

Popular Name: Act 368

Popular Name: Date Rape

Popular Name: Date Rape Drug

333.7401c Manufacture of controlled substance; prohibited acts; violation as felony; exceptions; imposition of consecutive terms; court order to pay response activity costs; definitions.

Popular Name: Act 368

333.7402 Creating, manufacturing, delivering, or possessing with intent to deliver counterfeit substance or controlled substance analogue intended for human consumption; applicability of section and certain federal provisions; violations; penalties.

Popular Name: Act 368

333.7403 Knowingly or intentionally possessing controlled substance, controlled substance analogue, or prescription form; violations; penalties; individuals exempt from violation; notification of parent, guardian, or custodian of minor; other criminal charges; discharge from probation; definitions.

Constitutionality: <Paragraph><P>A mandatory sentence of life without parole does not violate the prohibition against cruel and unusual punishments of the Eighth Amendment to the United States Constitution, because the Eighth Amendment contains no proportionality guarantee. Neither does the Eighth Amendment prohibit the imposition of mandatory sentences -- â€œsevere, mandatory penalties may be cruel, but they are not unusual in the constitutional sense ... â€ -- nor does it require consideration of individualized, mitigating circumstances beyond those cases in which a capital sentence is imposed. <Emph EmphType="underscore">Harmelin</Emph> v <Emph EmphType="underscore">Michigan</Emph>, 501 US 957; 111 S Ct 2680; 115 L Ed2d 836 (1991).</P></Paragraph><Paragraph><P>In <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Bullock</Emph>, 440 Mich 15; 485 NW2d 866 (1992), the Michigan Supreme Court held that the Michigan Constitution prohibits cruel or unusual punishment while the Eighth Amendment to the US Constitution bars only punishment that is both cruel and unusual. Basing its decision on the textual difference, the Michigan Supreme Court held that the statutory penalty of mandatory life in prison without parole for possession of 650 grams or more of any mixture containing cocaine is so grossly disproportionate as to be cruel or unusual, the result being that those portions of the statutes denying parole consideration are struck down.</P></Paragraph>

Compiler's Notes: <Paragraph><P>Enacting section 2 of Act 236 of 2001 provides:</P></Paragraph><Paragraph><P>â€œEnacting section 2. Sections 7401, 7403, 7407, and 7521 of the public health code, 1978 PA 368, MCL 333.7401, 333.7403, 333.7407, and 333.7521, as amended by this amendatory act, take effect upon promulgation of the rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data.â€</P></Paragraph><Paragraph><P>The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.</P></Paragraph>

Popular Name: Act 368

333.7403a Fraudulently obtaining controlled substance or prescription from health care provider; certain privileges inapplicable to released or available medical records or information; immunity from civil or administrative liability; violation; penalty; probation; screening and assessment by bureau of substance abuse and addiction services; other violations; "health care provider" defined.

Popular Name: Act 368

333.7404 Use of controlled substance or controlled substance analogue; violations; penalties; individuals exempt from violation; notification of parent, guardian, or custodian of minor; other criminal charges; definitions.

Popular Name: Act 368

333.7405 Prohibited conduct; violation; penalties.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 49 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.493a et seq. and R 338.3101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.7406 Violation of MCL 333.7405; penalty.

Popular Name: Act 368

333.7407 Prohibited conduct; violation as felony; penalty.

Compiler's Notes: <Paragraph><P>Enacting section 2 of Act 236 of 2001 provides:</P></Paragraph><Paragraph><P>"Enacting section 2. Sections 7401, 7403, 7407, and 7521 of the public health code, 1978 PA 368, MCL 333.7401, 333.7403, 333.7407, and 333.7521, as amended by this amendatory act, take effect upon promulgation of the rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data."</P></Paragraph><Paragraph><P>The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.</P></Paragraph>

Popular Name: Act 368

333.7407a Attempt to violate or knowingly or intentionally solicit, induce, or intimidate another person to violate part; penalty.

Popular Name: Act 368

333.7408 Penalty cumulative.

Popular Name: Act 368

333.7408a Licensing sanctions.

Compiler's Notes: <Paragraph><P>Enacting section 2 of Act 380 of 2020 provides:</P></Paragraph><Paragraph><P>"Enacting section 2. This amendatory act does not take effect unless both of the following occur:</P></Paragraph><Paragraph><P>(a) House Concurrent Resolution No. 29 of the 100th Legislature is adopted by a majority of the members elected and serving in each house of the legislature.</P></Paragraph><Paragraph><P>(b) The governor submits a certification to the United States Secretary of Transportation stating both of the following:</P></Paragraph><Paragraph><P>(i) The governor is opposed to the enactment or enforcement of a law requiring driver license suspension for drug offenses as set forth in 23 USC 159(a)(3)(A).</P></Paragraph><Paragraph><P>(ii) Both houses of the legislature have adopted a concurrent resolution expressing their opposition to the enactment or enforcement of this federal mandate in accordance with 23 USC 159."</P></Paragraph><Paragraph><P>On September 24, 2020, the House adopted House Concurrent Resolution No. 29 and on December 10, 2020, the Senate adopted House Concurrent Resolution No. 29. And, on January 11, 2021, the United States Department of Transportation Division Office received the certification from the Governor regarding the requirements of 23 U.S.C. 159 and attached copy of the House Concurrent Resolution.</P></Paragraph>

Popular Name: Act 368

333.7409 Conviction or acquittal under federal law or law of other state as bar to prosecution.

Popular Name: Act 368

333.7410 Violations by individual 18 years of age or over who violates MCL 333.7401; distribution of marihuana; penalties; definitions.

Popular Name: Act 368

333.7410a Delivery or intent to deliver controlled substance in or within public or private park; term of imprisonment; definitions.

Popular Name: Act 368

333.7411 Possession or use of controlled substance or imitation controlled substance; probation; terms and conditions; violation; discharge and dismissal; deferral of proceedings; nonpublic record of arrest, court proceedings, and disposition; nonpublic record open to certain individuals and entities; purposes; course of instruction or rehabilitation program; conviction of second violation; screening and assessment; costs.

Popular Name: Act 368

333.7413 Conviction of second or subsequent violation; penalty.

Popular Name: Act 368

333.7415 Dismissal of case; reduction of charge; plea of guilty, guilty but mentally ill, or nolo contendere.

Popular Name: Act 368

333.7416 Recruiting, inducing, soliciting, or coercing minor to commit felony; penalties; exception.

Popular Name: Act 368

333.7417 Product producing same or similar effect as scheduled ingredient; sale or offer to sell prohibited; violation; penalty; "named product" defined.

Popular Name: Act 368

333.7421 Opioid-related overdose fatalities; report.

Popular Name: Act 368

333.7422 Compliance with MCL 333.17744b or MCL 333.17744e; prescribing, dispensing, possessing, or administering opioid antagonist; person not in violation of article.

Popular Name: Act 368

333.7423 Compliance with MCL 333.21418 not a violation of article.

Popular Name: Act 368

333.7451 "Drug paraphernalia" defined.

Popular Name: Act 368

333.7453 Sale of object designed for inhaling nitrous oxide or drug paraphernalia prohibited; notice; compliance.

Popular Name: Act 368

333.7455 Violation of MCL 333.7453 as misdemeanor; penalty.

Popular Name: Act 368

333.7457 Applicability of MCL 333.7451 to 333.7455.

Popular Name: Act 368

333.7459 Action for declaratory judgment; defendant.

Popular Name: Act 368

333.7461 Declaratory judgment as complete defense.

Popular Name: Act 368

Part 75 ENFORCEMENT AND ADMINISTRATION

333.7501 Arrest without warrant.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.7502 Powers of agents.

Popular Name: Act 368

333.7504 Administrative inspection warrants; issuance; execution; oath or affirmation showing probable cause; seizure of property; existence of probable cause; affidavit; contents of warrant.

Popular Name: Act 368

333.7505 Contents, execution, and return of warrant; copy of warrant and receipt for property seized; inventory of property taken; delivering copy of inventory; filing warrant with copy of return and papers returnable.

Popular Name: Act 368

333.7507 Administrative inspections of controlled premises.

Popular Name: Act 368

333.7511 Restraining or enjoining violation; trial by jury.

Popular Name: Act 368

333.7515 Cooperation with federal and other state agencies; relying and acting upon results, information, and evidence.

Popular Name: Act 368

333.7516 Name or identity of patient, research, or individual.

Popular Name: Act 368

333.7521 Property subject to forfeiture; burden of proof; "imitation controlled substance" defined.

Compiler's Notes: Enacting section 2 of Act 236 of 2001 provides: Enacting section 2. Sections 7401, 7403, 7407, and 7521 of the public health code, 1978 PA 368, MCL 333.7401, 333.7403, 333.7407, and 333.7521, as amended by this amendatory act, take effect upon promulgation of the rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and receipt by the secretary of state of written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, is operational. The notice to the secretary of state shall include a statement that the department of consumer and industry services is able to receive data from at least 80% of those required to report under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, and is able to respond to requests for data from persons authorized to make such requests and to review and utilize the data. The rules required under section 7333a of the public health code, 1978 PA 368, MCL 333.7333a, pertaining to the operation of the electronic monitoring system, were promulgated on December 30, 2002. In addition, a written notice from the director of the department of consumer and industry services that the electronic monitoring system required by section 7333a of the public health code is operational was filed with, and received by, the secretary of state on January 6, 2003.

Popular Name: Act 368

333.7521a Civil asset forfeiture; conditions, requirements, and limitations; applicability.

Popular Name: Act 368

333.7522 Property subject to forfeiture; seizure; process; seizure without process.

Popular Name: Act 368

333.7523 Seizure under MCL 333.7522; forfeiture proceedings; procedure; property subject to section or to order and judgment of court; powers of seizing agency; determining title to forfeited real property; forfeiture of real property encumbered by bona fide security interest; examination of money.

Popular Name: Act 368

333.7523a Stay of civil forfeiture during pending criminal proceedings; forfeiture hearing; burden of proof; return of property; applicability.

Popular Name: Act 368

333.7524 Disposition of forfeited property; donation of lights and scales for educational purposes; appointment, compensation, and authority of receiver to dispose of forfeited real property; expenses of forfeiture proceedings; court order.

Popular Name: Act 368

333.7524a Repealed. 2015, Act 148, Eff. Feb. 1, 2016.

Compiler's Notes: <Paragraph><P>The repealed section pertained to annual report by local unit of government concerning forfeiture activities.</P></Paragraph>

Popular Name: Act 368

333.7524b Report by agency of seizure and forfeiture activities under uniform forfeiture reporting act.

Popular Name: Act 368

333.7525 Controlled substance as contraband; seizure and summary forfeiture; seizure and forfeiture of species of plants.

Popular Name: Act 368

333.7527 Destruction of controlled substance seized as evidence.

Popular Name: Act 368

333.7531 Burden of proof of exemption or exception; presumption as to license or order form; burden of rebutting presumption; liability not imposed for lawful performance of duties.

Popular Name: Act 368

333.7533 Judicial review.

Popular Name: Act 368

333.7541 Educational programs; powers of administrator.

Popular Name: Act 368

333.7543 Research and enforcement; duties of administrator.

Popular Name: Act 368

333.7544 Authorization to withhold names and other identifying characteristics of individuals who are subjects of research; authorization of persons engaged in research to possess and distribute controlled substances; exemption from prosecution.

Popular Name: Act 368

333.7545 Contracts for educational and research activities.

Popular Name: Act 368

Article 8
PHARMACEUTICAL-GRADE CANNABIS
Part 81
GENERAL PROVISIONS

333.8101 Meanings of words and phrases.

Popular Name: Act 368

333.8103 Definitions; A to G.

Popular Name: Act 368

333.8105 Definitions; M to P.

Popular Name: Act 368

333.8107 Definitions; Q to T.

Popular Name: Act 368

333.8109 Manufacturing, distributing, prescribing, or dispensing pharmaceutical-grade cannabis; license required.

Popular Name: Act 368

333.8111 Fees.

Popular Name: Act 368

333.8113 Pharmaceutical-grade cannabis fund.

Popular Name: Act 368

333.8115 Rules.

Popular Name: At 368

333.8117 Pharmaceutical-grade cannabis licensed facility registry.

Popular Name: Act 368

333.8119 Annual report.

Popular Name: Act 368

Part 81A
PRESCRIBING AND DISPENSING PHARMACEUTICAL-GRADE CANNABIS

333.8151 Recommendation by physician.

Popular Name: Act 368

333.8152 Enhanced pharmaceutical-grade cannabis card; issuance by department; conditions; surrender of registry identification card.

Popular Name: Act 368

333.8153 Entry of information into law enforcement information network.

Popular Name: Act 368

333.8154 Prescription; contents; monitoring; access to information; limitation; confidentiality; retrieval system; use of information; removal of identity; contractual agreement.

Popular Name: Act 368

Part 82
FACILITY LICENSING

333.8201 Licensing; purpose.

Popular Name: Act 368

333.8205 Issuance of license; requirements; submission of fingerprints; criminal history check.

Popular Name: Act 368

333.8209 Inspections; delegation to local health department; consultation with ad hoc committee; reimbursement.

Popular Name: Act 368

333.8211 License renewal.

Popular Name: Act 368

Part 83
PHARMACEUTICAL-GRADE CANNABIS LICENSED FACILITY OPERATIONS

333.8301 Physical location.

Popular Name: Act 368

333.8303 Records; notification; prohibited acts; destruction of marihuana determined not pharmaceutical-grade cannabis; standards; manner of irradiation.

Popular Name: Act 368

333.8305 Facility as profit or nonprofit entity.

Popular Name: Act 368

333.8307 Operation.

Popular Name: Act 368

333.8309 Liability.

Popular Name: Act 368

Part 84
SALE AND DISTRIBUTION OF PHARMACEUTICAL-GRADE CANNABIS

333.8401 Sale or distribution; requirements; report.

Popular Name: Act 368

Part 85
ENFORCEMENT

333.8501 Enforcement; inspection; finding of emergency; suspension of license; order.

Popular Name: Act 368

333.8503 Suspension or revocation of facility license; oaths and subpoenas; notice; fees; summary suspension.

Popular Name: Act 368

333.8505 Licensing hearing; testimony; self-incrimination; use in criminal prosecution; refusal as grounds for suspension or revocation.

Popular Name: Act 368

333.8507 Violation; penalty; other violations.

Popular Name: Act 368

333.8509 Facility or individuals not subject to arrest, prosecution, or penalty.

Popular Name: Act 368

333.8511 Local ordinances and regulations.

Popular Name: Act 368

Article 9
SUPPORTIVE PERSONAL HEALTH SERVICES
Part 91
GENERAL PROVISIONS

333.9101 Plan for health services for pupils in elementary and secondary schools; establishment; contents; cooperation in developing plan; consistency with program of school nursing services; employment of certified school nurses; excusing pupils from health instructions and class attendance.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.9105 Examinations or health services provided on equal basis to school children.

Popular Name: Act 368

333.9111 Pharmaceutical, biologic, and diagnostic products and by-products for human, veterinary, or agricultural use; developing, producing, purchasing, and receiving by gift; research; distribution; costs.

Popular Name: Act 368

333.9112 Pharmaceutical products fund.

Popular Name: Act 368

333.9121 Blood, blood plasma, blood products, blood derivatives, and human and artificial tissues; standards regulating procurement, processing, distribution, and use; rendition of service; warranty; liability.

Popular Name: Act 368

333.9122 Donation of blood by individual at least 17 years of age; donation of blood by individual at least 16 but less than 17 years of age; parent's or legal guardian's permission or authorization.

Popular Name: Act 368

333.9123 Testing of donor, sample, specimen, or organ for presence of HIV or antibody to HIV; applicability of subsection (1); effect of positive test results; inability to perform test; written consent to use blood, tissue, organ, or other human specimen; donation of blood exclusively for own use; use of self-replicating body fluids; informing donor of positive test result; violation; liability; definitions.

Popular Name: Act 368

333.9129 Registration program for perinatal facilities as maternal care facility; appropriation; incentive payments.

Popular Name: Act 368

333.9130 Perinatal quality collaboratives.

Popular Name: Act 368

333.9131 Family planning services; publicity; request by medically indigent individual; clinical abortions.

Popular Name: Act 368

333.9132 Consent of minor to provision of health care; notice; permission to contact parents for additional medical information; giving or withholding information without consent of minor; "health care" defined.

Popular Name: Act 368

333.9133 Rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.2941 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.9137 Mental health screenings.

Popular Name: Act 368

333.9141 Ultrasound equipment; purchase; grant program; fund; application; conditions; report; rules; definitions.

Popular Name: Act 368

333.9145 Nonopioid directive; form; revocation; exception for emergency; liability; definitions.

Popular Name: Act 368

333.9152 Screening pupils for scoliosis and other spinal disorders; guidelines; participation; written statement; short title of section.

Popular Name: Act 368

333.9155 Concussions; educational materials on nature and risk; concussion awareness training program; availability of materials and program on website; review; definitions.

Popular Name: Act 368

333.9156 Sponsor or operation of athletic activity; compliance with section by organizing entity; duties of coach or other adult; removal of youth athlete; written clearance; exceptions.

Popular Name: Act 368

333.9159 Development of educational program and dissemination of information on female genital mutilation; duties of department; definitions.

Popular Name: Act 368

333.9161 Pamphlet; contents; printing; distribution.

Popular Name: Act 368

Part 92
IMMUNIZATION

333.9201 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.9203 Free immunization treatments; free periodic immunization clinics for children; publicity; mass immunization programs; liability.

Popular Name: Act 368

333.9204 Administration of immunizing agent.

Popular Name: Act 368

333.9205 Immunization of child required.

Popular Name: Act 368

333.9205a Risks associated with meningococcal disease; materials; notice; availability; "institution of higher education" defined.

Popular Name: Act 368

333.9205b Risks of human papillomavirus; availability of materials; definitions.

Popular Name: Act 368

333.9206 Certificate of immunization required; form; contents; right to object to reporting requirement; report to department; failure to comply with subsection (3); "health care provider" and "health professional" defined.

Popular Name: Act 368

333.9207 Childhood immunization registry; Michigan care improvement registry; establishment; purpose; confidentiality and disclosure requirements.

Popular Name: Act 368

333.9208 Certificate of immunization or statement of exemption; presentation to school officials; minimum doses of immunizing agent; updated certificate; annual report.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 120 of 2013 provides:</P></Paragraph><Paragraph><P>"Enacting section 1: This amendatory act takes effect July 1, 2013."</P></Paragraph>

Popular Name: Act 368

333.9209 Immunization status of kindergarten and first grade students; minimum percentage levels of immunization; raising immunization level; report of additional immunizations; form of report; exclusion of child from school attendance.

Popular Name: Act 368

333.9211 Preschool aged child registered in program of group residence, care, or camping; certificate of immunization or statement of exemption; minimum dose of immunizing agent; updated certificate; report of immunization status.

Popular Name: Act 368

333.9212 Immunization requirements of MCL 333.9208 as condition for admission to grade in public or nonpublic school.

Popular Name: Act 368

333.9215 Exemptions.

Popular Name: Act 368

333.9221 Enforcement; cooperation.

Popular Name: Act 368

333.9227 Rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.171 et seq. and R 325.3501 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.9229 Violation as misdemeanor.

Popular Name: Act 368

Part 93 HEARING, VISION, AND DENTAL

333.9301 Free hearing and vision testing and screening programs; publicity.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.9302 Duty of parent, guardian, or person in loco parentis; time and frequency of testing and screening.

Popular Name: Act 368

333.9303 Program to assist local health departments; establishment and administration.

Popular Name: Act 368

333.9305 Follow-up treatment; statement; information.

Popular Name: Act 368

333.9307 Registration of child for kindergarten or first grade; certificate of hearing and vision testing or

screening or statement of exemption required; summary of hearing or vision reports; forms.

Popular Name: Act 368

333.9309 Individual testing and screening to determine hearing efficiency.

Popular Name: Act 368

333.9311 Exemption.

Popular Name: Act 368

333.9312 Records of hearing or vision testing and screening and dental oral assessments; preservation and availability; confidentiality.

Popular Name: Act 368

333.9315 Advisory committee; appointment of members; duties; cooperation of department.

Compiler's Notes: <Paragraph><P>For transfer of hearing and vision programs advisory committee by type III transfer, see E.R.O. No. 2009-8, compiled at MCL 333.26362.</P></Paragraph>

Popular Name: Act 368

333.9316 Dental oral assessment program; contractual agreements for assessments; information required; registration of child for kindergarten or first grade; statement of exemption required; summary of dental reports; subject to appropriation.

Popular Name: Act 368

333.9321 Rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.3271 et seq. and R 325.13091 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.9329 Violation as misdemeanor.

Popular Name: Act 368

Part 95
BREAST CANCER PROGRAM

333.9501 Breast cancer mortality reduction program; creation; scope.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the center for health promotion and chronic disease prevention from the department of public health to the director of the department community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.9503 Report.

Popular Name: Act 368

Part 96
STATE LABORATORIES

333.9601 Laboratories; establishment, operation, and maintenance; services; continuation of existing laboratories; location; agreements and contracts; fees; development and publication of comprehensive schedule of testing services and fees; report.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the bureau of infectious disease control from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.9611 Agreements relating to laboratory services.

Popular Name: Act 368

333.9621 Microbiological examination and analysis; container for sample; statement; no charge.

Popular Name: Act 368

333.9623 Laboratory testing fund; creation; use; unexpended funds.

Popular Name: Act 368

Part 97.
MICHIGAN PHARMACEUTICAL BEST PRACTICES INITIATIVE

333.9701 Definitions.

Compiler's Notes: <Paragraph><P>For creation of department of health and human services and abolishment of department of community health, see E.R.O. No. 2015-1, compiled at MCL 400.227.</P></Paragraph>

Popular Name: Act 368

333.9703 Pharmaceutical best practices initiative; implementation; prior authorization and appeal process; establishment of disease management and health management programs; hiring and retaining contractors, subcontractors, advisors, consultants, and agents; rules.

Popular Name: Act 368

333.9705 Transfer of Michigan pharmacy and therapeutics committee to department; appointment and composition of membership; conflict of interest; terms; vacancy; powers, duties, and responsibilities of committee; reimbursement for expenses; rules; quorum; voting; meetings.

Popular Name: Act 368

333.9707 Functions.

Popular Name: Act 368

333.9709 Prior authorization for drugs not on preferred drug list.

Popular Name: Act 368

Article 10
ANATOMICAL GIFTS AND DISPOSITION OF HUMAN BODY PARTS
Part 101
REVISED UNIFORM ANATOMICAL GIFT LAW

333.10101 Short title of part.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10102 Definitions.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10102a Repealed. 2008, Act 39, Eff. May 1, 2008.

Compiler's Notes: <Paragraph><P>The repealed section pertained to consenting to gift of all or part of decedent's body.</P></Paragraph>

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10103 Applicability of part to anatomical gift.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10104 Anatomical gift of donor's body or body part; purpose; persons making gift.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10105 Donor making anatomical gift; methods; gift by donor card or other record; effect of revocation, suspension, expiration, or cancellation of driver license or identification card upon which anatomical gift is indicated; anatomical gift made by will; effect of probate or invalidation.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10106 Amendment or revocation of anatomical gift; means.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10107 Refusal to make anatomical gift; means.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10108 Person other than donor barred from making, amending, or revoking anatomical gift; conditions; revocation of anatomical gift not considered as refusal; unrevoked or revocation of anatomical gift by person other than donor; certain conduct not considered as limitation; donor as unemancipated minor.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10109 Classes of persons making anatomical gift; priority; more than 1 member of class making anatomical gift; availability of person in prior class.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10110 Document of gift; amendment or revocation of gift made under MCL 333.10109; revocation effective before incision made or invasive procedures begun.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10111 Persons named in document of gift; inability to transplant gift to named individual; person not named in gift document; rules; more than 1 purpose or body part set forth in document of gift; use of gift if general intent specified by certain words; organ procurement organization as custodian of organ; disposal of body part; ineffective gift; allocation of organs for transplantation or therapy.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10112 Search for document of gift or other information; persons required to make search; document to be sent to hospital for documentation; failure to discharge duties; administrative sanctions.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10113 Document of gift; delivery; examination and copying.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10114 Referral of individual to procurement organization; search of records of secretary of state and donor registry; access to records; examination to ensure medical suitability; search for parents of minor donor; rights of person to which body part passes; participation of physician.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10115 Hospital agreements or affiliations with procurement organizations.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10116 Purchase or sale of body part for transplantation or therapy; violation as felony; penalty; exception.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10117 Intentionally falsifying, forging, concealing, defacing, or obliterating document of gift; violation as felony; penalty.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10118 Good faith acts.

Popular Name: Act 368
Popular Name: Uniform Anatomical Gift Act

333.10119 Validity of document of gift; execution; presumption.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10120 Donor registry; establishment by organ procurement organization; duties of secretary of state and department of treasury; requirements to be met by donor registry; disclosure of identifiable information; donor registry not established by or under contract with state.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10121 Definitions; medical suitability of body part; conflict with declaration or advance health care directive or enrollment in hospice program; resolution.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10122 Uniformity of law among states.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

333.10123 Electronic signatures or electronic delivery of notices.

Popular Name: Act 368

Popular Name: Uniform Anatomical Gift Act

Part 102
DISPOSITION OF HUMAN BODY PARTS

333.10201 Definitions.

Popular Name: Act 368

333.10202 Removal of cornea; circumstances.

Popular Name: Act 368

333.10203 Removal of cornea; liability.

Popular Name: Act 368

333.10204 Prohibited conduct; felony; permissible practices; definitions; rules.

Popular Name: Act 368

333.10205 Surgical removal of human organ for transplant, implant, infusion, injection or other purpose; facilities; exceptions; rules; violation as felony.

Compiler's Notes: <Paragraph><P>Former MCL 333.10205, which pertained to expiration of part, was repealed by Act 158 of 1982, Imd. Eff. May 20, 1982.</P></Paragraph>

Popular Name: Act 368

333.10251 Organ transplant services; discrimination against individuals with disability; prohibition; action for injunctive relief; definitions.

Popular Name: Act 368

333.10301 Peace of mind registry; creation, operation, and maintenance; report; rules; immunity from civil liability; legal weight and validity; definitions.

Popular Name: Act 368

333.11101 Prohibited donation or sale of blood or blood products; notice of violation.

Popular Name: Act 368

Article 12
ENVIRONMENTAL HEALTH
Part 121
GENERAL PROVISIONS

333.12101 "Environmental health" defined; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of environmental health, with the exception of the food service sanitation program and the shelter environment program, from the director of the department of public health to the director of the department of environmental quality, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.12103 Department as environmental health agency; purpose; duties; contamination of property or dwelling that is site of illegal drug manufacturing; requirements; "dwelling" defined.

Popular Name: Act 368

333.12104 Statutes which impact on environmental health; review; recommendations; state programs related to lead-based paint poisoning and rodent control.

Popular Name: Act 368

333.12105 Organizational structure; creation; purpose.

Popular Name: Act 368

333.12106 Delegation of license inspection function to local health department; denial or granting of license; explanatory statement.

Popular Name: Act 368

333.12195 Alternative waste disposal systems.

Popular Name: Act 368

Part 122
HOUSING

333.12201-333.12222 Repealed. 1980, Act 431, Eff. Mar. 31, 1981.

Popular Name: Act 368

Part 124
AGRICULTURAL LABOR CAMPS

333.12401 Definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12411 License for operation of agricultural labor camp required; posting license or license placard; notice of construction, enlargement, or conversion; violation; fine.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12412 License for operation of agricultural labor camp; form; fee; contents; time of application.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12413 License for operation of agricultural labor camp; issuance; duration; recital on face of license; transferability or assignability.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12414 Temporary license; renewal application.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12415 Denial of application for license; notice; hearing.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12416 Suspension or revocation of license; grounds; notice; hearing; appeal.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12421 Rules.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368
Admin Rule: <Paragraph><P>R 325.1501 et seq. and R 325.1531 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.12425 Enforcement; inspection and investigation of premises; assistance; payments to local health departments.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12426 Action for injunction or other process.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12431 Migratory labor housing fund; creation; appropriation; deposit; investment; interest and earnings; administration for auditing purposes; use of funds; money in fund.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.12432 Filing claim for grant; approval; priority list.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.12433 Powers of department.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.12434 Violation as misdemeanor; each day of violation as separate violation; wilful damage or destruction of camp.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of migrant labor housing program from department of health and human services to department of agriculture and rural development, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Part 125 CAMPGROUNDS, SWIMMING AREAS, AND SWIMMERS' ITCH

333.12501 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of environmental health, with the exception of the food service sanitation program and the shelter environment program, from the director of the department of public health to the director of the department of environmental quality, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.12505 Construction permit for campground; application; contents.

Popular Name: Act 368

333.12506 Campground license required; application; contents; exemption; expiration.

Popular Name: Act 368

333.12506a Campground fees.

Popular Name: Act 368

333.12506b Campground fund; creation; remaining balance; expenditures; use; annual report.

Popular Name: Act 368

333.12507 Campground facilities to meet requirements prescribed under MCL 333.12511.

Popular Name: Act 368

333.12508 Campground license; issuance; display; notice of denial; statement of reasons; reconsideration; hearing; appeal.

Popular Name: Act 368

333.12509 Campground license; transfer.

Popular Name: Act 368

333.12510 Annual inspection by local health department; payments; additional fees.

Popular Name: Act 368

333.12511 Rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 323.3101 et seq.; R 325.1551 et seq.; R 325.2101 et seq.; and R 325.2111 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.12512 Notice of noncompliance; specifying particular violations; time for compliance; revocation of license; hearing; decision; appeal.

Popular Name: Act 368

333.12513 Advisory board; purpose; appointment, qualifications, and terms of members.

Compiler's Notes: <Paragraph><P>For transfer of campground public health advisory board to department of environmental quality by type III transfer, see E.R.O. No. 2010-14, compiled at MCL 333.26365.</P></Paragraph>

Popular Name: Act 368

333.12514 Access to campground; purpose.

Popular Name: Act 368

333.12515 Application and construction of MCL 333.12501 to 333.12516.

Popular Name: Act 368

333.12516 Violation as misdemeanor; action for injunction.

Popular Name: Act 368

333.12521 Definitions used in MCL 333.12521 to 333.12534.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.5801 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.12522 Public swimming pool; review of design, construction, and operation; rules; exception.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.2111 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.12523 Construction and operation of public swimming pools; supervisory and visitorial power; control.

Popular Name: Act 368

333.12524 Public swimming pools; periodic inspections; right of entry.

Popular Name: Act 368

333.12525 Construction or modification of public swimming pool; review and approval of plans and specifications; fee; permit; responsibility of applicant or owner; nuisance or hazard to health or safety; description of swimming pool system and auxiliary structures.

Popular Name: Act 368

333.12526 Examination of plans and specifications; determination; issuance of permit; notice of deficiencies; resubmission of documents; duration of permit; written approval of change.

Popular Name: Act 368

333.12526a Preparation or consumption of food or beverages within swimming pool enclosure; requirements; use of plastic or nonbreakable material; definitions.

Popular Name: Act 368

333.12527 Public swimming pool; license required; fee; display; expiration; renewal; replacement.

Popular Name: Act 368

333.12527a Fees.

Popular Name: Act 368

333.12527b Public swimming pool fund; creation; remaining balance; expenditures; use; annual report.

Popular Name: Act 368

333.12528 Denial of license; grounds; notice; failure to correct deficiencies or noncomplying items.

Popular Name: Act 368

333.12529 Revocation of license; grounds; reissuance.

Popular Name: Act 368

333.12530 Periodic reports covering operation of public swimming pools.

Popular Name: Act 368

333.12531 Ordering owner or operator to prohibit use of swimming pool.

Popular Name: Act 368

333.12531a Use of life jacket in public swimming pool.

Popular Name: Act 368

333.12532 Payments to local health departments; additional fees.

Popular Name: Act 368

333.12533 Violation as misdemeanor; each day of violation as separate violation; prosecution.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.2111 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.12534 Action for injunction or other process.

Popular Name: Act 368

333.12541 Testing and evaluating quality of water at bathing beaches; purpose; posting sign; injunction; definitions.

Popular Name: Act 368

333.12542 Public bathing beach; safety and rescue equipment; communication with outside sources of assistance.

Popular Name: Act 368

333.12543 Consulting and cooperating with local health officers; training for employees; assistance.

Popular Name: Act 368

333.12544 Rules; contents; use.

Popular Name: Act 368

333.12545 Violation as misdemeanor.

Popular Name: Act 368

333.12546 Local regulations.

Popular Name: Act 368

333.12561-333.12563 Repealed. 2004, Act 246, Eff. Oct. 1, 2004.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to permits to chemically treat nuisance-producing organisms in waters of this state.</P></Paragraph>

Part 126
SMOKING IN PUBLIC PLACES

333.12601 Definitions.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the center for health promotion and chronic disease prevention from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.12603 Smoking in public place or at meeting of public body prohibited; duties of owner, operator, manager, or person having control of public place, food establishment, or casino; good faith effort to prohibit smoking; affirmative defense; affidavit; section referred to as "Dr. Ron Davis Law."

Popular Name: Act 368

333.12604 Smoking in a child caring institution or child care center or on the real property under control of institution or center; violation; penalties.

Popular Name: Act 368

333.12604a, 333.12605 Repealed. 2009, Act 188, Eff. May 1, 2010.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to prohibitions against smoking in private practice of health facility and designation of smoking areas.</P></Paragraph>

333.12606 Retaliatory or adverse personnel action against employee or applicant prohibited.

Popular Name: Act 368

333.12606a Cigar bar or tobacco specialty retail store in existence on effective date of section; exemption from smoking prohibition; affidavit; request for additional information; failure to file affidavit.

Popular Name: Act 368

333.12606b Casino in existence on effective date of section; "gaming area" defined.

Popular Name: Act 368

333.12607 Repealed. 2009, Act 188, Eff. May 1, 2010.

Compiler's Notes: <Paragraph><P>The repealed section pertained to duties of state or local governments to prevent smoking.</P></Paragraph>

333.12609 Rules.

Popular Name: Act 368

333.12610 Rules prohibited.

Popular Name: Act 368

333.12611 Violation; compliance; civil fine; perjury.

Popular Name: Act 368

333.12613 Enforcement; civil fine; injunctive relief; remedies independent and cumulative.

Popular Name: Act 368

333.12614 Reports.

Popular Name: Act 368

333.12615 Repealed. 2009, Act 188, Eff. May 1, 2010.

Compiler's Notes: <Paragraph><P>The repealed section pertained to smoking of tobacco in nursing home or food service establishment.
</P></Paragraph>

333.12616 Short title.

Popular Name: Act 368

333.12617 Repealed. 2009, Act 188, Eff. May 1, 2010.

Compiler's Notes: <Paragraph><P>The repealed section pertained to effective date of part.</P></Paragraph>

Part 127 WATER SUPPLY AND SEWER SYSTEMS

333.12701 Definitions used in MCL 333.12701 to 333.12715.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of environmental health and the division of water supply from the director of the department of public health to the director of the department of environmental quality, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.12703 Applicability of MCL 333.12701 to 333.12715.

Popular Name: Act 368

333.12704 Certificate of registration as well drilling contractor, pump installer, water well drilling contractor, or dewatering well pump installer; application; fees; exemption.

Popular Name: Act 368

333.12705 Certificate of registration; issuance; nontransferable; expiration; renewal; examination; eligibility; reciprocity.

Popular Name: Act 368

333.12706 Numbers, seal, and words to be placed on well drilling machine.

Popular Name: Act 368

333.12707 Record required; contents; copies; forms; sufficiency of record for drive point well.

Popular Name: Act 368

333.12708 Entering and inspecting installation.

Popular Name: Act 368

333.12709 Inspection of violation; order; notice of suspension of certificate of registration; petition for hearing; revocation of certificate of registration.

Popular Name: Act 368

333.12711 Advisory board; creation; appointment and qualifications of members.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities of the water well drillers advisory committee to the director of the Michigan state department of public health, see E.R.O. No. 1994-1, compiled at MCL 333.26322 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.12712 Advisory board; terms of members; vacancies.

Popular Name: Act 368

333.12713 Advisory board; election of chairperson; secretary; number of meetings; quorum; conducting business at public meeting; notice of meeting; compensation and expenses.

Popular Name: Act 368

333.12714 Rules and construction code.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.1601 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.12715 Violation as misdemeanor; penalties; prosecution.

Popular Name: Act 368

333.12721 Adding fluoride to water.

Popular Name: Act 368

333.12751 Definitions used in MCL 333.12752 to 333.12758.

Popular Name: Act 368

333.12752 Public sanitary sewer systems; declaration of necessity.

Popular Name: Act 368

333.12753 Structures in which sanitary sewage originates to be connected to public sanitary sewer; approval; time.

Popular Name: Act 368

333.12754 Failure to connect structure to public sanitary sewer; notice; action to compel connection.

Popular Name: Act 368

333.12756 Tap-in fee for connection; deferment of payment by reason of hardship; application; evidence of hardship; ordinance defining hardship and permitting deferred or partial payment; condition to granting deferred or partial payment.

Popular Name: Act 368

333.12757 Installation and use of acceptable innovative or alternative waste treatment system alone or in combination with acceptable alternative greywater system; regulation by local health department; guidelines; exemption from special assessments not permitted; connection to available public sanitary sewer system not required; payment of sewer availability fee in lieu of connection or user fees; exemption from connection or user fees.

Popular Name: Act 368

333.12758 Voluntary connection to public sanitary sewer system; provisions cumulative.

Popular Name: Act 368

333.12771 Outhouses; requirements; rules; violation as misdemeanor; public nuisance; "outhouse" defined.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.421 et seq. of the Michigan Administrative Code.</P></Paragraph>

Part 129.

SMOKE-FREE FOOD SERVICE ESTABLISHMENTS

333.12901-333.12904 Repealed. 2000, Act 92, Eff. Nov. 8, 2000.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to definitions, preparation and service of wild game, creation of food service sanitation advisory board, and license to operate food service establishment.</P></Paragraph>

Popular Name: Act 368

333.12905 Food service establishment; smoking prohibited; shopping malls; inspection; determination of compliance; investigation of complaint; order to cease food service operations; good faith effort to prohibit smoking; affirmative defense; affidavit; violation; civil fine; definitions.

Popular Name: Act 368

333.12905a-333.12908 Repealed. 2000, Act 92, Eff. Nov. 8, 2000.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to display of poster diagramming and explaining antichoking techniques in food service establishment; payment of sanitation service and state license fees; denial, suspension, limitation, or revocation of license; and delegation of authority and responsibility for enforcement of requirements.</P></Paragraph>

Popular Name: Act 368

***** 333.12909 SUBSECTION (3) EXPIRES AUGUST 17, 1981: See (3) of 333.12909 *****

333.12909 Rules; manufacturing, processing, or freezing frozen desserts; compliance with standards; adoption of federal provisions by reference; recognition of other enforcement procedures; meanings of certain terms; expiration of subsection (3); food service establishment or vending machine in place before effective date of part; food service sanitation program as required service.

Compiler's Notes: <Paragraph><P>Subsection (3) of this section expired August 17, 1981, the date rules authorized under subsection (1) were promulgated, being R 325.25101 et seq. of the Michigan Administrative Code.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the food service sanitation program from the department of public health to the director of the department of agriculture, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 285.514.1 of the Michigan Administrative Code.</P></Paragraph>

333.12910-333.12913 Repealed. 2000, Act 92, Eff. Nov. 8, 2000.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to transitory food units; construction, remodeling, or alteration of food service establishments; investigation of food-borne diseases and poisonings; and storage or application of sulfiting agents prohibited.</P></Paragraph>

Popular Name: Act 368

333.12914 Rules prohibited.

Popular Name: Act 368

333.12915 Local authority limited; exception; local permit; compliance with local codes, regulations, or ordinances.

Popular Name: Act 368

333.12916 Repealed. 2000, Act 92, Eff. Nov. 8, 2000.

Compiler's Notes: <Paragraph><P>The repealed section pertained to food establishment, delicatessen, or bakery offering certain food for sale.</P></Paragraph>

Popular Name: Act 368

333.12921 Repealed. 2000, Act 92, Eff. Nov. 8, 2000.

Compiler's Notes: <Paragraph><P>The repealed section pertained to injunction or other process.</P></Paragraph>

Popular Name: Act 368

333.12922 Violation as misdemeanor.

Popular Name: Act 368

PART 131. BODY ART FACILITIES

333.13101 Definitions.

Popular Name: Act 368

333.13102 Tattoo, brand, or body piercing on minor; consent and proof of authority of parent or guardian required.

Popular Name: Act 368

333.13103 Repealed. 2010, Act 375, Imd. Eff. Dec. 22, 2010.

Compiler's Notes: <Paragraph><P>The repealed section pertained to violation of part or rules as misdemeanor.</P></Paragraph>

Popular Name: Act 368

333.13104 Tattooing, branding, or performing body piercing; licensure of body art facility required; application; form; issuance; duration; temporary license; fees; adjustment.

Popular Name: Act 368

333.13105 Inspection by local health department; results; recommendation; annual inspection; license nontransferable.

Popular Name: Act 368

333.13105a Access to body art facility; books and records; findings; inspection report; order to immediately cease operation of facility; license limitations.

Popular Name: Act 368

333.13106 License renewal.

Popular Name: Act 368

333.13107 Licensee; duties.

Popular Name: Act 368

333.13108 Enforcement.

Popular Name: Act 368

333.13109 Violation as misdemeanor; penalty; civil action.

Popular Name: Act 368

333.13110 Giving or selling tattooing, branding, body piercing kit or device to minor prohibited; violation; fine.

Popular Name: Act 368

333.13111 Local codes, regulations, or ordinances; variance.

Popular Name: Act 368

333.13112 Individual under influence of alcohol or controlled substance; prohibition.

Popular Name: Act 368

Part 133
DRY CLEANING

333.13301 Definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the dry cleaning program in the division of occupational health, with the exception of the division of health risk assessment and the division of occupational health, from the director of the department of public health to the director of the department of environmental quality, see E.R.O. No. 1996-1, compiled MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13303 Class IV cleaning installation; establishment or remodeling; examination and approval of drawings; scale and contents of drawings; specifications.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13304 Inspection of building and premises; conformity as condition to issuance of license.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13305 License required.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13306 License; application; issuance; duration; fee; fee adjustment; Detroit consumer price index defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.17101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13307 Inspections; delegation to local health department; costs; local ordinance prohibited; staff.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.17101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13308 License renewal; application; fee; issuance.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13309 Exhibition of license.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13310 Repealed. 2006, Act 195, Imd. Eff. June 19, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to applicability of MCL 28.5i to class IV installation in same building or establishment as other classes of dry cleaning installations.</P></Paragraph><Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13311 Installation in building approved by department.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13312 Prohibited installation; exception.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13313 Preventing escape of vapors; ventilation; exception.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13314 Use of flammable solvent.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13315 Fire extinguishers.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13316 Installation to be kept in clean and sanitary condition.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13321 Enforcement; suspension, revocation, or denial of license; finding of emergency; emergency order; hearing; continuing, modifying, or revoking order.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13322 Rules; appointment of advisory committee.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.17101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13325 Violations; penalties.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan dry cleaning program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

PART 134.
TANNING FACILITIES

333.13401 Definitions.

Popular Name: Act 368

333.13403 Statement; contents; display of poster; claim or distribution of promotional materials; prohibition.

Popular Name: Act 368

333.13405 Acknowledgment that customer has read statement required under MCL 333.13403; signing of statement and agreement to use protective eyewear; duties of owner or operator of tanning facility; signing of statement by parent or legal guardian of customer under 18 years of age.

Popular Name: Act 368

333.13407 Repealed. 2008, Act 368, Imd. Eff. Dec. 23, 2008.

Compiler's Notes: <Paragraph><P>The repealed section pertained to use of tanning device by minor.</P></Paragraph>

333.13407a Action by individual suffering injury.

Popular Name: Act 368

333.13409 Remedies.

Popular Name: Act 368

Part 135 RADIATION CONTROL

333.13501 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the radiation machine licensing and registration program in the division of radiological health in the bureau of environmental and occupational health from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>
<Paragraph><P>For transfer of powers and duties of the division of radiological health, with the exception of the radiation machine licensing and registration program, from the director of the department public health to the director of the department of environmental quality, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.5001 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13505 License, registration, or exemption required.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13506 Applicability of MCL 333.13505 and 333.13515 to 333.13536.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13511 Agreements as to inspections, environmental monitoring, or other functions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13515 Department as radiation control agency; duties generally.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13516 Finding of emergency; emergency order; hearing; continuing, modifying, or revoking order.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13517 Right of entry to determine compliance or violation; warrant; search and seizure.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13518 Operation of environmental monitoring systems; collection and coordination of radiation data.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13521 Rules generally.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.5001 et seq., R 325.5801 et seq., and R 325.5901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13522 Rules; avoiding dual licensing; recognition of other state or federal licenses; schedule of fees; deposit of fees; nonrefundable fees in connection with mammography authorization; waiver of fee; waiver prohibited; adjustment of fees.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.5001 et seq., R 325.5801 et seq., and R 325.5901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13523 Radiation machine; registration; temporary authorization; authorization; standards; application; certificate; inspections; denial or withdrawal of authorization; hearing; emergency order; reinstatement of authorization; fine; notice; rules; definitions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.5001 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13524 Mammogram demonstrating dense breast tissue; notification to patient; information to be provided in report; "dense breast tissue" defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13525 Licensing, regulation, or registration by municipalities prohibited.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13527 Use of handheld dental X-ray system; registration requirements; "handheld dental X-ray system" defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13531 Radiation advisory board; appointment, qualifications, and terms of members; expenses; duty to furnish technical advice.

Compiler's Notes: <Paragraph><P>For transfer of authority, powers, duties, functions, and responsibilities of the radiation advisory board to the director of the Michigan state department of public health, see E.R.O. No. 1994-1, compiled at MCL 333.26322 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13535 Violations; penalties.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13536 Injunction; order directing compliance.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13537 Part subject to MCL 324.1401 to 324.1429.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of Michigan indoor radon program from department of health and human services to department of environmental quality, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Part 136
RADIOACTIVE WASTE CONTROL COMMITTEE

333.13601-333.13606 Repealed. 1985, Act 190, Eff. Dec. 31, 1993.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to the radioactive waste control committee.</P></Paragraph>
Popular Name: Act 368

333.13607 Repeal of MCL 333.13601 to 333.13606.

Popular Name: Act 368

Part 137

333.13701 Meanings of words and phrases.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13702 Definitions; A to H.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of radiological health, with the exception of the radiation machine licensing and registration program, from the director of the department public health to the director of the department of environmental quality, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13703 Definitions; G to M.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13704 Definitions; M to S.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.5001 et seq., R 325.5801 et seq., and R 325.5901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13705 Regulatory responsibility.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13706 Implementation and enforcement of part; coordination of regulatory activities; consultation, cooperation, and assistance.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13707 Review and recommendations; conflicting laws and rules.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.5001 et seq., R 325.5801 et seq., and R 325.5901 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13708 Duties of director or director's designee.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13709 Compliance; disposal of waste; full agreement state status; waiver; acceptance of waste for disposal.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13710 Minimum criteria for design, construction, and operation of disposal site.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13711 Licensing requirements for design, construction, and operation of disposal site.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13712 Construction and operating license; application; additional information; fee; license nontransferable.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13713 Application for construction and operating license; additional information; nullification of contract; supplementing and keeping current information.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13714 Surety bond, secured trust fund, or other suitable secured instrument or mechanism.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13715 Financial responsibility.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13716 Duties of department; issuance or denial of license; consultation; cooperation; assistance; exemption; effect of local requirements.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13717 Independent contractor; inspecting and verifying construction of disposal site; qualification of contractor; certification; compliance; filing and availability of inspection results; addressing deficiencies.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13718 Temporary or permanent closure of disposal site; reopening.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13719 Release of waste or hazardous waste; remedial action; site closure and stabilization; cost.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13720 Site closure and stabilization; control; cost; rules; surveillance and maintenance of disposal site.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13721 Amendment to construction and operating license.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13721a Disposal shipment registration system; validity and contents of approved disposal shipment certificate; application for certificate; duty of generator, processor, or collector; duty of carrier; approval or denial of application for certificate; amended certificate.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13722 Manifest; duties of authority accepting waste at disposal site.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13723 Operation of disposal site; inspection of shipment; refusal to accept waste; return of waste; seizure and impoundment of vehicle and contents; imposition of surcharges; notice; unloading;

requirements as to transport vehicle; informing department of violations.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13724 Compact member states; list of generators, carriers, processors, and collectors; state laws and rules; valid permits; permitting and regulatory system; permission to receive waste; equivalent privileges; expenses; liabilities; primary place of business; eligibility for permit.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13725 Generator's permit; identification number; requirements; conditions; validity; issuance or renewal; application; nontransferable; applicability; fee; modification of permit; administrative costs; automatic issuance of permit.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13726 Duties of generator; generator acting as carrier, collector, or processor.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13727 Carrier's permit; identification number; requirements; conditions; validity; issuance or renewal; application; registration and inspection of vehicle; inspection fee; vehicle tag; permit nontransferable; applicability; application fee; modification of permit; administrative costs; specifying available routes.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13728 Manifest as condition to transporting of waste by carrier; certification; contents; delivery; retaining copy of manifest; forwarding copy of manifest.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.13729 Collector's permit; identification number; requirements; conditions; validity; issuance or renewal; application; nontransferable; applicability; fee; modification of permit; administrative costs.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13730 Manifest as condition to collector accepting delivery of waste; certification; contents; transfer; retaining copy of manifest; forwarding copy of manifest.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13731 Processor's permit; identification number; requirements; conditions; validity; issuance or renewal; application; nontransferable; applicability; fee; modification of permit; administrative costs.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13732 Manifest as condition to processor accepting delivery of waste; certification; contents; transportation of waste; forwarding copy of certified manifest to generator; retaining copy of manifest; preparation of manifest; compliance; records; packaging waste; labeling containers.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13733 Condition to possession of waste; data as public information.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13734 Implied consent; due process rights; surety bond, secured trust fund, or other secured instrument or mechanism; reimbursement of costs resulting from violation; conduct constituting violation.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13735 Notice of release of waste; report.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13736 Sanctions for negligence or failure to exercise due care; grounds for suspending, revoking, annulling, withdrawing, recalling, or cancelling license or permit; order; procedures, hearings, oaths, subpoenas, and testimony; books, papers, or documents; aid of circuit court; grounds for denial of application for license or permit; monitoring, surveillance, and inspection; spot checks; advising authority of regulatory actions; administrative inspection warrant; search warrant; probable cause.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13737 Action to restrain, enjoin, prevent, or correct violation; rules adopting schedule of monetary civil fines.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13738 Order requiring compliance or remedial action; emergency order; civil action; venue; civil fine; violation as misdemeanor or felony; penalty; "state of mind"; "placing person in imminent danger of death or serious bodily injury"; affirmative defense; "serious bodily injury"; action for damage; costs of litigation; intervention.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13739 Action for injunction; noncompliance by department.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13740 Disposition of receipts from civil fines and fees; appropriations; construction of section; expenditures required as result of release.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.13741 Lawful activity not prohibited or restricted.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of radioactive materials program from department of health and human services to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

Part 138
MEDICAL WASTE

333.13801 Short title.

Popular Name: Act 368

333.13803 Meanings of words and phrases; general definitions and principles of construction.

Popular Name: Act 368

333.13805 Definitions; A to M.

Popular Name: Act 368

333.13807 Definitions; P to T.

Popular Name: Act 368

333.13809 Producing facility not incinerating medical waste on site; containment of medical waste.

Popular Name: Act 368

333.13810 Producing facility incinerating medical waste on site; containment of medical waste.

Popular Name: Act 368

333.13811 Storage, decontamination, and disposal of medical waste.

Popular Name: Act 368

333.13813 Producing facility; registration; form; medical waste management plan required; registration fee; certificate of registration; investigation of complaint; inspection of facility; disposition of fees.

Popular Name: Act 368

333.13815 Registration fee.

Popular Name: Act 368

333.13817 Medical waste management plan; contents; compliance; update; availability.

Popular Name: Act 368

333.13819 Medical waste management plan; modification; warning.

Popular Name: Act 368

333.13821 Manner of packaging medical waste.

Popular Name: Act 368

333.13823 Investigation and confirmation of reported medical waste on land or water; report; protective measures; consultations; information on results of investigation.

Popular Name: Act 368

333.13825 Investigation and confirmation of violation; report; corrective and protective measures; consultations; assistance; information on results of investigation.

Popular Name: Act 368

333.13827 Interdepartmental medical waste advisory council; creation; appointment and qualifications of members; chairperson; duties of advisory council.

Popular Name: Act 368

333.13829 Medical waste emergency response fund; creation; deposits; investments; interest and earnings; no reversion to general fund; use of fund.

Popular Name: Act 368

333.13830 Rules to prescribe training standards.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.1541 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.13831 Violation; administrative fine; failure to register or have plan available for inspection; injunction.

Popular Name: Act 368

333.13832 Part subject to MCL 324.1401 to 324.1429.

Article 15
OCCUPATIONS
Part 161
GENERAL PROVISIONS

333.16101 Meanings of words and phrases; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws. </P></Paragraph><Paragraph><P>For transfer of rule-making authority of occupational and health occupation boards and related task forces from the department of commerce to the director of the department of consumer and industry services, see E.R.O. No. 1996-2, compiled at MCL 445.2001 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>
Popular Name: Act 368

333.16103 Definitions; A to C.

Popular Name: Act 368

333.16103a â€œCommitteeâ€ defined.

Popular Name: Act 368

333.16104 Definitions; D to G.

Popular Name: Act 368

333.16105 Definitions; H.

Popular Name: Act 368

333.16105a â€œHealth professional recovery programâ€ defined.

Popular Name: Act 368

333.16106 Definitions; I to L.

Popular Name: Act 368

333.16106a Definitions.

Popular Name: Act 368

333.16107 Definitions; P.

Popular Name: Act 368

333.16108 Definitions; R.

Popular Name: Act 368

333.16109 Definitions; S to U.

Popular Name: Act 368

333.16109a "Treatment" or "treatment plan" defined.

Popular Name: Act 368

333.16111 Applicability of part; part controlling over other parts in article; effect of part on other licenses and registrants.

Popular Name: Act 368

333.16113 Repealed. 2020, Act 245, Eff. June 30, 2021.

Compiler's Notes: <Paragraph><P>The repealed section pertained to the administration of COVID-19 testing.</P></Paragraph>
Popular Name: Act 368

333.16115 Board created as successor to former board with same or similar name.

Popular Name: Act 368

333.16121 Board or task force; appointment of members; vacancy; nominations; removal or suspension of member.

Popular Name: Act 368

333.16122 Board or task force; terms.

Popular Name: Act 368

333.16123 Repealed. 1993, Act 79, Eff. Apr. 1, 1994.

Compiler's Notes: <Paragraph><P>The repealed section pertained to membership of council.</P></Paragraph>
Popular Name: Act 368

333.16125 Licensing board; membership.

Popular Name: Act 368

333.16126 Registration board; membership.

Popular Name: Act 368

333.16128 Health profession subfield task force and health profession specialty field task force; membership.

Popular Name: Act 368

333.16131 Repealed. 2006, Act 392, Imd. Eff. Sept. 27, 2006

Compiler's Notes: <Paragraph><P>The repealed section pertained to terms of office of members of boards and task forces.</P></Paragraph>

Popular Name: Act 368

333.16132 Expired. 1978, Act 368, Eff. Sept. 30, 1983.

Compiler's Notes: <Paragraph><P>The expired section pertained to the extension of certain terms of board members.</P></Paragraph>

Popular Name: Act 368

333.16134 Repealed. 1993, Act 79, Eff. Apr. 1, 1994.

Compiler's Notes: <Paragraph><P>The repealed section pertained to appointment of health profession subfield licenses.</P></Paragraph>

Popular Name: Act 368

333.16135 Board, committee, or task force; qualifications of members.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16137 Board, committee, or task force; compensation and expenses of members.

Popular Name: Act 368

333.16138 Board, committee, or task force; meetings; quorum; final action; voting by proxy prohibited; times and places of meetings; minutes; record of actions; meetings open to public.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16139 Board or task force; election of chairperson or vice-chairperson; selection and terms of officers; vacancy; presiding officer.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16141 Committee, board, or task force; office services; offices, records, and money; managerial and administrative functions; administrative and secretarial staff, clerks, and employees; salaries and expenses; rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.951 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.16143 Committee, board, or task force; bylaws; annual report; actions and determinations; contracts for assistance.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16145 Board or task force; official seal; rules.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.321 et seq.; R 338.91 et seq.; R 338.101 et seq.; R 338.121; R 338.241; R 338.251 et seq.; R 338.281; R 338.291; R 338.311 et seq.; R 338.471 et seq.; R 338.1161; R 338.1201 et seq.; R 338.2301 et seq.; R 338.2501 et seq.; R 338.3001 et seq.; R 338.3031; R 338.3101 et seq.; R 338.3601 et seq.; R 338.3701 et seq.; R 338.3821; R 338.3901 et seq.; R 338.3921; R 338.4101 et seq.; R 338.4601; R 338.4901 et seq.; R 338.4971 et seq.; R 338.7101 et seq.; R 338.7201 et seq.; R 338.10101 et seq.; R 338.11101 et seq.; R 338.12001 et seq.; and R 340.801 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.16146 Board; granting license or registration.

Popular Name: Act 368

333.16147 Department or board; order, rule, or other method requiring a national or regional certification as condition for licensure or renewal; prohibit.

Popular Name: Act 368

333.16148 Rules; establishing standards for education and training for practice of health profession; training standards for identifying victims of human trafficking; accreditation of training programs; requirements for action or decision; voting; applicability of R 338.10305 to certain members of nursing faculties.

Compiler's Notes: <Paragraph><P>In subsections (6) and (7), the references to "subsection" evidently should read "subrule."</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.321 et seq.; R 338.91 et seq.; R 338.101 et seq.; R 338.251 et seq.; R 338.281; R 338.291; R 338.311 et seq.; R 338.471a et seq.; R 338.1201 et seq.; R 338.3031; R 338.3701 et seq.; R 338.4101 et seq.; and R 340.801 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.16151-333.16156 Repealed. 1993, Act 79, Eff. Apr. 1, 1994.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to creation, duties, and powers of health occupations council, and recommended licensure or registration. </P></Paragraph>

Popular Name: Act 368

333.16158 Repealed. 1986, Act 77, Imd. Eff. Apr. 7, 1986.

Compiler's Notes: <Paragraph><P>The repealed section pertained to studies and recommendations of health occupations council.</P></Paragraph>

Popular Name: Act 368

333.16161 Health profession subfield task force and health profession specialty field task force; function.

Popular Name: Act 368

333.16163 Task force; recommendations to board.

Popular Name: Act 368

333.16165 Health professional recovery committee; creation; appointment of members; ex officio member; qualifications.

Popular Name: Act 368

333.16166 Committee; term; vacancy.

Popular Name: Act 368

333.16167 Committee; duties.

Popular Name: Act 368

333.16168 Contracts with private entities to assist with health professional recovery program; report.

Popular Name: Act 368

333.16169 Impairment of health professional; transmitting information; determination.

Popular Name: Act 368

333.16170 Acceptance into health professional recovery program; requirements; participation; false representation of completion; violation as felony.

Popular Name: Act 368

333.16170a Confidentiality; destruction of records; applicability of subsection (3).

Popular Name: Act 368

333.16171 License for practice of health profession; exemptions.

Popular Name: Act 368

333.16174 License or registration; requirements; fingerprints; criminal history check; permitted acts by board or task force; sanctions; disclosure.

Popular Name: Act 368

333.16174a Preliminary determination; procedure; effect.

Popular Name: Act 368

333.16175 License or registration; minimum standards of educational prerequisites.

Popular Name: Act 368

333.16177 License or registration; form of application; inclusion of social security number; examination; passing scores; additional information; exception to social security requirement.

Popular Name: Act 368

333.16178 Examinations, investigations, or evaluations to determine qualifications of applicants; passing national or regional examination; reexamination; notice of examination or evaluation.

Popular Name: Act 368

333.16179 Unlawful conduct in connection with examination or application.

Popular Name: Act 368

333.16181 Temporary license; nonrenewable; eligibility; duration; automatically voiding; expiration; supervision; issuance; applicant dependent of a member of armed forces or veteran.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16182 Limited licenses; issuance.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16183 Repealed. 1993, Act 79, Eff. Apr. 1, 1994.

Compiler's Notes: <Paragraph><P>The repealed section pertained to grounds for reclassification of license.</P></Paragraph>

Popular Name: Act 368

333.16184 Special volunteer license.

Popular Name: Act 368

333.16185 Care by individual under special volunteer license; civil liability; gross negligence; definitions.

Popular Name: Act 368

333.16186 Reciprocity; requirements; person licensed as respiratory therapist in Canada.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16186a License or registration without examination; member of armed forces, veteran, or dependent of member or veteran; requirements.

Popular Name: Act 368

333.16189 Repealed. 2022, Act 38, Eff. Mar. 28, 2025.

Compiler's Notes: <Paragraph><P>The repealed section pertained to the interstate medical licensure compact.</P></Paragraph>

333.16189a Disclosure of information under the interstate medical licensure compact; conditions; subpoena requirements; conditions for certain violation investigation; definitions.

Popular Name: Act 368

333.16189b Application for expedited license under the interstate medical licensure compact; fingerprints required; criminal history check; automated fingerprint identification system database; definitions.

Popular Name: Act 368

333.16190 Psychology interjurisdictional compact.

Popular Name: Act 368

333.16191 Certificate of licensure or registration; issuance; display; card to be available for inspection; displaying statement of limitation.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16192 Reporting change in name or address; notice of hearing or complaint; service; license or registration not transferable; service by electronic mail.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph><Paragraph><P>Enacting section 1 of Act 49 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."</P></Paragraph>

Popular Name: Act 368

333.16193 Chemical analysis; implied consent to submit.

Popular Name: Act 368

333.16194 Expiration of licenses and registrations for health professions; authority to issue part-term licenses and registrations.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.7001 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.16196 License or registration of individual inducted or entering into service; continuation; notice.

Popular Name: Act 368

333.16201 Renewal of license or registration; mailing notice; electronic mail; failure to receive notice; failure to renew; relicensing or reregistration; temporary license or registration; authority to impose sanctions not terminated by expiration or surrender of license or registration.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph><Paragraph><P>Enacting section 1 of Act 49 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."</P></Paragraph>

Popular Name: Act 368

333.16203 Repealed. 1986, Act 174, Imd. Eff. July 7, 1986.

Compiler's Notes: <Paragraph><P>The repealed section pertained to relicensing or reregistration of individuals and to temporary licenses.</P></Paragraph>

Popular Name: Act 368

333.16204 Completion of continuing education as condition for license renewal; completion of hours or courses in pain and symptom management; rules; certain individuals excluded.

Popular Name: Act 368

333.16204a Advisory committee on pain and symptom management; creation; members; compensation; expenses; terms; duties; review of guidelines.

Compiler's Notes: <Paragraph><P>For transfer of the advisory committee on pain and symptom management to the department of community health by Type II transfer, see. E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>

Popular Name: Act 368

333.16204b Treatment of pain; enactment of legislation.

Popular Name: Act 368

333.16204c Medical treatment of pain; use of controlled substances; legislative findings; treatment by licensed health professionals; electronic monitoring system; "controlled substance" defined.

Popular Name: Act 368

333.16204d Information booklet on pain; development by department of consumer and industry services; educational program for health professionals.

Popular Name: Act 368

333.16204e Rules; circumstances under which bona fide prescriber-patient relationship not required.

Popular Name: Act 368

333.16205 Attendance at educational programs as condition to license renewal; waiver; rules for assessing continued competence.

Popular Name: Act 368

333.16206 Electronic continuing education tracking system; agreement with nongovernmental entity; rules.

Popular Name: Act 368

333.16208 Expired. 1978, Act 368, Eff. Sept. 30, 1984.

Compiler's Notes: <Paragraph><P>The expired section pertained to assessing continued competency of licensees. Subsequent to its expiration this section was repealed by Act 268 of 1984.</P></Paragraph>

Popular Name: Act 368

333.16211 Individual historical record; creation; contents; review by department; retention of unsubstantiated allegations; removal; review of record by licensee or applicant.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16213 Retention of records.

Popular Name: Act 368

333.16213a Violation of record retention; medical service involving vaginal or anal penetration; penalties.

Popular Name: Act 368

333.16215 Delegation of acts, tasks, or functions to licensed or unlicensed individual; supervision; rules; immunity; third party reimbursement or worker's compensation benefits.

Popular Name: Act 368

333.16216 Disciplinary subcommittee for board or task force; members; voting; chairperson; final decision; set aside by department; issuance of different final action; inclusion of final decision on website.

Compiler's Notes: <Paragraph><P>Former MCL 333.16216, which pertained to disciplinary subcommittee for board or task force, was repealed by Act 87 of 1993, Eff. Apr. 1, 1994.</P></Paragraph>

Popular Name: Act 368

333.16216a Member of disciplinary subcommittee; conflict of interest; disclosure; "conflict of interest" defined.

Popular Name: Act 368

333.16221 Investigation of licensee, registrant, or applicant for licensure or registration; hearings, oaths, and testimony; complaint; grounds for proceeding under MCL 333.16226.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: This amendatory act shall only apply to contested cases filed on or after July 1, 1986.</P></Paragraph><Paragraph><P>Section 2 of Act 319 of 1986 provides: Section 16221(e)(*iv*) of Act No. 368 of the Public Acts of 1978, as added by this amendatory act, shall take effect April 1, 1987.</P></Paragraph>

Popular Name: Act 368

333.16221a Investigation of health care provider's recommendation or treatment under right to try act; definitions.

Popular Name: Act 368

333.16221b Violation of MCL 333.7303a(4) or (5) or 333.17754a; reasonable basis; issuance of letter.

Popular Name: Act 368

333.16222 Knowledge of violation; report to department; confidentiality of information; failure to make report; exception; identity of licensee or registrant making report; notice of criminal conviction or disciplinary action by another state.

Popular Name: Act 368

333.16223 Impairment of licensee, registrant, or applicant; report; exception; liability.

Popular Name: Act 368

333.16224 Failure or refusal to submit to examination as grounds for denial or suspension of license; additional grounds for disciplinary actions.

Popular Name: Act 368

333.16226 Sanctions; determination; judicial review; maximum and minimum fine for violation of MCL 333.16221(a) or (b); completion of program or examination; permanent revocation; finding; violation of MCL 333.16221(b)(xiv) or (xv); disciplinary subcommittee.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: This amendatory act shall only apply to contested cases filed on or after July 1, 1986.</P></Paragraph>

Popular Name: Act 368

333.16227 Suspension or revocation of license or registration; other sanction or action.

Popular Name: Act 368

333.16228 Prescription of controlled substance; investigation; ad hoc review panel.

Popular Name: Act 368

333.16231 Allegation; review; investigation; compliance conference; duties of department following investigation; confidentiality of identity; complaint; failure to respond; conditions applicable to subsection (2)(a); "conflict of interest" defined.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16231a Failure to reach agreement at compliance conference held under MCL 333.16231(4); hearing; conduct; determination by hearings examiner; request for continuance; representation; failure to appear as default; notice; sanction.

Popular Name: Act 368

333.16232 Hearings; rules.

Popular Name: Act 368

333.16233 Investigation; order to cease and desist; hearing; violation of order; summary suspension of license or registration; notice from federal agency.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16234 Conduct of hearings; authority of department.

Popular Name: Act 368

333.16235 Subpoena; prima facie evidence of matters recorded; admissible evidence.

Popular Name: Act 368

333.16236 Mental or physical examination; expense; consent; waiver.

Popular Name: Act 368

333.16237 Imposition of penalty by disciplinary subcommittee; review of recommended findings of fact and conclusions of law; assignment of independent special assistant attorney general; additional testimony or evidence; sanction; completion of action; appeal.

Compiler's Notes: <Paragraph><P>Former MCL 333.16237, which pertained to imposition of penalty, review, and appeal, was repealed by Act 87 of 1993, Eff. Apr. 1, 1994.</P></Paragraph>

Popular Name: Act 368

333.16238 Confidentiality of information; compliance conference closed to public.

Popular Name: Act 368

333.16239 Pamphlet.

Popular Name: Act 368

333.16241 Publishing list of names and addresses of disciplined individuals; distribution of compilation; report of disciplinary actions; report upon summary suspension of license; notice of revocation or suspension to patient or client; notice to employer or hospital; report.

Popular Name: Act 368

333.16243 Reports; reporting name of licensee, amount of damages awarded, or amount of approved settlement.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16244 Immunity from civil or criminal liability; physician-patient privilege inapplicable; confidentiality of information; disclosure; prohibition.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph><Paragraph><P>In the last sentence of subsection (1), the reference to "section 21513(e)" evidently should be to "section 20175 (5) to (7)."</P></Paragraph>

Popular Name: Act 368

333.16245 Reinstatement of limited, suspended, or revoked license or registration; application; payment; time; hearing; guidelines; fee; criminal history check; permanent revocation.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16245a Permanent revocation.

Popular Name: Act 368

333.16247 Reinstatement of license or issuance of limited license; requirements.

Popular Name: Act 368

333.16248 Reinstatement of registration; requirements.

Popular Name: Act 368

333.16249 Reclassification of limited license; requirements.

Popular Name: Act 368

333.16261 Health profession; prohibited use of insignia, title, letter, word, or phrase.

Popular Name: Act 368

333.16263 Repealed. 2006, Act 392, Imd. Eff. Sept. 27, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to restricted use of words, titles, or letters.</P></Paragraph>
Popular Name: Act 368

333.16264 Use of insignia, titles, letters, or phrases granted by authorized educational program or institution or professional organization or association.

Popular Name: Act 368

333.16265 Use of terms "doctor" or "dr."

Popular Name: Act 368

333.16266 Compliance.

Popular Name: Act 368

333.16267 HIV infected test subject; compliance reporting requirements; definitions.

Popular Name: Act 368

333.16273 Artificial insemination services on anonymous basis; use of frozen sperm; testing sperm donor for

presence of HIV or antibody to HIV; violation; liability; definitions.

Popular Name: Act 368

333.16274 Human cloning; prohibited acts; exception; violation of subsection (1); private right of action; definitions.

Popular Name: Act 368

333.16275 Human cloning; prohibition; exception; violation; penalty; private right of action; "human cloning" defined.

Popular Name: Act 368

333.16276 Use of laser for dermatological purposes; supervision of licensed physician required; exceptions; rules; definitions.

Popular Name: Act 368

333.16276a Medical exfoliation procedures; supervision of licensed physician required; knowledge and consent required.

Popular Name: Act 368

333.16277 Nonemergency health care; limitation on liability; additional restrictions; exceptions; definitions.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 172 of 2001 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16277 of the public health code, 1978 PA 368, MCL 333.16277, as added by this amendatory act, takes effect January 1, 2002 and applies to a cause of action arising on or after that effective date."</P></Paragraph>

Popular Name: Act 368

333.16279 Medical treatment, procedure, or examination involving vaginal or anal penetration; requirements; written consent; exceptions; record retention violation; penalties.

Popular Name: Act 368

333.16279a Standardized consent form for medical treatment, procedure, or examination involving vaginal or anal penetration of a minor under MCL 333.16279.

Popular Name: Act 368

333.16281 Initiation of child abuse or neglect investigations; notice to licensee or registrant; request for child's medical records and information; release of medical records and information; inapplicable privileges; immunity from liability; exception; duties imposed by other statutes.

Popular Name: Act 368

333.16282 Patient treated for opioid-related overdose to be provided with information on substance use disorder services.

Popular Name: Act 368

333.16283 Definitions.

Popular Name: Act 368

333.16284 Telehealth service; consent required; exception.

Popular Name: Act 368

333.16285 Telehealth service; prescribing patient with drug; conditions; requirements.

Popular Name: Act 368

333.16286 Telehealth service; restrictions or conditions; findings by disciplinary subcommittee.

Popular Name: Act 368

333.16287 Rules.

Popular Name: Act 368

333.16288 MCL 333.16284 to 333.16287; limitations.

Popular Name: Act 368

333.16291 Violation; injunctive relief; criminal proceeding; prosecution.

Popular Name: Act 368

333.16294 Unlawful conduct; felony.

Popular Name: Act 368

333.16296 Unlawful conduct; misdemeanor; penalties.

Popular Name: Act 368

333.16299 Violation as misdemeanor; penalties; exception.

Popular Name: Act 368

333.16301 Fees generally.

Popular Name: Act 368

333.16303 Nonrefundable application processing fee; examination or inspection fee; fee for initial license or registration period; waiver of fee; definitions.

Popular Name: Act 368

333.16305 Examination fee; forfeiture; reexamination fee.

Popular Name: Act 368

333.16307 License and registration fees; completion of requirements for licensure or registration; forfeiture of fees; effect of void application.

Popular Name: Act 368

333.16311 Repealed. 1988, Act 462, Eff. Sept. 1, 1989.

Compiler's Notes: <Paragraph><P>The repealed section pertained to delinquent charges. </P></Paragraph>

Popular Name: Act 368

333.16315 Health professions regulatory fund; nurse professional fund; pain management education and controlled substances electronic monitoring and antidiversion fund.

Compiler's Notes: <Paragraph><P>Former MCL 333.16315, which pertained to health professions regulatory fund and nurse professional fund, was repealed by Acts 87 and 138 of 1993, Eff. Apr. 1, 1994.</P></Paragraph>

Popular Name: Act 368

333.16317 Fees; limitation on increase; schedule.

Popular Name: Act 368

333.16319 Fees.

Compiler's Notes: <Paragraph><P>Former MCL 333.16319, which pertained to licensure and fees for manufacturing, distributing, prescribing, or dispensing controlled substances or conducting research, was repealed by Act 138 of 1993, Eff. Apr. 1, 1994.</P></Paragraph>

Popular Name: Act 368

333.16321 Chiropractor; fees.

Popular Name: Act 368

333.16322 Practice of acupuncture; license fees.

Popular Name: Act 368

333.16323 Dentist, dental assistant, dental hygienist, dental therapist; fees.

Popular Name: Act 368

333.16323a Fees.

Popular Name: Act 368

333.16324 Marriage and family therapy; license fees.

Popular Name: Act 368

333.16325 Medicine; fees.

Popular Name: Act 368

333.16326 Practice of midwifery; license fees.

Popular Name: Act 368

333.16327 Registered professional nurse, licensed practical nurse, or trained attendant; fees.

Popular Name: Act 368

333.16328 Nursing home administrator; licensing fees.

Popular Name: Act 368

333.16329 Optometry; fees.

Popular Name: Act 368

333.16331 Osteopathic medicine and surgery; fees.

Popular Name: Act 368

333.16333 Pharmacy or other practices regulated under part 177; fees.

Popular Name: Act 368

333.16334 Massage therapist; fees.

Popular Name: Act 368

333.16335 Physical therapy; fees.

Popular Name: Act 368

333.16336 Athletic trainer; fees.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.16337 Physician's assistant; fees.

Popular Name: Act 368

333.16338 Genetic counselor; fees.

Popular Name: Act 368

333.16339 Podiatric medicine; fees.

Popular Name: Act 368

333.16341 Counseling; fees.

Popular Name: Act 368

333.16342 Speech-language pathologist; fees.

Popular Name: Act 368

333.16343 Psychologist; fees; increase limitations.

Popular Name: Act 368

333.16343a Practice of applied behavior analysis or assistant behavior analyst; fees.

Popular Name: Act 368

333.16344 Respiratory therapist; license fees.

Popular Name: Act 368

333.16345 Occupational therapist or occupational therapist assistant; fees.

Popular Name: Act 368

333.16346 Dietitian nutritionist; fees.

Compiler's Notes: <Paragraph><P>Former MCL 333.16346, which pertained to licensure fees for dietitian or nutritionist, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.16347 Sanitarian; fees.

Popular Name: Act 368

333.16348 Licensed bachelor's social worker, licensed master's social worker, or registered social service technician; fees.

Popular Name: Act 368

333.16349 Veterinary medicine or veterinary technician; fees.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 49 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."</P></Paragraph>

Popular Name: Act 368

Part 164
CHIROPRACTIC

333.16401 Definitions; scope; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.16411 Practice of chiropractic; license or authorization required; scope and effect of act; use of words, titles, or letters.

Popular Name: Act 368

333.16412 Limited license; qualifications; suspension; duration; nonrenewable.

Popular Name: Act 368

333.16421 Michigan board of chiropractic; creation; membership; terms.

Popular Name: Act 368

333.16423 Performance and ordering of tests and approval of analytical instruments and adjustment apparatus; rules; criteria; standards.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.2201 et seq. and R 338.12001 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.16429 Standards of practice for services involving vaginal or anal penetration; promulgation of rules.

Popular Name: Act 368

333.16431 Renewal of license; educational conferences; completion of hours or courses in pain and symptom management; rules.

Popular Name: Act 368

PART 165.
Acupuncture

333.16501 Definitions.

Popular Name: Act 368

333.16511 Use of words, titles, or letters; license required.

Popular Name: Act 368

333.16513 Practice of acupuncture; license required; use of titles; exemptions.

Popular Name: Act 368

333.16515 Requirements for licensure; limited license; issuance.

Popular Name: Act 368

333.16517 Rules; license renewal; continuing education requirements.

Popular Name: Act 368

333.16521 Michigan board of acupuncture; creation; membership; terms of office.

Compiler's Notes: <Paragraph><P>For the reduction of the membership of the Michigan board of acupuncture from 13 to 11 and revision of the membership qualifications, see E.R.O. No. 2024-2, compiled at MCL 16.735.</P></Paragraph>

Popular Name: Act 368

333.16525 Rules.

Popular Name: Act 368

333.16529 Third party reimbursement or worker's compensation benefits.

Popular Name: Act 368

Part 166
DENTISTRY

333.16601 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.16605 Use of words, titles, or letters.

Popular Name: Act 368

333.16608 Health profession specialty field license; qualifications; renewal; reference as specialty certification.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.16611 Dentist, dental hygienist, or dental assistant; license or authorization required; deep scaling, root planing, and removal of calcareous deposits; qualifications for dental hygienist licensure; administration of intraoral block and infiltration anesthesia by dental hygienist; administration of local anesthesia or nitrous oxide analgesia; requirements; additional delegation of procedures; third party reimbursement; practice guidelines; definitions.

Popular Name: Act 368

333.16620 Terms of office.

Popular Name: Act 368

333.16621 Michigan board of dentistry; creation; appointment and qualifications of members; meetings; voting.

Popular Name: Act 368

333.16624 Task force; creation; purpose; membership.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the dental specialty task force from the department of commerce to the director of the department of consumer and industry services, and the abolishment of the dental specialty task force, see E.R.O. No. 1996-2, compiled at MCL 445.2001 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.16625 Rules as to dental hygienist or dental assistant; dental hygiene services performed under supervision of dentist as part of program for dentally underserved program; designation of grantee health agency; requirements; notification; advisory committee; definitions.

Compiler's Notes: <Paragraph><P>For transfer of the grantee health agency advisory committee to the department of community health, and abolishment of the committee, see E.R.O. No. 2009-7, compiled at MCL 333.26330.</P></Paragraph>

Popular Name: Act 368

333.16626 Dental assistant as second pair of hands.

Popular Name: Act 368

333.16627 Establishment of dental clinic by nonprofit corporation.

Popular Name: Act 368

333.16631 Applicability of section to dentist who uses dental amalgam and who removes dental amalgam; exceptions; procedures; rules; violations; preemption.

333.16641 Work authorization for dental laboratory services required; retention and inspection of work authorizations and copies.

Popular Name: Act 368

333.16642 Work authorization for dental laboratory work; form; contents; name or number of work authorization to accompany invoice; prohibition.

Popular Name: Act 368

333.16643 Dental laboratory; prohibited conduct.

Popular Name: Act 368

333.16644 Record of dental treatment required; retention; rules prescribing form and content; using record for identification purposes.

Popular Name: Act 368

333.16645 Marking identification on denture or orthodontic appliance.

Popular Name: Act 368

333.16647 Dental laboratory; inspection; compliance; violation as misdemeanor.

Popular Name: Act 368

333.16648 Information relative to care and treatment of dental patient; confidentiality; privilege; disclosure; consent; instances not prohibiting disclosure.

Popular Name: Act 368

333.16651 Dental therapist; requirements for licensure.

Popular Name: Act 368

333.16652 Board; granting license; payment of fees.

333.16653 License renewal; continuing education.

Popular Name: Act 368

333.16654 Dental therapist; scope of practice; within certain health settings.

Popular Name: Act 368

333.16655 Restricted practice; written practice agreement; requirements; supervising dentist limitations; "written practice agreement" defined.

Popular Name: Act 368

333.16656 Scope of practice; services included; prohibition on prescribing a controlled substance; "health care professional" defined.

Popular Name: Act 368

333.16657 Referrals; beyond scope of practice.

Popular Name: Act 368

333.16658 Rules; study on licensing dental therapists; written report.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.16659 Third party reimbursement or mandated worker's compensation benefits.

Popular Name: Act 368

333.16801 Definitions; scope of practice; limitation.

Popular Name: Act 368

333.16803 Practice of audiology; license required; use of words, titles, or letters.

Popular Name: Act 368

333.16805 Michigan board of audiology; creation; membership; terms of office.

Popular Name: Act 368

333.16807 Limitations; exceptions.

Popular Name: Act 368

333.16809 Administration of tests; compliance with federal guidelines for fitting and dispensing hearing instruments; sale of hearing instrument to person under 18 years of age.

Popular Name: Act 368

333.16811 Requirements for licensure.

Popular Name: Act 368

Part 169
MARRIAGE AND FAMILY THERAPY

333.16901 Definitions; principles of construction.

Popular Name: Act 368

333.16903 Restricted use of title; advertising; limited license; use of title during training period; use of words, titles, or letters.

Popular Name: Act 368

333.16905 Exceptions.

Popular Name: Act 368

333.16907 Board of marriage and family therapy; creation; membership; terms.

Popular Name: Act 368

333.16909 Marriage and family therapist; licensure requirements.

Popular Name: Act 368

333.16911 Privileged information; waiver.

Popular Name: Act 368

333.16913 Licenses issued under former article; terms of board members appointed under former section; effect of rules promulgated under former article.

Popular Name: Act 368

333.16915 Additional health care payments or benefits not mandated by part.

Popular Name: Act 368

Part 170
MEDICINE

333.17001 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.17008 Physician's assistant; health profession subfield.

Popular Name: Act 368

333.17011 License or authorization required; granting license to individuals meeting certain requirements; prohibition; conditions for granting license; use of words, titles, or letters.

Popular Name: Act 368

333.17011a Expedited license under the interstate medical licensure compact; authorization to engage in practice of medicine; "interstate medical licensure compact" defined.

Popular Name: Act 368

333.17012 Postgraduate medical study requiring practice of medicine; full or limited license required; requirements of limited license; training; renewing limited license.

Popular Name: Act 368

333.17013 Alternative methods of treatment of breast cancer; duty of physician to inform patient; standardized written summary or brochure; form; civil action.

Popular Name: Act 368

333.17014 Repealed. 2023, Act 209, Eff. Feb. 13, 2024.

Compiler's Notes: <Paragraph><P>The repealed section pertained to legislative findings regarding the enactment of measures favoring childbirth over abortion.</P></Paragraph>

Popular Name: Act 368
Popular Name: Informed Consent

333.17015 Informed consent; definitions; duties of physician or assistant; location; disclosure of information; view of ultrasound; medical emergency necessitating abortion; duties of department; physician's duty to inform patient; validity of consent or certification form; right to abortion not created; prohibition; portion of act found invalid; duties of local health department; confidentiality.

Popular Name: Act 368
Popular Name: Informed Consent

333.17015a Coercion; screening; protocols; report; availability of publications about violence against women; right to abortion not created.

Popular Name: Act 368

333.17016-333.17017 Repealed. 2023, Act 209, Eff. Feb. 13, 2024.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to a prohibition on partial-birth abortions and physical examination and informed consent requirements before performing a medical abortion.</P></Paragraph>
Popular Name: Act 368

333.17018 Needle electromyography; performance by licensed physician; delegation; nerve conduction tests; performance of electrodiagnostic studies by physical therapist, podiatrist, or chiropractor; payment.

Popular Name: Act 368

333.17020 Genetic test; informed consent.

Popular Name: Act 368

333.17021 Michigan board of medicine; creation; membership; limitation on powers and duties.

Popular Name: Act 368

333.17025 Joint task force; creation; membership.

Popular Name: Act 368

333.17026 Terms of office.

Popular Name: Act 368

333.17029 Standards of medical practice for medical services involving vaginal or anal penetration; promulgation of rules.

Popular Name: Act 368

333.17030 Clinical academic limited license; requirements; annual renewal; duration of practice.

Popular Name: Act 368

333.17031 Condition for more than limited licensure; requirements for full license to practice medicine; filing and contents of written statement; civil or criminal liability; rebuttable presumption; applicability to clinical academic limited license.

Popular Name: Act 368

333.17033 Renewal of license; evidence required; completion of hours or courses in pain and symptom management as continuing education; rules.

Popular Name: Act 368

333.17040-333.17047 Repealed. 1990, Act 247, Imd. Eff. Oct. 12, 1990.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to supervision or employment of physician's assistants.</P></Paragraph>

Popular Name: Act 368

333.17047 Practice as physician's assistant; practice agreement.

Popular Name: Act 368

333.17048 Prohibiting or restricting delegation of medical care service or requiring higher levels of supervision; rules concerning prescribing of drugs; organization as professional service corporation or professional limited liability company; shareholders.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.6101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17049 Practice agreement; designation of physician; countersigning order or signing official form not required.

Popular Name: Act 368

333.17050 Prohibiting physician or physician's assistant from entering into practice agreement; grounds.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.6101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17054 Criteria for licensure of physician's assistants and for evaluation of training programs; recommendations.

Popular Name: Act 368

333.17056 Exception.

Popular Name: Act 368

333.17058 Repealed. 1993, Act 79, Eff. Apr. 1, 1994.

Compiler's Notes: <Paragraph><P>The repealed section pertained to powers and duties of task force.</P></Paragraph>
Popular Name: Act 368

333.17060 Duties of department.

Popular Name: Act 368
Admin Rule: <Paragraph><P>R 338.6101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17062 Applicant for licensure as physician's assistant; qualifications.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>
Popular Name: Act 368

333.17064 Applicant for licensure as physician's assistant; examination required; waiver; nature of examination; use of national examination; discrimination prohibited; reciprocity; investigation; additional documentation or information.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>
Popular Name: Act 368

333.17066 Repealed. 2016, Act 379, Eff. Mar. 22, 2017.

Compiler's Notes: <Paragraph><P>The repealed section pertained to design of standards and decisions regarding qualifications of physician's assistants.</P></Paragraph>
Popular Name: Act 368

333.17068 Application by physician's assistant for licensure or renewal of licensure; form; requirements for relicensing; standards; temporary license.

Popular Name: Act 368
Admin Rule: <Paragraph><P>R 388.6101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17070 Granting renewal; notice of denial; right to hearing.

Popular Name: Act 368

333.17072 Certificate of licensure, temporary licensure, or renewal; issuance; contents; interim licensure; nonrenewable temporary license; display; pocket card; identification.

Popular Name: Act 368

333.17074 Prohibited undertakings, representations, and services by physician's assistant; permissible services.

Popular Name: Act 368

333.17076 Physician's assistant; making calls or going on rounds in accordance with practice agreement; prescribing drugs; ordering, receiving, and dispensing complimentary starter dose drugs.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.6101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17078 Physician's assistant; conformance to minimal standards of practice.

Popular Name: Act 368

333.17082 Investigations and evaluations by task force; purpose; revision of criteria for education and training; continuation of program approval and criteria.

Compiler's Notes: <Paragraph><P>Act 420 of 1976, referred to in this section, was repealed by Act 368 of 1978 . </P></Paragraph>

Popular Name: Act 368

333.17084 Register of programs; contents; public inspection.

Popular Name: Act 368

333.17086-333.17088 Repealed. 1993, Act 79, Eff. Apr. 1, 1994.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to procedures for maintaining disciplinary action; denying, suspending, limiting, or revoking a license or renewal; examinations; hearings; and application for reinstatement.</P></Paragraph>
Popular Name: Act 368

333.17091 Rules.

Popular Name: Act 368

333.17092 Genetic counselor; licensure requirements.

Popular Name: Act 368

333.17093 Practice of genetic counseling; license required.

Popular Name: Act 368

333.17094 Genetic counselor; temporary license; interim requirements.

Popular Name: Act 368

333.17095 Use of titles, words, or initials; applicability of sections 17091 to 17096.

Popular Name: Act 368

333.17096 Renewal of license; evidence required.

Popular Name: Act 368

333.17097 Third party reimbursement or mandated worker's compensation benefits.

Popular Name: Act 368

PART 171.
MIDWIFERY

333.17101 Definitions; principles of construction.

Popular Name: Act 368

333.17103 Use of titles, words, or initials.

Popular Name: Act 368

333.17105 Practice of midwifery; license required; additional exemptions.

Popular Name: Act 368

333.17107 Transfer of care to physician or hospital; protocol.

Popular Name: Act 368

333.17109 Informed consent.

Popular Name: Act 368

333.17110 Liability of health care worker for act or omission of midwife.

Popular Name: Act 368

333.17111 Midwife; prohibited acts; administration of prescription drugs or medications; rules.

Popular Name: Act 368

333.17112 Obtaining supplies and devices, ordering and obtaining screening tests, and receiving reports of test results; classification as normal pregnancy, labor, delivery, postpartum period, or newborn period; rules; findings.

Popular Name: Act 368

333.17113 Michigan board of licensed midwifery; creation; membership; terms.

Popular Name: Act 368

333.17115 Licensure; requirements; credential.

Popular Name: Act 368

333.17116 Nonrenewable temporary license; term; failure to comply with requirements; application fee for initial license.

Popular Name: Act 368

333.17117 Rules.

Popular Name: Act 368

333.17119 Individual licensed in another state; requirements.

Popular Name: Act 368

333.17121 Initial or renewal licenses; term.

Popular Name: Act 368

333.17123 Third party reimbursement or worker's compensation benefits.

Popular Name: Act 368

Part 172
NURSING

333.17201 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.17208 Licensed practical nurse; health profession subfield.

Popular Name: Act 368

333.17209 Renewal of license to practice as trained attendant; eligibility; â€œpractice as a trained attendantâ€ defined; original license prohibited; licensed psychiatric attendant nurse considered licensed practical nurse.

Popular Name: Act 368

333.17210 Registered professional nurse; issuance of specialty certification; qualifications; rules; scope of practice for nurse anesthetist; malpractice insurance required; definitions.

Popular Name: Act 368

333.17211 Practice of nursing or as licensed practical nurse; license or authorization required; use of words, titles, or letters.

Popular Name: Act 368

333.17211a Advanced practice registered nurse; authority to prescribe nonscheduled prescription drug or controlled substance.

Popular Name: Act 368

333.17212 Registered professional nurse or advanced practice registered nurse; ordering, receiving, or dispensing complimentary starter dose drugs; delegation; "complimentary starter dose" defined.

Popular Name: Act 368

333.17213 Licensure as registered professional nurse; graduate of nurse education program located outside of United States; requirements.

Popular Name: Act 368

333.17214 Advanced practice registered nurse; calls or rounds.

Popular Name: Act 368

333.17221 Michigan board of nursing; creation; number and qualifications of members; terms.

Popular Name: Act 368

333.17224, 333.17225 Repealed. 1989, Act 201, Imd. Eff. Oct. 23, 1989.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to task force for health professional subfields and health profession specialty fields.</P></Paragraph>

Popular Name: Act 368

333.17231 Honorary license; "advanced illness" defined; name of section.

333.17241 Nursing education program; application to conduct; evidence required; evaluation; inspection; report; approval; continuation of existing programs; accreditation by national board or organization; education program for psychiatric attendant nurses or trained attendants prohibited.

on or after July 1, 1986.â€</P></Paragraph>
Popular Name: Act 368

333.17242 Inspection of approved nursing education program; report; notice of deficiency; removal from list of approved programs; hearing.

Popular Name: Act 368

Part 173

333.17301 Definitions; principles of construction.

Popular Name: Act 368

333.17303 Representation as nursing home administrator.

Popular Name: Act 368

333.17305 Board of nursing home administrators; creation; membership; terms.

Popular Name: Act 368

333.17307 Operation of nursing home; practice of nursing home administrator.

Popular Name: Act 368

333.17309 License; issuance; requirements.

Popular Name: Act 368

333.17311 Insufficient courses or training sessions; approval of course.

Popular Name: Act 368

333.17313 License renewal; continuing education required.

Popular Name: Act 368

333.17315 Nursing home administrator of Christian Science nursing home; limited license.

Popular Name: Act 368

333.17317 Out-of-state license; requirements.

Popular Name: Act 368

333.17319 Individual licensed under former article 19 of occupational code; members of nursing home administrators' board created under former section 1902 of occupational code; rules.

Popular Name: Act 368

Part 174
OPTOMETRY

333.17401 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.17411 Practice of optometry; authorization required; use of words, titles, or letters.

Popular Name: Act 368

333.17412 Administration of diagnostic pharmaceutical agents; purposes; certification required;

requirements for certification; completion of course of study and examination; exception.

Popular Name: Act 368

333.17414 Permissible conduct; untruthful, misleading, or deceptive statements in advertisement or notice prohibited.

Popular Name: Act 368

333.17421 Michigan board of optometry; creation; membership; terms.

Compiler's Notes: <Paragraph><P>For the revision of the membership requirements of the Michigan board of optometry, see E.R.O. No. 2024-2, compiled at MCL 16.735.</P></Paragraph>

Popular Name: Act 368

333.17431 Renewal of license; evidence required; completion of hours or courses in pain and symptom management as continuing education; rules.

Popular Name: Act 368

333.17432 Duties of optometrist upon determining symptoms evidencing disease; conditions requiring consultation with physician for further diagnosis and treatment; diagnosis and treatment of glaucoma.

Popular Name: Act 368

333.17433 Repealed. 1994, Act 384, Eff. Mar. 30, 1995.

Compiler's Notes: <Paragraph><P>The repealed section pertained to reimbursement from public or private third-party payer.</P></Paragraph>

Popular Name: Act 368

333.17435 Administration and prescription of therapeutic pharmaceutical agents; certification requirements.

Popular Name: Act 368

333.17437 Time of certification.

Popular Name: Act 368

Part 175
OSTEOPATHIC MEDICINE AND SURGERY

333.17501 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.17508 Physician's assistant; health profession subfield.

Popular Name: Act 368

333.17511 Practice of osteopathic medicine and surgery and practice as physician's assistant; license or authorization required; conditions; use of words, titles, or letters.

Popular Name: Act 368

333.17511a Expedited license under the interstate medical licensure compact; authorization to engage in practice of osteopathic medicine and surgery; "interstate medical licensure compact" defined.

Popular Name: Act 368

333.17512 Postgraduate study; full or limited license required; requirements of limited license; responsibility for training; limited license renewable.

Popular Name: Act 368

333.17513 Alternative methods of treatment of breast cancer; duty of physician to inform patient; standardized written summary or brochure.

Popular Name: Act 368

333.17515 Compliance with MCL 333.17015 and 333.17015a before performing abortion.

Popular Name: Act 368

333.17516-333.17517 Repealed. 2023, Act 209, Eff. Feb. 13, 2024.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to a prohibition on partial-birth abortions and physical examination and informed consent requirements before performing a medical abortion.</P></Paragraph>

Popular Name: Act 368

333.17518 Needle electromyography; performance by licensed physician; delegation; nerve conduction tests; performance of electrodiagnostic studies by physical therapist, podiatrist, or chiropractor; payment.

333.17520 Genetic test; informed consent.

Popular Name: Act 368

333.17521 Michigan board of osteopathic medicine and surgery; creation; membership; waiver; certain powers and duties prohibited.

Popular Name: Act 368

333.17523 Repealed. 1978, Act 625, Imd. Eff. Jan. 6, 1979.

Compiler's Notes: <Paragraph><P>The repealed section pertained to rules establishing standards and criteria.</P></Paragraph>

Popular Name: Act 368

333.17525 Repealed. 2006, Act 161, Eff. Nov. 26, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to creation of joint task force to advise boards on health profession subfields.</P></Paragraph>
Popular Name: Act 368

333.17526 Terms of office.

Popular Name: Act 368

333.17529 Standards of medical practice for medical services involving vaginal or anal penetration; promulgation of rules.

Popular Name: Act 368

333.17531 Postgraduate education as condition for more than limited licensure.

Popular Name: Act 368

333.17533 Renewal of license; evidence required; completion of hours or courses in pain and symptom management as continuing education; rules.

Popular Name: Act 368

333.17540-333.17547 Repealed. 1990, Act 247, Imd. Eff. Oct. 12, 1990.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to supervision of physician's assistants.</P></Paragraph>
Popular Name: Act 368

333.17547 Practice as physician's assistant; practice agreement; requirements.

Popular Name: Act 368

333.17548 Prohibiting or restricting delegation of medical care service or requiring higher levels of

supervision; making calls or going on rounds; rules concerning prescribing of drugs; ordering, receiving, and dispensing complimentary starter dose drugs.

Compiler's Notes: <Paragraph><P>In subsection (1), "æpose" evidently should read "æposes."</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.6101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17549 Practice agreement; designation of physician; countersigning order or signing official form not required.

Popular Name: Act 368

333.17550 Prohibiting physician or physician's assistant from entering into practice agreement; grounds.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.6101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17554 Criteria for approval or evaluation; recommendations.

Popular Name: Act 368

333.17556 Exemption.

Popular Name: Act 368

PART 176. SPEECH-LANGUAGE PATHOLOGY

333.17601 Definitions; limitation on scope of practice.

Popular Name: Act 368

333.17603 Use of certain titles or words.

Popular Name: Act 368

333.17605 Michigan board of speech-language pathology; creation; membership; qualifications; terms.

Compiler's Notes: <Paragraph><P>For the reduction of the membership of the Michigan board of speech-language pathology from 11 to 9 and revision of the membership requirements, see E.R.O. No. 2024-2, compiled at MCL 16.735.</P></Paragraph>

Popular Name: Act 368

333.17607 Speech-language pathology; license required; restrictions.

Popular Name: Act 368

333.17609 License; issuance requirements; eligibility of certified teacher endorsed in speech and language impairment or individual credentialed by American Speech-Language-Hearing Association; temporary license.

Popular Name: Act 368

333.17610 Rules.

Popular Name: Act 368

333.17611 Applicant from another state.

Popular Name: Act 368

333.17613 Third-party endorsement or mandated worker's compensation benefits.

Popular Name: Act 368

Part 177
PHARMACY PRACTICE AND DRUG CONTROL

333.17701 Meanings of words and phrases; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the

Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.17702 Definitions; A to C.

Popular Name: Act 368

333.17703 Definitions; D, E.

Popular Name: Act 368

333.17704 Definitions; F to I.

Popular Name: Act 368

333.17705 Definitions; L.

Popular Name: Act 368

333.17706 Definitions; M, O.

Popular Name: Act 368

333.17707 Definitions; P.

Popular Name: Act 368

333.17708 Definitions; P to R; limitation on prescription of pharmacological agents.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 49 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."</P></Paragraph>

Popular Name: Act 368

333.17709 Definitions; S to W.

Popular Name: Act 368

333.17711 Practice of pharmacy or pharmacy technician; license or authorization required; use of words, titles, or letters.

Popular Name: Act 368

333.17713 Temporary regulations of pharmacists and prescriptions during qualified order or declaration; definitions.

Popular Name: Act 368

333.17721 Michigan board of pharmacy; creation; membership; terms.

Popular Name: Act 368

333.17722 Michigan board of pharmacy; duties generally.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.3971 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17723 Pilot project to maintain or improve patient care in delivery of pharmacy services and improving patient outcomes.

Popular Name: Act 368

333.17724 Ordering and administration of qualified immunizing agent by pharmacist; requirements and duties; promulgation of rules; exception emergency order; definitions.

Popular Name: Act 368

333.17724a Ordering and administration of qualified laboratory tests by pharmacist; requirements and duties; promulgation of rules; exceptions; "qualified laboratory test" defined.

Popular Name: Act 368

333.17726 Certificate of licensure; issuance.

Popular Name: Act 368

333.17731 Renewal of pharmacist or pharmacy technician license; continuing education; rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.3041 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17733 Relicensure of pharmacist; requirements.

Popular Name: Act 368

333.17737 Rules establishing standards for internship program; limited license required.

Popular Name: Act 368

333.17739 Pharmacy technician; functions; licensure.

Popular Name: Act 368

333.17739a Pharmacy technician; licensure; requirements; exemption from certain requirements.

Popular Name: Act 368

333.17739b Pharmacy technician; temporary license.

Popular Name: Act 368

333.17739c Pharmacy technician; limited license.

Popular Name: Act 368

333.17741 Pharmacy license required; personal charge of pharmacy by pharmacist; responsibility for compliance with laws; control and personal charge of pharmacy services; remote pharmacy exception; effect of violation on pharmacy license.

Popular Name: Act 368

333.17742 Disclosure; "applicant" defined.

Popular Name: Act 368

333.17742a Remote pharmacy; operation; licensure requirements; location waiver; exception.

Popular Name: Act 368

333.17742b Staffing of remote pharmacy; requirements; written policy and procedure manual; public notice display; operation requirements and limitations; "qualified pharmacy technician" defined.

Popular Name: Act 368

333.17743 Pharmacy license; contents; duration.

Popular Name: Act 368

333.17744 Designation of agent by prescriber; issuance of prescription; limitation; transmission of prescription to pharmacy.

Popular Name: Act 368

333.17744a Auto-injectable epinephrine; prescribing or issuing to authorizing entity.

Popular Name: Act 368

333.17744b Prescribing, possessing, or dispensing opioid antagonist; liability.

Popular Name: Act 368

333.17744c Person administering opioid antagonist under certain conditions; immunity from criminal prosecution or sanction.

Popular Name: Act 368

333.17744d Auto-injectable epinephrine; storage, maintenance, general oversight, and use by designated employee or agent; training program; certificate; liability; report; administration by person other than employee, agent, or individual described in subsection (2); "authorized health care provider" defined.

Popular Name: Act 368

333.17744e Dispensing opioid antagonist to individual pursuant to standing order issued by chief medical executive; "community-based organization" defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of chief medical executive to the new chief medical executive in the office of chief medical executive created within the department of health and human services, and abolishment of the position of chief medical executive, see E.R.O. No. 2016-4, compiled at MCL 333.26369.</P></Paragraph>

Popular Name: Act 368

333.17744f Dispensing emergency supply of insulin; requirements; limitation; liability; rules; definitions.

Popular Name: Act 368

333.17744g Prescribing and dispensing certain hormonal contraceptives; promulgation of rules; self-screening risk assessment tool.

Popular Name: Act 368

333.17745 Drug control license; patient's chart or clinical record to include record of drugs dispensed; delegating authority to dispense drugs; storage of drugs; container; label; complimentary starter dose drug; information; compliance with MCL 333.7303a; inspection of locations; limitation on delegation; receipt of complimentary starter dose drugs by pharmacist; "complimentary starter dose" defined.

Popular Name: Act 368

333.17745a Definitions; public health program without on-site pharmacy; individuals delegated authority to dispense prescriptions; delegating delivery of certain oral contraceptives; circumstances; delegating delivery of methadone.

Popular Name: Act 368

333.17745b Industrial clinic or prescriber practice without on-site pharmacy; dispensing prescription drug.

Popular Name: Act 368

333.17746 Hospice emergency care services in patients' homes; medication box exchange program.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.471 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17747 Drug control license; contents; duration; renewal; conditions; license as automatically void.

Popular Name: Act 368

333.17748 Pharmacy, manufacturer, wholesale distributor; or wholesale distributor-broker, license required; compounding services; renewal; designation of pharmacist in charge; joint responsibility; exemption; report of change in ownership, management, location, or PIC or facility manager; duties of pharmacist in charge; submission of fingerprints; criminal history check; exception; investigation or inspection of out-of-state applicant or compounding pharmacy; reimbursement for expenses.

Popular Name: Act 368

333.17748a Compounding services for sterile pharmaceuticals; accreditation; notification of complaint; maintenance and retention of records; resale of excess compounded pharmaceuticals prohibited; distribution of samples or complimentary starter doses; advertisement or promotion of compounding services; compounding pharmaceutical that is unavailable in marketplace; compounding and manufacturing at same location; rules.

Popular Name: Act 368

333.17748b Compounding nonsterile or sterile pharmaceuticals for prescriber or health facility or agency to administer to patients without prescription; authorization; report of adverse event; list of authorized pharmacies and pharmacists; selling or redispensing to prescriber or health facility or agency.

Popular Name: Act 368

333.17748c Compounding pharmaceutical; commercial availability.

Popular Name: Act 368

333.17748d Violation of MCL 333.17748a or 17748b; penalty.

Popular Name: Act 368

333.17748e Out-of-state pharmacy; facilitation of delivery or trade; use of wholesale distributor-broker; requirements; liability; license requirements; transaction records; notification; investigation; definitions.

Popular Name: Act 368

333.17748f Licensure of a pharmacy as a wholesale distributor or manufacturer; requirements.

Popular Name: Act 368

333.17749 Dispensing of diagnostic or therapeutic pharmaceutical agents by wholesale distributor or pharmacist to optometrist; condition; "therapeutic pharmaceutical agent" and "diagnostic pharmaceutical agent" defined.

Popular Name: Act 368

333.17750 Person who distributes complimentary starter doses to prescribers; records; access by board; "complimentary starter dose" defined.

Popular Name: Act 368

333.17750a Dispensing of prescription for therapeutic pharmaceutical agent by pharmacist.

Popular Name: Act 368

333.17751 Dispensing prescription drug or device requiring prescription; requirements; exceptions.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 49 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."</P></Paragraph>

Popular Name: Act 368

333.17752 Prescription or equivalent record; preservation; disclosure; providing copies; refilling copy; applicability of subsection (3) to pharmacies sharing real-time, on-line database and remote pharmacies; "equivalent record" defined.

Popular Name: Act 368

333.17753 Centralized prescription processing; conditions for performing or contracting; maintenance of policy and procedures manual; definition.

Popular Name: Act 368

333.17754 Electronic transmission of prescription; conditions; information; confidentiality; professional judgment as to accuracy, validity, and authenticity; original prescription; inapplicable after October 1, 2021.

Popular Name: Act 368

333.17754a Electronic transmission of prescription; conditions; information; confidentiality; professional judgment as to accuracy, validity, and authenticity; exceptions; waiver; rules; delayed implementation.

Popular Name: Act 368

333.17755 Dispensing lower cost generically equivalent drug product or interchangeable biological drug product; notice; contents of prescription label; limitation; restrictions; limitation on total charge; communication to be provided prescriber; exception; link on website to Purple Book; report; definitions.

Popular Name: Act 368

333.17756 Label on prescription; contents.

Popular Name: Act 368

333.17757 Price information; prohibited conduct; notice; receipt evidencing transactions; omission; retention of copy of receipt; rules.

Popular Name: Act 368

333.17757a Providing selling price of drugs dispensed upon request; notice to consumers about prescription drugs; contents; form; display; copies.

Popular Name: Act 368

333.17757b Contracts with pharmacy benefit managers; prohibited terms.

Popular Name: Act 368

333.17758 Repealed. 1986, Act 304, Eff. Mar. 31, 1987.

Compiler's Notes: <Paragraph><P>The repealed section pertained to changing current selling price of drug and adjusting posted price.</P></Paragraph>

Popular Name: Act 368

333.17759 Dispensing harmful drug; requirements.

Popular Name: Act 368

333.17760 Operation of automated device not located at same address as pharmacy; control and supervision by pharmacist; delegation of tasks.

Popular Name: Act 368

333.17761 Display of notice; dispensing prescription in safety closure container.

Popular Name: Act 368

333.17762 Misbranded prescription.

Popular Name: Act 368

333.17763 Grounds for fine, reprimand, or probation; grounds for denying, limiting, suspending, or revoking license.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 49 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."</P></Paragraph>

Popular Name: Act 368

333.17764 Conduct constituting misdemeanor; violation; penalty; other violations.

Popular Name: Act 368

333.17765 Adulteration or misbranding; guaranty or undertaking as protection against penalties for violation; exception; notice to seller, manufacturer, or wholesale distributor.

Popular Name: Act 368

333.17766 Additional conduct constituting misdemeanor.

Popular Name: Act 368

333.17766a Repealed. 2001, Act 236, Imd. Eff. Jan. 3, 2002.

Compiler's Notes: <Paragraph><P>The repealed section pertained to use, possession, or delivery of androgenic anabolic steroid.</P></Paragraph>

Popular Name: Act 368

333.17766b Repealed. 2001, Act 231, Eff. Jan. 6, 2003.

Compiler's Notes: <Paragraph><P>The repealed section pertained to recording prescription for androgenic anabolic steroid, methyltestosterone, testosterone, or fluoxymesterone.</P></Paragraph>

Popular Name: Act 368

333.17766c Purchase or possession of ephedrine or pseudoephedrine or mixture prohibited; violation; penalty; exceptions.

Popular Name: Act 368

333.17766d Pharmacy operated by department of corrections or under contract with county jail; resale or redistribution of prescription drug; definitions.

Popular Name: Act 368

333.17766e Sale of ephedrine or pseudoephedrine; requirements of retail distributor; exceptions; violation; fine; report.

Popular Name: Act 368

333.17766f Possession of products containing ephedrine or pseudoephedrine; prohibited conduct; exceptions; violation; penalty; affirmative defense; rebuttal; conflict of local requirements with section.

Popular Name: Act 368

333.17766g Sale, trade, or purchase of dextromethorphan to minor; prohibition; exception for valid prescription; preemption; violation; civil infraction and fine.

Popular Name: Act 368

333.17767 Rules and determinations as to licensing.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 338.471 et seq. and R 338.3971 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.17768 Grounds for fine, reprimand, or probation, or for denying, limiting, suspending, or revoking license or ordering restitution or community service; applicability of subsection (2)(b).

Popular Name: Act 368

333.17770 Exceptions.

Popular Name: Act 368

333.17775 "Program for utilization of unused prescription drugs"; definitions; unused prescription drug repository and distribution program; rules; standards and procedures.

333.17776 Destruction and disposal of certain drugs and medications.

333.17780 Cancer drug repository program.

Popular Name: Act 368

Part 178
PHYSICAL THERAPY

333.17801 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.17819 Practice of physical therapy or physical therapist assistant; activities; scope of practice.

Popular Name: Act 368

333.17820 Practice of physical therapy or physical therapist assistant; license or authorization required; engaging in treatment with or without prescription of certain license holders; use of words, titles, or letters.

Popular Name: Act 368

333.17821 Michigan board of physical therapy; creation; membership; terms.

Popular Name: Act 368

333.17822 Physical therapist; practice in hospital; condition.

Popular Name: Act 368

333.17823 Professional development requirements; rules.

Popular Name: Act 368

333.17824 Treatment of patient upon or without prescription of health care professional; duties of physical therapist.

Popular Name: Act 368

333.17825 Third party reimbursement or mandated worker's compensation benefits.

Popular Name: Act 368

333.17826 Physical therapist assistant; licensure requirements; approval of physical therapist assistant training program.

Popular Name: Act 368

333.17827 Limited license; effectiveness.

Popular Name: Act 368

333.17829 Standards of practice for services involving vaginal or anal penetration; promulgation of rules.

Popular Name: Act 368

333.17831 Repealed. 1987, Act 213, Imd. Eff. Dec. 22, 1987.

Compiler's Notes: <Paragraph><P>The repealed section provided penalties.</P></Paragraph>

Popular Name: Act 368

PART 179.
ATHLETIC TRAINING

333.17901 Definitions.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.17902 Practice of athletic training; license required; use of titles; exceptions.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.17903 Michigan athletic trainer board; creation; membership; terms.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.17904 Rules.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.17905 License; requirements; continuing education rules.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.17906 License renewal.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.17907 Third party reimbursement.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.17909 Standards of practice for services involving vaginal or anal penetration; promulgation of rules.

Popular Name: Act 368

PART 179A.
MASSAGE THERAPY

333.17951 Definitions.

Popular Name: Act 368

333.17953 Use of certain titles, words, or initials.

Popular Name: Act 368

333.17955 Michigan board of massage therapy; creation; membership; qualifications; terms; appointment; vacancy.

Popular Name: Act 368

333.17957 Massage therapy; license required; exceptions.

Popular Name: Act 368

333.17959 Massage therapist; license; issuance; requirements; "classroom instruction" and "distance education" defined.

Popular Name: Act 368

333.17961 Examination.

Popular Name: Act 368

333.17963 Rules.

Popular Name: Act 368

333.17965 Renewal; continuing education.

Popular Name: Act 368

333.17967 Licensing requirements; administrative rules.

Popular Name: Act 368

333.17969 Third party reimbursement or mandated worker's compensation benefits.

Popular Name: Act 368

Part 180
PODIATRIC MEDICINE AND SURGERY

333.18001 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.18008 Physician's assistant; health profession subfield.

Popular Name: Act 368

333.18011 Practice of podiatric medicine and surgery or as physician's assistant; license or authorization required; use of words, titles, or letters.

Popular Name: Act 368

333.18012 Postgraduate podiatric study; full or limited license required; requirements of limited license; responsibility for training; limited license renewable.

Popular Name: Act 368

333.18021 Michigan board of podiatric medicine and surgery; creation; membership; terms.

Popular Name: Act 368

333.18031 Condition for more than limited licensure.

Popular Name: Act 368

333.18033 Renewal of license; evidence required; completion of hours or courses in pain and symptom management as continuing education; rules.

Popular Name: Act 368

333.18047 Practice as physician's assistant; practice agreement; requirements.

Popular Name: Act 368

333.18048 Prohibiting or restricting delegation of medical care service; requiring higher levels of supervision.

Popular Name: Act 368

333.18049 Practice agreement; designation of podiatrist; countersigning order or signing official form not required.

Popular Name: Act 368

333.18050 Prohibiting podiatrist or physician's assistant from entering practice agreement; grounds; rules concerning prescribing of drugs.

Popular Name: Act 368

333.18051 Physician's assistant; making calls or going on rounds; prescribing drug; ordering, receiving, and dispensing complimentary starter dose drugs.

Popular Name: Act 368

333.18054 Approval of physician's assistants and valuation of training programs; criteria.

Popular Name: Act 368

333.18056 Applicability of part to student in training.

Popular Name: Act 368

333.18058 Third party reimbursement or worker's compensation benefits not required.

Popular Name: Act 368

Part 181 COUNSELING

333.18101 Definitions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.18103 Michigan board of counseling; creation; membership; terms of office.

Popular Name: Act 368

333.18105 Practice of counseling; conditions; use of words, titles, or letters.

Popular Name: Act 368

333.18106 Supervision of limited licensed counselor; training required.

Popular Name: Act 368

333.18107 Professional counselor license; qualifications; rules.

Popular Name: Act 368

333.18109 Limited license; qualifications; renewal; restricted practice.

Popular Name: Act 368

333.18111 Limited license; criteria; restricted practice; rules.

Popular Name: Act 368

333.18112 Administering assessments; training required.

Popular Name: Act 368

333.18113 Professional disclosure statement.

Popular Name: Act 368

333.18114 Relicensure; application requirements; professional disclosure statement; out-of-state license verification.

Popular Name: Act 368

333.18115 Practice of statutorily regulated profession or occupation not limited; definition; applicability of part; use of word "counselor."

Popular Name: Act 368

333.18116 Third party reimbursement or mandated worker's compensation benefits.

Popular Name: Act 368

333.18117 Privileged communications; disclosure of confidential information.

Popular Name: Act 368

Part 182
PSYCHOLOGY

333.18201 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.18211 Practice of psychology; license or authorization required; use of words, titles, or letters.

Popular Name: Act 368

333.18211a Psychology interjurisdictional compact; temporary authorization.

Popular Name: Act 368

333.18212 Postdoctoral training which includes practice of psychology; full or limited license required; requirements of limited license; responsibility for training; limited license renewable; waiver of limited license by Michigan board of psychology.

Popular Name: Act 368

333.18214 Permissible conduct.

Popular Name: Act 368

333.18221 Michigan board of psychology; creation; membership; terms.

Popular Name: Act 368

333.18223 Rules as to licensing requirements; limited license; renewal; supervised postgraduate experience required; temporary license.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.18233 Renewal of license; evidence required; completion of hours or courses in pain and symptom management as continuing education; rules.

Popular Name: Act 368

333.18237 Confidential information; disclosure; waiver.

Popular Name: Act 368

PART 182A APPLIED BEHAVIOR ANALYSIS

333.18251 Definitions; principles of construction.

Popular Name: Act 368

333.18253 Use of title or similar words or letters; practice of applied behavior analysis or assistant behavior analysis; licensure required; exceptions; issuance of license.

Popular Name: Act 368

333.18255 Michigan board of behavior analysts; creation; membership; terms.

Popular Name: Act 368

333.18257 Rules; minimum standards for licensure as behavior analyst.

Popular Name: Act 368

333.18259 Rules; minimum standards for licensure as assistant behavior analyst.

Popular Name: Act 368

333.18261 Rules; conviction of listed offense; denial or revocation of license; hearing.

Popular Name: Act 368

333.18263 Behavior technician; requirements; use of words, titles, or letters; "convicted" defined.

Popular Name: Act 368

333.18265 Rules; license renewal; requirements.

Popular Name: Act 368

333.18267 Third party reimbursement or mandated worker's compensation benefits.

Popular Name: Act 368

Part 183
OCCUPATIONAL THERAPISTS

333.18301 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.18303 Promulgation of rules; restricted use of words or titles; practice of occupational therapy or occupation therapy assistant; license required; exceptions.

Popular Name: Act 368

333.18305 Michigan board of occupational therapists; creation; membership; terms.

Popular Name: Act 368

333.18307 Licensure as occupational therapist; rules.

Popular Name: Act 368

333.18309 Licensure as occupational therapy assistant; rules.

Popular Name: Act 368

333.18311 Assistance.

Popular Name: Act 368

333.18313 Continuing education or competence requirements; rules.

Popular Name: Act 368

333.18315 Third party reimbursement or mandated worker's compensation benefits not required.

Popular Name: Act 368

PART 183A.
DIETETICS AND NUTRITION

333.18351 Definitions.

Compiler's Notes: <Paragraph><P>Former MCL 333.18351, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.18353 Practice of medical nutrition therapy; license required; restricted use of words, titles, or letters; exemptions.

Compiler's Notes: <Paragraph><P>Former MCL 333.18353, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.18355 Michigan board of dietetics and nutrition; creation; membership; terms.

Compiler's Notes: <Paragraph><P>Former MCL 333.18355, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.18357 License requirements; rules; exception.

Compiler's Notes: <Paragraph><P>Former MCL 333.18357, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.18358 Dietitian nutritionist; permissible and prohibited conduct.

Compiler's Notes: <Paragraph><P>Former MCL 333.18358, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.18359 Continuing education requirements for license renewal; rules.

Compiler's Notes: <Paragraph><P>Former MCL 333.18359, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.18360 Qualified supervisor; requirements; license; scope.

Popular Name: Act 368

333.18361 Temporary license; requirements.

Compiler's Notes: <Paragraph><P>Former MCL 333.18361, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.</P></Paragraph>

Popular Name: Act 368

333.18363 Repealed. 2014, Act 267, Imd. Eff. July 1, 2014.

Compiler's Notes: <Paragraph><P>The repealed section pertained to licensure of dietitians and nutritionists.</P></Paragraph>

Popular Name: Act 368

333.18367 Third-party reimbursement or worker's compensation benefits.

Popular Name: Act 368

Part 184 SANITARIANS

333.18401 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the board of sanitarians from the department of commerce to the director of the department of consumer and industry services, and abolishment of the board of sanitarians, see E.R.O. No. 1996-2, compiled at MCL 445.2001 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.18411 Use of titles or similar words.

Popular Name: Act 368

333.18413 Conflict of interest; adoption by reference.

Popular Name: Act 368

333.18421 Advisory committee; creation; purpose; appointment and terms of members.

Compiler's Notes: <Paragraph><P>For transfer of sanitarian advisory committee to department of community health by type III transfer, see E.R.O. No. 2009-10, compiled at MCL 333.26364.</P></Paragraph>
Popular Name: Act 368

PART 185. Social Work

333.18501 Definitions; scope.

Popular Name: Act 368

333.18503 Representation or use of title; prohibition.

Popular Name: Act 368

333.18504 License required.

Popular Name: Act 368

333.18505 Michigan board of social work; creation; membership; terms.

Popular Name: Act 368

333.18506 Postdegree experience; limited license.

333.18506a Applicability of part.

Popular Name: Act 368

333.18507 Social service technician; registration requirements; limited registration.

Popular Name: Act 368

333.18509 License requirements; limited license.

Popular Name: Act 368

333.18511 Practice of social work; requirements.

Popular Name: Act 368

333.18513 Confidentiality of communication.

333.18515 Registration issued under former act; term of member of board of examiners of social workers; continuation of rules; full licensure upon renewal application.

Popular Name: Act 368

333.18516 Continuing education; rules.

Popular Name: Act 368

333.18517 Third party reimbursement or worker's compensation benefits.

Popular Name: Act 368

333.18518 Training requirements; rules.

Popular Name: Act 368

Part 187.
RESPIRATORY CARE

333.18701 Definitions.

Popular Name: Act 368

333.18703 Restricted use of words, titles, or letters.

Popular Name: Act 368

333.18705 Michigan board of respiratory care; creation; membership; terms.

Popular Name: Act 368

333.18707 Practice of respiratory care; license required.

Popular Name: Act 368

333.18709 Licensure requirements; rules; temporary license; interim standards.

Popular Name: Act 368

333.18711 Temporary license.

Popular Name: Act 368

333.18713 New or additional reimbursement or benefits not required.

Popular Name: Act 368

Part 188
VETERINARY MEDICINE

333.18801 Meanings of words and phrases; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.18802 Definitions; A to S.

Popular Name: Act 368

333.18805 Definitions; P to V.

Popular Name: Act 368

333.18808 Veterinary technician; health profession subfield.

Popular Name: Act 368

333.18811 Veterinarian or veterinary technician; license or authorization required; prohibited conduct; use of words, titles, or letters.

Popular Name: Act 368

333.18812 Limited license for practice apart from veterinary education; requirements; graduates of nonapproved veterinary education programs.

Popular Name: Act 368

333.18813 Veterinarian or veterinary technician license renewal; continuing education; evidence; license cycle.

Popular Name: Act 368

333.18814 Conduct not considered practice of veterinary medicine.

Popular Name: Act 368

333.18817 Use of marihuana or industrial hemp.

Popular Name: Act 368

333.18821 Michigan board of veterinary medicine; creation; membership; waiver; terms.

Popular Name: Act 368

333.18822 Animal diseases; advising department of agriculture.

Popular Name: Act 368

333.18824 Repealed. 1989, Act 201, Imd. Eff. Oct. 23, 1989.

Compiler's Notes: <Paragraph><P>The repealed section pertained to task force to advise board.</P></Paragraph>
Popular Name: Act 368

333.18826 Veterinarian or veterinary technician; civil liability for acts or omissions; immunity; applicability; notice.

Popular Name: Act 368

333.18827 Veterinarian or veterinary technician; reporting animal to be abandoned, neglected, or abused; immunity.

Popular Name: Act 368

333.18835 Grounds for fine, reprimand, or probation; grounds for denying, limiting, suspending, or revoking license.

Popular Name: Act 368

333.18838 Disposal of abandoned animal; notices; costs; relinquishment of rights by owner.

Popular Name: Act 368

Article 17
FACILITIES AND AGENCIES
Part 201
GENERAL PROVISIONS

333.20101 Meanings of words and phrases; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of family services from the department of consumer and industry services to the family independence agency by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>
Popular Name: Act 368

333.20102 Definitions; A.

Popular Name: Act 368

333.20104 Definitions; C to G.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20106 Definitions; H.

Popular Name: Act 368

333.20108 Definitions; I to N.

Popular Name: Act 368

333.20109 Definitions; N to S.

Popular Name: Act 368

333.20115 Rules defining or differentiating health facility or agency.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.3801 et seq. and R 325.23101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.20121-333.20127 Repealed. 2022, Act 187, Imd. Eff. July 25, 2022.

Compiler's Notes: <Paragraph><P>The repealed sections pertained to the health facilities and agencies advisory commission and the

appointment of task forces.</P></Paragraph>
Popular Name: Act 368

333.20131 Comprehensive system of licensure and certification; establishment; purpose; certification of health facility or agency; coordination, cooperation, and agreements; public disclosure.

Popular Name: Act 368

333.20132 Regulation of medical or surgical treatment prohibited; control of communicable diseases; protection of individuals receiving care and services; standards for inpatient food service establishment; compliance.

Popular Name: Act 368

333.20141 Health facility or agency; license required; eligibility to participate in federal or state health program; personnel; services; and equipment; evidence of compliance; providing data and statistics.

Popular Name: Act 368

333.20142 Application for licensure and certification; form; certifying accuracy of information; disclosures, reports; and notices; violation; penalty; false statement as felony.

Popular Name: Act 368

333.20143 Compliance as condition to issuance of license, certificate, or certificate of need.

Popular Name: Act 368

333.20144 Licensing on basis of approved building program.

Popular Name: Act 368

333.20145 Construction permit; certificate of need as condition of issuance; rules; information required for

project not requiring certificate of need; public information; review and approval of architectural plans and narrative; rules; waiver; fee; "capital expenditure" defined.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.3801 et seq. and R 325.20101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.20151 Cooperation; professional advice and consultation.

Popular Name: Act 368

333.20152 Certification by licensee; developing facilities and programs of care; rating individuals for purposes of reimbursement.

Popular Name: Act 368

333.20153 Definitions; single-use device; reusing, recycling, or refurbishing prohibited; exceptions; violation as felony; penalty.

Popular Name: Act 368

333.20155 Visit to health facility or agency; survey and evaluation for purpose of licensure; nursing home surveyor; criminal history check; survey team; composition and membership; waiver; confidentiality of accreditation information; limitation and effect; consultation engineering survey; summary of substantial noncompliance or deficiencies and response; investigations or inspections; prior notice as misdemeanor; periodic reports; access to documents; disclosure; delegation of functions; voluntary inspections; forwarding evidence of violation to licensing agency; quarterly meeting; nursing home's survey report; posting; other state and federal law.

Compiler's Notes: <Paragraph><P>For transfer of the clinical advisory committee to the department of community health, and abolishment of the committee, see E.R.O. No. 2009-6, compiled at MCL 333.26329.</P></Paragraph>

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.3801 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.20155a Repealed. 2022, Act 187, Imd. Eff. July 25, 2022.

Compiler's Notes: <Paragraph><P>The repealed section pertained to an electronic system for nursing home health survey tasks and federal grants.</P></Paragraph>

Popular Name: Act 368

333.20156 Entering premises of applicant or licensee; enforcement of rules; review and inspection of existing facilities; amendment of rules; verification of existing facilities; certificate of approval from bureau of fire services; applicability of subsections (2), (3), (4), and (5).

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the fire marshal division on programs relating to fire safety inspections of adult foster care, correctional, and health care facilities from the department of state police to the department of consumer and industry services, see E.R.O. No. 1997-2, compiled at MCL 29.451 of the Michigan Compiled Laws.</P></Paragraph>
Popular Name: Act 368

333.20158 Biannual inspection reports for certain entities.

Popular Name: Act 368

333.20161 Fees and assessments for health facility and agency licenses and certificates of need; schedule; fees; use of quality assurance assessment; tax levy; notification to ambulance operation; definitions.

Compiler's Notes: <Paragraph><P>Enacting section 2 of Act 234 of 2003 provides:</P></Paragraph><Paragraph><P>"Enacting section 2. (1) Section 20161 as amended by this amendatory act is curative and intended to express the original intent of the legislature regarding the application of 2002 PA 303 and 2002 PA 562, as amended by 2003 PA 113.</P></Paragraph><Paragraph><P>"(2) Section 20161 as amended by this amendatory act is retroactive and is effective for all quality assurance assessments made after May 9, 2002."</P></Paragraph><Paragraph><P>Enacting section 1 of Act 187 of 2005 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. Section 20161 of the public health code, 1978 PA 368, MCL 333.20161, as amended by this amendatory act is retroactive and is effective for all quality assurance assessments made after September 30, 2005."</P></Paragraph><Paragraph><P>Enacting section 1 was enacted into law as follows:</P></Paragraph><Paragraph><P>"Enacting section 1. This amendatory act takes effect October 1, 2013."</P></Paragraph>
Popular Name: Act 368
Admin Rule: <Paragraph><P>R 325.3801 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.20162 License; receipt of completed application; issuance of license within certain period of time; nonrenewable temporary permit; provisional license; procedure for closing facility; order to licensee upon finding of noncompliance; notice, hearing, and status requirements; report; "completed application" defined.

Popular Name: Act 368

333.20164 Duration of license or certification; license, certification, or certificate of need nontransferable; transfer of ownership or ownership interest; notice; application for license and certification.

Popular Name: Act 368

333.20165 Denying, limiting, suspending, or revoking application, license, or certification; notice of intent;

imposition of administrative fine.

Popular Name: Act 368

333.20165a Action against health facility's treatment as authorized under right to try act; definitions.

333.20166 Notice of intent to deny, limit, suspend, or revoke license or certification; service; contents; hearing; record; transcript; determination; powers of department; judicial order to appear and give testimony; contempt; failure to show need for health facility or agency.

Compiler's Notes: <Paragraph><P>In paragraph (1), the words "not less than 30 days" evidently should read "not less than 30 days."</P></Paragraph>

Popular Name: Act 368

333.20168 Emergency order limiting, suspending, or revoking license; limiting reimbursements or payments; hearing; contents of order; order not suspended by hearing.

Popular Name: Act 368

333.20169 HIV infected test subject; compliance with reporting requirements; definitions.

Popular Name: Act 368

333.20170 Medical records access; compliance.

Popular Name: Act 368

333.20171 Rules implementing article; rules promulgated under MCL 333.21563; rules subject to MCL 554.917.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.1001 et seq.; R 325.1801 et seq.; R 325.2301 et seq.; R 325.3801 et seq.; R 325.6001 et seq.; R 325.20101 et seq.; and R 325.23101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.20172 Policies and procedures; publication and distribution.

Popular Name: Act 368

333.20173 Repealed. 2006, Act 28, Eff. Apr. 1, 2006.

Compiler's Notes: <Paragraph><P>The repealed section pertained to criminal history check for employment applicants to nursing home, county medical care facility, or home for the aged.</P></Paragraph>

333.20173a Covered facility; employees or applicants for employment; prohibitions; criminal history check; procedure; conditional employment or clinical privileges; knowingly providing false information as misdemeanor; prohibited use or dissemination of criminal history information as misdemeanor; review by licensing or regulatory department; conditions of continued employment; failure to conduct criminal history checks as misdemeanor; storage and retention of fingerprints; notification; electronic web-based system; definitions.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 28 of 2006 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. (1) Section 20173 of the public health code, 1978 PA 368, MCL 333.20173, is repealed effective April 1, 2006.</P></Paragraph><Paragraph><P>"(2) Section 20173a of the public health code, 1978 PA 368, MCL 333.20173a, as added by this amendatory act, takes effect April 1, 2006, since the department has secured the necessary federal approval to utilize federal funds to reimburse those facilities for the costs incurred for requesting a national criminal history check to be conducted by the federal bureau of investigation and the department has filed written notice of that approval with the secretary of state. The department shall issue a medicaid policy bulletin regarding the payment and reimbursement for the criminal history checks by April 1, 2006.</P></Paragraph><Paragraph><P>"(3) Section 20173b of the public health code, 1978 PA 368, MCL 333.20173b, as added by this amendatory act, takes effect the date this amendatory act is enacted."</P></Paragraph>

Popular Name: Act 368

333.20173b Individual disqualified or denied employment pursuant to MCL 333.20173, 333.20173a, or 330.1134a; appeal; report to legislature; "business day" defined.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 28 of 2006 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. (1) Section 20173 of the public health code, 1978 PA 368, MCL 333.20173, is repealed effective April 1, 2006.</P></Paragraph><Paragraph><P>"(2) Section 20173a of the public health code, 1978 PA 368, MCL 333.20173a, as added by this amendatory act, takes effect April 1, 2006, since the department has secured the necessary federal approval to utilize federal funds to reimburse those facilities for the costs incurred for requesting a national criminal history check to be conducted by the federal bureau of investigation and the department has filed written notice of that approval with the secretary of state. The department shall issue a medicaid policy bulletin regarding the payment and reimbursement for the criminal history checks by April 1, 2006.</P></Paragraph><Paragraph><P>"(3) Section 20173b of the public health code, 1978 PA 368, MCL 333.20173b, as added by this amendatory act, takes effect the date this amendatory act is enacted."</P></Paragraph>

333.20174 Practice agreement; designation of physician by health facility or agency.

Popular Name: Act 368

333.20175 Maintaining record for each patient; confidentiality; wrongfully altering or destroying records; noncompliance; fine; licensing and certification records as public records; confidentiality; disclosure; report or notice of disciplinary action; information provided in report; nature and use of certain records, data, and knowledge.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.20175a Agreement with another health facility to protect, maintain, and provide access to records; closure of health facility; noncompliance; fine; definitions.

Popular Name: Act 368

333.20175b Violations of record retention requirements for medical services involving vaginal or anal penetration; penalties.

Popular Name: Act 368

333.20176 Notice of violation; investigation of complaints; notice of proposed action; public record; appeal; reinvestigation.

Popular Name: Act 368

333.20176a Health facility or agency; prohibited conduct; violation; fine.

Popular Name: Act 368

333.20177 Action to restrain, enjoin, or prevent establishment, maintenance, or operation of health facility or agency.

Popular Name: Act 368

333.20178 Nursing home, home for the aged, or county medical care facility; description of services to

patients or residents with Alzheimer's disease; contents; â€œrepresents to the publicâ€ defined.

Popular Name: Act 368

333.20179 Artificial insemination services on anonymous basis; use of frozen sperm; testing sperm donor for presence of HIV or antibody to HIV; violation; liability; definitions.

Popular Name: Act 368

333.20180 Health facility or agency; person making or assisting in originating, investigating, or preparing report or complaint; immunity and protection from civil or criminal liability; disclosure of identity; notice; â€œhospitalâ€ defined.

Popular Name: Act 368

333.20181 Abortion; admitting patient not required; refusal to perform, participate in, or allow; immunity.

Popular Name: Act 368

333.20182 Abortion; objection; participation in medical procedures not required; immunity.

Popular Name: Act 368

333.20183 Abortion; refusal to give advice; refusal to participate in; immunity.

Popular Name: Act 368

333.20184 Rights of individuals, staff members, and employees previously participating in, or expressing willingness to participate in, termination of pregnancy.

Popular Name: Act 368

333.20188 Repealed. 2004, Act 119, Eff. Nov. 27, 2005.

Compiler's Notes: <Paragraph><P>The repealed section pertained to creation of commission on patient safety.</P></Paragraph>
Popular Name: Act 368

333.20189 Licensure under the interstate medical licensure compact as condition of employment; prohibit.

Popular Name: Act 368

333.20189a Written practice agreement; condition of employment; prohibited.

Compiler's Notes: <Paragraph><P>Act 368</P></Paragraph>

333.20191 Emergency patient; test for presence of infectious agent; positive test results; duties of health facility; notice; request for testing; confidentiality; rules; disclosure as misdemeanor; liability; definitions.

Popular Name: Act 368

333.20192 Do-not-resuscitate order; execution not required.

Popular Name: Act 368

333.20192a POST form as condition for admission or receipt of services; requirement prohibited.

Popular Name: Act 368

333.20193 Compliance.

Popular Name: Act 368

333.20194 Pamphlets; display; distribution; model standardized complaint form; availability.

Popular Name: Act 368

333.20197 Human cloning in facility owned or operated by health facility or agency.

Popular Name: Act 368

333.20198 Health facility, agency inpatient facility, or residential facility; prohibited conduct; violation as misdemeanor; penalty; nonapplicability of subsections (1) and (2).

Popular Name: Act 368

333.20199 Violations; penalties.

Popular Name: Act 368

333.20201 Policy describing rights and responsibilities of patients or residents; adoption; posting; contents; additional requirements; discharging, harassing, retaliating, or discriminating against patient exercising protected right; exercise of rights by patient's representative; informing patient or resident of policy; designation of person to exercise rights and responsibilities; additional patients' rights; definitions.

Popular Name: Act 368

Popular Name: Patient Rights

333.20202 Responsibilities of patient or resident.

Popular Name: Act 368

333.20203 Guidelines; immunity; other remedies at law neither expanded nor diminished.

Popular Name: Act 368

333.20211 Repealed. 2022, Act 187, Imd. Eff. July 25, 2022.

Compiler's Notes: <Paragraph><P>The repealed section pertained to a summary of activities related to licensing and regulations.</P></Paragraph>

Popular Name: Act 368

Part 203

AMBULANCE OPERATIONS AND ADVANCED MOBILE EMERGENCY CARE SERVICES

333.20301-333.20382 Repealed. 1981, Act 79, Imd. Eff. June 30, 1981.

Popular Name: Act 368

Part 204

MEDICAL GOOD-FAITH PROVISIONS

333.20401 Short title of part.

Popular Name: Act 368

333.20403 Life-sustaining or nonbeneficial treatment; policies of health facility or agency; disclosure to patient or resident; patient as minor or ward.

Popular Name: Act 368

333.20405 Policy required by federal or state law.

Popular Name: Act 368

Part 205

CLINICAL AND OTHER LABORATORIES

333.20501 "Laboratory" defined; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>

Popular Name: Act 368

333.20507 Laboratories to which MCL 333.20501 to 333.20525 inapplicable.

Popular Name: Act 368

333.20511 Repealed. 2015, Act 104, Eff. Oct. 1, 2015.

Compiler's Notes: <Paragraph><P>The repealed section pertained to contents, display, and validity of license for clinical laboratory.</P></Paragraph>

333.20515 Repealed. 2015, Act 104, Eff. Oct. 1, 2015.

Compiler's Notes: <Paragraph><P>The repealed section pertained to staffing and operation of clinical laboratory.</P></Paragraph>

333.20521 Authorization to order laboratory test classified by Food and Drug Administration.

Popular Name: Act 368

333.20525 Repealed. 2015, Act 104, Eff. Oct. 1, 2015.

Compiler's Notes: <Paragraph><P>The repealed section pertained to denial, limitation, suspension, or revocation of license.</P></Paragraph>

333.20531 Lead analysis; clinical laboratory reporting requirements.

Popular Name: Act 368

333.20551 Registration of laboratory or other place handling, cultivating, selling, giving away, or shipping pathogenic microorganisms, or doing recombinant deoxyribonucleic acid research; application for and duration of registration number; "handled", "cultivated", and "shipped" defined.

Popular Name: Act 368

333.20552 Registration of laboratory, department, or school handling pathogens or doing recombinant deoxyribonucleic acid research; application for and duration of registration number.

Popular Name: Act 368

333.20554 Sale, gift, or other distribution of live pathogenic microorganisms and cultures or recombinant deoxyribonucleic acid materials; contents of label on container; record.

Popular Name: Act 368

Part 206
COUNTY MEDICAL CARE FACILITIES

333.20601-333.20621 Repealed. 1978, Act 493, Eff. Mar. 30, 1979.

Popular Name: Act 368

Part 207
FREESTANDING BIRTH CENTERS

333.20701 General definitions and principles of construction.

Compiler's Notes: <Paragraph><P>Former MCL 333.20701-333.20773 Expired. 1981, Act 79, Eff. Sept. 30, 1989;â€”Repealed, 1990, Act 179, Imd. Eff. July 2, 1990.</P></Paragraph>

Popular Name: Act 368

333.20711 License required; use of term "freestanding birth center".

Popular Name: Act 368

333.20713 Owner, operator, governing body of freestanding birth center; responsibilities and duties.

Popular Name: Act 368

333.20715 Compliance requirements.

Popular Name: Act 368

333.20717 Prohibited conduct; development of policies and procedures; exception for insufficient time.

Popular Name: Act 368

333.20719 Provision of quality perinatal care and information; availability of health care provider; personnel and equipment requirements.

Popular Name: Act 368

333.20721 Discharge, follow-up, and evaluation requirements.

Popular Name: Act 368

333.20722 Limitations on departmental requirements.

Popular Name: Act 368

333.20723 Health care providers; recommended vaccinations; immunization requirements; tuberculosis testing.

Popular Name: Act 368

333.20727 Promulgation of rules.

Popular Name: Act 368

333.20729 Enforcement of part.

Popular Name: Act 368

333.20735 Third-party reimbursement or worker's compensation benefits.

Popular Name: Act 368

Part 208 FREESTANDING SURGICAL OUTPATIENT FACILITIES

333.20801 General definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>

Popular Name: Act 368

333.20811 License required; use of term "freestanding surgical outpatient facility."

Popular Name: Act 368

333.20813 Owner, operator, and governing body of freestanding surgical outpatient facility; responsibilities and duties.

Popular Name: Act 368

333.20821 Freestanding surgical outpatient facility; requirements.

Popular Name: Act 368

Part 209 EMERGENCY MEDICAL SERVICES

333.20901 Meanings of words and phrases; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph><Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations

arising from part 209 of the Michigan public health code, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under part 209 of article 17 of the Michigan public health code, to the department of community health, see E.R.O. No. 2014-2, compiled at MCL 333.26253. </P></Paragraph><Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20902 Definitions; A to D.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20904 Definitions; E.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20906 Definitions; L, M.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20908 Definitions; N to V.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20910 Powers and duties of department.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration,

licensing, or regulation of professional occupations arising from part 209 of the Michigan public health code, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under part 209 of article 17 of the Michigan public health code, to the department of community health, see E.R.O. No. 2014-2, compiled at MCL 333.26253.

For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.

Popular Name: Act 368

333.20911 Repealed. 2006, Act 582, Eff. Dec. 31, 2009.

Compiler's Notes: The repealed section pertained to equipping life support vehicle with automated external defibrillator.

333.20912 Duties of department with regard to educational programs and services.

Compiler's Notes: For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.

Popular Name: Act 368

333.20915 State emergency medical services coordination committee; creation; appointment, qualifications, and terms of members; ex officio members; replacement of member; chairperson; meetings; quorum; per diem compensation; reimbursement of expenses.

Compiler's Notes: For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.

Popular Name: Act 368

333.20916 State emergency medical services coordination committee; duties.

Compiler's Notes: For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.

Popular Name: Act 368

333.20917 Repealed. 2000, Act 440, Eff. July 1, 2004.

Compiler's Notes: The repealed section pertained to the statewide trauma care commission.

333.20917a Statewide trauma care advisory subcommittee; establishment; membership; appointment; terms; chairperson; meetings; quorum; recommendations regarding funding sources; "rural county" defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20918 Local medical control authority; designation; participating hospitals and freestanding surgical outpatient facilities; adherence to protocols; administration; appointment and membership of advisory body; medical director; operation of medical control authority; accountability of life support agencies and licensed individuals.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20919 Protocols for practice of life support agencies and licensed emergency medical services personnel; development and adoption; procedures; conflict with Michigan do-not-resuscitate procedure act prohibited; requirements; appeal; standards for equipment and personnel; negative medical or economic impacts; epinephrine auto-injector; availability of medical and economic information; review; findings.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20920 Ambulance operation; license required; contents of application; fee; contents of license; operation of ambulance operation; renewal of license; compliance; ambulance operation upgrade license; statewide emergency medical coordination committee; revocation or failure to renew ambulance operation upgrade license.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20921 Ambulance operation; duties; prohibitions; staffing; operation at higher level of life support; occupants of patient compartment; applicability of subsection (5).

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20921a County population 10,000 or less and population density less than 7 people per square mile; ambulance availability.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph><Paragraph><P>Former MCL 333.20921a, which pertained to ambulance availability for county or micropolitan area with population 10,000 or less and density less than 7 people per square mile, was repealed by Act 413 of 2014, Eff. Jan. 1, 2018.</P></Paragraph>

Popular Name: Act 368

333.20921b Transportation of nonemergency patient by rotary aircraft ambulance; duties; notice; violation; payment in full; definitions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20921c Ambulance operation; patient request; right to land.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20922 Use of terms "ambulance," "ambulance operation," or similar term; advertising or disseminating information; license required.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20923 Operation of ambulance; conditions; application for and issuance of ambulance license or annual renewal; fee; certificate of insurance; vehicle standards; minimum requirements for equipment; use of equipment or medications by licensed personnel; communications system; ambulance license nontransferable to ambulance operation.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20924 Business or service of transportation of patients; licensed ambulance required; exceptions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20925 Emergency transportation of police dog; allow under certain conditions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20926 Nontransport prehospital life support operation; license required; application; fee; contents of license and application; renewal; compliance.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20927 Nontransport prehospital life support operation; duties; prohibitions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20928 Use of term “nontransport prehospital life support vehicle,” “nontransport prehospital life support operation,” or similar term; advertising or disseminating information; license required.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20929 Operation of nontransport prehospital life support vehicle; conditions; application for and issuance of license or annual renewal; fee; certificate of insurance; communications system; equipment.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20931 Air transport operation; license required; application; fee; issuance and contents of license; renewal; compliance.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20932 Aircraft transport operation; duties; prohibitions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20932a Transportation of nonemergency patient by aircraft transport operation; duties; notice; violation; payment in full; definitions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20932b Aircraft transport operation; patient request; right to land.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20933 Use of term “aircraft transport vehicle,” “aircraft transport operation,” or similar term; advertising or disseminating information; license required.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20934 Operation of aircraft transport vehicle; conditions; application for and issuance of license or annual renewal; fee; certificate of insurance; communications system; equipment; amount of liability coverage; determination.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the Michigan public health code, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under part 209 of article 17 of the Michigan public health code, to the department of community health, see E.R.O. No. 2014-2, compiled at MCL 333.26253.</P></Paragraph>

<Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20935 Receipt of completed license application; issuance of license within certain period of time; report; “completed application” defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20936 Application for license renewal received after expiration date of license; late fee; completing requirements for initial licensure.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.20938 Operation of ambulance or nontransport prehospital life support vehicle under emergency conditions; privileges and constraints.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.20939 Spontaneous use of vehicle under exceptional circumstances; written report.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.20941 Medical first response service; license required; issuance; requirements; duties; renewal of license; advertising or disseminating information; availability of vehicle; ability of patient to pay; police or fire suppression agency.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the Michigan public health code, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under part 209 of article 17 of the Michigan public health code, to the department of community health, see E.R.O. No. 2014-2, compiled at MCL 333.26253.</P></Paragraph><Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.20945 Life support agency license; nonrenewable conditional license in lieu of denial, suspension, or revocation; duration; conditions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>
Popular Name: Act 368

333.20948 Operations and services furnished by local governmental unit; costs; ordinance.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20950 Medical first responder, emergency medical technician, emergency medical technician specialist, paramedic, or emergency medical services instructor-coordinator; licensing requirements; duration of license; fees; volunteers; waiver of fee; "armed forces" defined.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20952 Temporary license.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20952a Emergency medical technician; temporary license.

Popular Name: Act 368

333.20954 Renewal license; renewal fees; procedures for late renewal; volunteers.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20956 Provision of life support; limitation; authorized techniques.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration,

licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20958 Emergency medical services personnel license; denial, revocation, or suspension; findings; notice; hearing order of circuit court to appear and give testimony.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the Michigan public health code, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under part 209 of article 17 of the Michigan public health code, to the department of community health, see E.R.O. No. 2014-2, compiled at MCL 333.26253.</P></Paragraph><Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration,

licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20961 Reciprocity.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20963 Radio communications; compliance.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20965 Immunity from liability.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20967 Authority for management of emergency patient or management of scene of emergency; declaring nonexistence of emergency.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20969 Objection to treatment or transportation.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20971 Emergency preparedness act and MCL 30.261 not affected by part; references to former laws.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20973 Emergency medical services to and cooperative agreements with other states.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20975 Rules generally.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the Michigan public health code, including any board, commission, council, or similar entity providing regulation of health professionals licensed, registered, or certified under part 209 of article 17 of the Michigan public health code, to the department of community health, see E.R.O. No. 2014-2, compiled at MCL 333.26253.</P>

</Paragraph><Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20977 Rules considered as rescinded; exceptions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

333.20979 Prohibited use of fees.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of department of licensing and regulatory affairs relative to registration, licensing, or regulation of professional occupations arising from part 209 of the public health code, including board, commission, council, or similar entity providing regulation of health professionals under part 209 of article 17 of the public health code to department of health and human services, see E.R.O. No. 2017-3, compiled at MCL 333.26254.</P></Paragraph>

Popular Name: Act 368

PART 209A CRITICAL INCIDENT STRESS MANAGEMENT SERVICES

333.20981 Definitions.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 40 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. This amendatory act applies only to critical incident stress management services provided in relation to a critical incident that occurs on or after 90 days after the date this amendatory act is enacted into law."</P></Paragraph>

Popular Name: Act 368

333.20982 Confidentiality of communication or record; exceptions.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 40 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. This amendatory act applies only to critical incident stress management services provided in relation to a critical incident that occurs on or after 90 days after the date this amendatory act is enacted into law."</P></Paragraph>

Popular Name: Act 368

333.20983 Liability.

Compiler's Notes: <Paragraph><P>Enacting section 1 of Act 40 of 2016 provides:</P></Paragraph><Paragraph><P>"Enacting section 1. This amendatory act applies only to critical incident stress management services provided in relation to a critical incident that occurs on or after 90 days after the date this amendatory act is enacted into law."</P></Paragraph>

Popular Name: Act 368

Part 210 HEALTH MAINTENANCE ORGANIZATIONS

333.21001-333.21099 Repealed. 1982, Act 354, Imd. Eff. Dec. 21, 1982;â€”1987, Act 149, Imd. Eff. Oct. 26, 1987;â€”1988, Act 315, Eff. Mar. 30, 1989;â€”1996, Act 472, Eff. Oct. 1, 1997;â€”2000, Act 252, Imd. Eff. June 29, 2000.

Popular Name: Act 368
Popular Name: HMO

Part 213
HOMES FOR THE AGED

333.21301 Definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>

Popular Name: Act 368

333.21302 "Continuing care community," and "supervised personal care" defined.

Popular Name: Act 368

333.21307 Exemptions.

Popular Name: Act 368

333.21311 License required; use of "home for aged" or similar term or abbreviation; minimum age for admission; waiver of age limitation; documentation; determination by director.

Popular Name: Act 368

333.21311a Existing facility or facility under construction; exemption.

Popular Name: Act 368

333.21313 Owner, operator, and governing body of home for aged; responsibilities and duties; good moral character; issuance of license by department; criminal history check and criminal records check required; renewal of license; storage of fingerprints in automated fingerprint identification system database; convictions.

Popular Name: Act 368

333.21321 Bond required.

Popular Name: Act 368

333.21325 Removal of resident from home for the aged; conditions.

Popular Name: Act 368

333.21331 Licensee considered consumer of tangible personal property.

Popular Name: Act 368

333.21332 Home for the aged; influenza vaccination.

Popular Name: Act 368

333.21333 Repealed. 2009, Act 188, Eff. May 1, 2010.

Compiler's Notes: <Paragraph><P>The repealed section pertained to smoking policies in homes for the aged.</P></Paragraph>

333.21335 Requirement of emergency generator system in home for the aged.

Popular Name: Act 368

Part 214
HOSPICES

333.21401 Definitions; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau

of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>

Popular Name: Act 368

333.21411 License for hospice or hospice residence required; exception; use of term “hospice”; representation as hospice residence; exemption from licensure; separate license for health facility or agency; activities of health facility or agency not restricted; inspections and concurrent issuance of licenses.

Popular Name: Act 368

333.21413 Duties of owner, operator, and governing body of hospice or hospice residence.

Popular Name: Act 368

333.21415 Program of planned and continuous hospice care; direction of medical components; coordination, design, and provision of hospice services.

Popular Name: Act 368

333.21417 Disease or condition with terminal prognosis as prerequisite for admission to or retention for care.

Popular Name: Act 368

333.21418 Controlled substance disposal policy; requirements; rules; definitions.

Popular Name: Act 368

333.21419 Rules.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.13101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.21420 Exemption of hospices from license fees and certificate of need fees; period.

Popular Name: Act 368

333.21421 Repealed. 1987, Act 149, Imd. Eff. Oct. 26, 1987.

Compiler's Notes: <Paragraph><P>The repealed section provided for the expiration of this part.</P></Paragraph>

Popular Name: Act 368

Part 215 HOSPITALS

333.21501 Definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>

Popular Name: Act 368

333.21511 License required; use of term "hospital."

Popular Name: Act 368

333.21513 Owner, operator, and governing body of hospital; responsibilities and duties generally.

Compiler's Notes: <Paragraph><P>Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."</P></Paragraph>

Popular Name: Act 368

333.21515 Confidentiality of records, data, and knowledge.

Popular Name: Act 368

333.21521 Minimum standards and rules; practices.

Popular Name: Act 368

333.21523 Strictness of rules and standards.

Popular Name: Act 368

333.21527 Sexual medical forensic examination; administration of sexual assault evidence kit; payment provisions; "sexual assault evidence kit" defined.

Popular Name: Act 368

333.21529 Repealed. 2010, Act 23, Eff. Apr. 1, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to establishment of seasonal influenza immunization policy.</P></Paragraph>

333.21530 Repealed. 2010, Act 21, Eff. Apr. 1, 2012.

Compiler's Notes: <Paragraph><P>The repealed section pertained to influenza immunization for individual admitted to hospital.</P></Paragraph>

333.21531 Repealed. 1988, Act 315, Eff. Mar. 30, 1989.

Compiler's Notes: <Paragraph><P>The repealed section pertained to smoking policy. </P></Paragraph>
Popular Name: Act 368

333.21532 Acknowledgment of parentage.

Popular Name: Act 368

333.21533 Acknowledgment of paternity.

Popular Name: Act 368

333.21534 Hospice care information provided by hospital.

Popular Name: Act 368

333.21535 Nonopioid directive form.

Popular Name: Act 368

333.21537 Insurance enrollment of newborn; informational document.

Popular Name: Act 368

333.21540 Use of aircraft transport vehicle or rotary aircraft ambulance; nonemergency patient; medically necessary; violation; liability.

Popular Name: Act 368

333.21541 Transportation of nonemergency patient by aircraft transport vehicle or rotary aircraft ambulance; disclosure required; notice; signature; immunity; violation; liability.

Popular Name: Act 368

333.21542 Granting right to land by hospital; violation; liability.

Popular Name: Act 368

333.21551 Temporary delicensure of beds; extension; form and contents of application; amended

application; alternative use of space; plans; relicensing of beds; automatic and permanent delicensing; bed inventory; transfer of beds; definitions.

Popular Name: Act 368

333.21552 Hospital transition assistance program; purpose; elements; feasibility study; financing; advisory committee; report.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of state hospital finance authority to Michigan finance authority, see E.R.O. No. 2010-2, compiled at MCL 12.194.</P></Paragraph>

Popular Name: Act 368

333.21561 Application for designation as rural community hospital; use of term "rural community hospital"; definition.

Popular Name: Act 368

333.21562 Rural community hospital as limited service hospital; delivery of basic acute care services; rules implementing part; agreement to participate in medicaid program; definition; participation in federal medicare program; appointment, membership, and purpose of ad hoc advisory committee; transfer agreement.

Popular Name: Act 368

333.21563 Rules for designation of rural community hospital, maximum number of beds, and services; showing designation on license; licensing and regulation of rural community hospital; applicable provisions of part 222; differential reimbursement.

Popular Name: Act 368

333.21564 Waiving applicability of specified licensure requirement; conditions; application for waiver; form; duration of waiver; definition.

Popular Name: Act 368

333.21565 Mental health crisis stabilization program.

Popular Name: Act 368

333.21566 Essential access community hospital; designation; purpose; eligibility requirements; modification of requirements.

Popular Name: Act 368

333.21567 Rural primary care hospital; designation; purpose; eligibility requirements; modification of requirements.

Popular Name: Act 368

333.21568 Rural health networks.

Popular Name: Act 368

333.21571 Rural hospital; eligibility requirements; definition.

Part 216
MOBILE DENTAL FACILITY

333.21601 Definitions.

333.21603 Mobile dental facility; permit; operator; contracting or employing other dentists, dental hygienists, or dental assistants; permit for 1 or more mobile dental facilities.

333.21605 Permit; application; fee; duration; renewal; late fee; compliance with requirements; transfer; interim permit; approval or denial within 60 days of application.

333.21607 Information to be provided by applicant; compliance with certain requirements; functional

equipment; services not requiring presence of dentist.

333.21609 Written treatment plan; written consent or doctor's order; information to be received by person receiving dental services; failure to comply with federal, state, or local laws and rules.

333.21611 Memorandum of agreement; exemption.

333.21613 Occurrences requiring notification to department; cessation of operation.

333.21615 Exemption; conflict with federal law; rules.

333.21617 Third-party reimbursement or worker's compensation benefits.

Part 217
NURSING HOMES

333.21701 Meanings of words and phrases; general definitions and principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of the division of health facility licensing and certification in the bureau of health systems, division of federal support services, and the division of emergency medical services, with the exception of the division of managed care and division of health facility development, from the department of public health to the director of the department of commerce, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph><Paragraph><P>For transfer of powers and duties of the bureau of health services from the department of consumer and industry services to the director of the department of community health by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>

Popular Name: Act 368

333.21702 Definitions; D to P.

Popular Name: Act 368

333.21703 Definitions; P to W.

Popular Name: Act 368

333.21707 Prescribing course of medical treatment; limitations on authority.

Popular Name: Act 368

333.21711 License required; prohibited terms or abbreviations; license for formal or informal nursing care services; exception.

Popular Name: Act 368

333.21712 Name of nursing home; change in name; prohibited terms; rehabilitation services.

Popular Name: Act 368

333.21713 Owner, operator, and governing body of nursing home; responsibilities and duties generally.

Popular Name: Act 368

333.21715 Nursing home; programs of planned and continuing nursing and medical treatment required; employment of or contract with licensed or authorized individual; services; dental treatment.

Popular Name: Act 368

333.21716 Nursing home; influenza vaccination.

Popular Name: Act 368

333.21717 Care of certain individuals in nursing home; approval of area and program; definitions.

Popular Name: Act 368

333.21718 Conditions of skilled nursing facility certification and participation in title 19 program; exception; exemption.

Popular Name: Act 368

333.21719 Immediate access to acute care facilities.

Popular Name: Act 368

333.21720 Nursing home administrator required.

Popular Name: Act 368

333.21720a Director of nursing; nursing personnel; effective date of subsection (1); natural disaster or other emergency.

Popular Name: Act 368

333.21720b Agreement with county community mental health program.

Popular Name: Act 368

333.21721 Bond required.

Popular Name: Act 368

333.21723 Individual responsible for receiving complaints and conducting investigations; posting information in nursing home; communication procedure; information posted on internet website; nursing home receiving medicaid reimbursement.

Popular Name: Act 368

333.21731 Licensee considered consumer of tangible personal property.

Popular Name: Act 368

333.21733 Repealed. 2009, Act 188, Eff. May 1, 2010.

Compiler's Notes: <Paragraph><P>The repealed section pertained to smoking policies in nursing homes.</P></Paragraph>

333.21734 Nursing home; bed rails; provisions; peer-reviewed, evidence-based, best-practice resources; liability.

Popular Name: Act 368

333.21735 Requirement of emergency generator system in nursing home.

Popular Name: Act 368

333.21741 Rules.

Popular Name: Act 368

333.21743 Disclosures; public inspection.

Popular Name: Act 368

333.21744 Professional advice and consultation.

Popular Name: Act 368

333.21751 Emergency petition to place nursing home under control of receiver; appointment of receiver; use of income and assets; major structural alteration; consultation; termination of receivership; accounting; disposition of surplus funds.

Popular Name: Act 368

333.21755 Grounds for refusal to issue license.

Popular Name: Act 368

333.21757 Provisional license.

Popular Name: Act 368

333.21761 Certification of nondiscrimination; violation of rights; giving preference to members of religious or fraternal institution or organization.

Popular Name: Act 368

333.21763 Access to nursing home patients; purposes; requirements; termination of visit; confidentiality; complaint; determination; prohibited entry.

Popular Name: Act 368

333.21764 Approval or disapproval of nonprofit corporation rendering assistance without charge.

Popular Name: Act 368

333.21765 Policies and procedures; copy of rights enumerated in MCL 333.20201; reading or explaining rights; staff observance of rights, policies, and procedures.

Popular Name: Act 368

333.21765a Certain admission conditions prohibited; enforcement of contract provisions or agreements in conflict with subsections (1) and (2).

Popular Name: Act 368

333.21766 Written contract.

Popular Name: Act 368

333.21767 Guardian, trustee, conservator, patient's representative, or protective payee for patient; receipt for money or property of patient; statement of funds.

Popular Name: Act 368

333.21771 Abusing, mistreating, or neglecting patient; reports; investigation; retaliation prohibited; exception to report requirement.

Popular Name: Act 368

333.21772 Interference with right to bring action or file complaint prohibited; retaliation prohibited.

Popular Name: Act 368

333.21773 Involuntary transfer or discharge of patient; notice; form; request for hearing; copy of notice; commencement of notice period; nonpayment; redemption; explanation and discussion; counseling services; prohibition; notice of nonparticipation in state plan for medicaid funding.

Popular Name: Act 368

333.21774 Involuntary transfer or discharge; request for hearing; informal hearing; decision; burden of proof; procedures; time for leaving facility.

Popular Name: Act 368

333.21775 Continuation of medicaid funding during appeal, transfer, or discharge period.

Popular Name: Act 368

333.21776 Transfer or discharge of patient; plan; counseling services.

Popular Name: Act 368

333.21777 Holding bed open during temporary absence of patient; option; title 19 patients.

Popular Name: Act 368

333.21781 Posting of license and other information.

Popular Name: Act 368

333.21782 Retention of documents for public inspection.

Popular Name: Act 368

333.21784 Threatening medical condition; notice; emergency treatment; comfort of patient.

Popular Name: Act 368

333.21785 Discontinuance of operation; notice; relocation of patients.

Popular Name: Act 368

333.21786 Emergency closing of nursing home.

Popular Name: Act 368

333.21787 Michigan public health institute; consultation and contracts.

Popular Name: Act 368

333.21791 Advertising; false or misleading information prohibited.

Popular Name: Act 368

333.21792 Commission, bonus, fee, or gratuity; violation; penalty.

Popular Name: Act 368

333.21794 Use of dining assistant to provide feeding assistance to nursing home patient.

333.21795 Education and training for unlicensed nursing personnel; criteria; competency examinations; rules.

Popular Name: Act 368

333.21796 Insuring proper licensing of licensed personnel.

Popular Name: Act 368

333.21799a Nursing home; violation; complaint; investigation; disclosure; determination; listing violation and provisions violated; copies of documents; public inspection; report of violation; penalty; request for hearing; notice of hearing; “priority complaint” defined.

Popular Name: Act 368

333.21799b Noncompliance; notice of finding; correction notices; hearing; verification of compliance; investigation; action; definitions; annual report; presumption.

Popular Name: Act 368

333.21799c Violations; penalties; computation of civil penalties; paying or reimbursing patient; rules for quality of care allowance formula.

Popular Name: Act 368

333.21799d Collection of civil penalty; noncompliance; order.

Popular Name: Act 368

333.21799e Penalties and remedies cumulative.

Popular Name: Act 368

PART 219
NURSE AIDE TRAINING AND REGISTRATION PROGRAM

333.21901 General definitions and principles of construction.

Popular Name: Act 368

333.21903 Definitions; C to N.

Popular Name: Act 368

333.21905 Definitions; P to R.

Popular Name: Act 368

333.21907 Nurse aide and medication aide training, registration, and permit program; administration by department.

Popular Name: Act 368

333.21909 Practice as nurse aide; registration required; nurse aide trainer or program; permit required.

Popular Name: Act 368

333.21911 Registration to engage in practice as nurse aide; requirements; permit as nurse aide trainer or training program; requirements.

Popular Name: Act 368

333.21912 Nurse aide and nurse aide trainer registration or permit; nontransferable.

Popular Name: Act 368

333.21913 Applicant from another state; registration requirements.

Popular Name: Act 368

333.21915 Registration or permit; time period effective; application for renewal.

Popular Name: Act 368

333.21916 Practice as nurse aide or training by nurse aide trainer prohibited until renewal of registration or permit.

Popular Name: Act 368

333.21917 Registration while individual in military service or United States Public Health Service.

Popular Name: Act 368

333.21918 Fees; payable to department; revocation or denial; nonrefundable.

Popular Name: Act 368

333.21919 Fees.

Popular Name: Act 368

333.21920 Practice as medication aide; registration required; medication aide trainer or program; permit required; applicant from another state; practice as medication aide prohibited until renewal of registration permit; renewal application; fees.

Popular Name: Act 368

333.21921 Nurse aide and medication aide registration fund.

Popular Name: Act 368

333.21923 Rules; scope; applicability to nursing homes or skilled nursing facilities.

Popular Name: Act 368

333.21925 Contractual agreements.

Popular Name: Act 368

PART 221.

FEDERAL CERTIFICATION OF NURSING HOMES

333.22101 Definitions.

Compiler's Notes: <Paragraph><P>Former MCL 333.22101 - 333.22181 were repealed by Act 76 of 1981, Eff. Oct. 1, 1981 and Act 332 of 1988, Eff. Oct. 1, 1988.</P></Paragraph>

Popular Name: Act 368

333.22102 Administration of certification process; conflict of laws.

Popular Name: Act 368

333.22103 Quality assurance monitoring process; surveys for certification; survey teams; quality assurance monitor; responsibilities.

Popular Name: Act 368

333.22105 Limitation on number of nursing home surveyors; exception; length of standard survey.

Popular Name: Act 368

333.22107 Departmental responsibilities; standard surveys; plan of corrections; revisits; letter of compliance.

Popular Name: Act 368

333.22109 Deficient practices; reevaluations.

Compiler's Notes: <Paragraph><P>In this section, "evaluation cannot be not granted" evidently should read "evaluation cannot be granted."
</P></Paragraph>

Popular Name: Act 368

333.22111 Issuance of citations for immediate jeopardy or substandard quality of care; notification.

Popular Name: Act 368

333.22113 Desk review of citations.

Popular Name: Act 368

333.22115 Citations; informal dispute resolution process.

Popular Name: Act 368

333.22117 Statewide reporting requirements for facility-reported incidents.

Popular Name: Act 368

333.22119 Annual report to legislature.

Popular Name: Act 368

333.22121 Implementation of progressive discretionary enforcement actions.

Popular Name: Act 368

333.22190 Expired. 1979, Act 113, Eff. Dec. 31, 1979.

Popular Name: Act 368

Part 222
CERTIFICATES OF NEED

333.22201 Meanings of words and phrases; principles of construction.

Compiler's Notes: <Paragraph><P>For transfer of certain powers and duties of the division of health facility development in the bureau of health systems from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.</P></Paragraph>

Popular Name: Act 368

333.22203 Definitions; A to F.

Popular Name: Act 368

333.22205 Definitions; H to M.

Popular Name: Act 368

333.22207 Definitions; M to S.

Popular Name: Act 368

333.22208 Definitions; T.

Popular Name: Act 368

333.22209 Activities requiring certificate of need; exceptions; requirements; acquisition of existing health facility; relocation; "sharing agreement" defined.

Popular Name: Act 368

333.22210 Certificate of need for extended care services program; application; criteria; modification; fee prohibited; compliance; report; discrimination prohibited; exercise of rights; written acknowledgment; forms; additional rights; violation; penalty; certificate required; definitions.

Compiler's Notes: <Paragraph><P>For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.</P></Paragraph>
Popular Name: Act 368

333.22211 Certificate of need commission; creation; appointment, qualifications, and terms of members; vacancy; laws to which commission members subject.

Popular Name: Act 368

333.22213 Commission; bylaws; removal of member; election of chairperson and vice-chairperson; meetings; quorum; final action; compensation and expenses; duties of department; professional employees.

Popular Name: Act 368

333.22215 Duties of commission; purpose; public hearing before final action; submission of proposed final action to joint committee; approval or disapproval; review standards; revision of fees.

Popular Name: Act 368

333.22217 Repealed. 2002, Act 619, Eff. Mar. 31, 2003.

Compiler's Notes: <Paragraph><P>The repealed section pertained to certificate of need review standards.</P></Paragraph>
Popular Name: Act 368

333.22219 Joint legislative committee.

Popular Name: Act 368

333.22221 Duties of department generally.

Popular Name: Act 368

333.22223 Application for certificate of need; statement addressing review criteria.

Popular Name: Act 368

333.22224 Repealed. 2023, Act 209, Eff. Feb. 13, 2024.

Compiler's Notes: <Paragraph><P>The repealed section pertained to an exception for a certificate of need requirements for freestanding

surgical outpatient facilities that perform abortions.</P></Paragraph>
Popular Name: Act 368

333.22224a Magnetic resonance image units.

Popular Name: Act 368

333.22224b Positron emission tomography scanner services pilot project.

Popular Name: Act 368

333.22224c Exception for freestanding birth center.

Popular Name: Act 368

333.22225 Demonstration of need for proposed project; additional requirements.

Popular Name: Act 368

333.22226 Regional certificate of need review agency; standards; designation of person for specific review area; requirements; duration and termination of agency; local certificate of need review agency; application or other information; review; recommendations; decision; convening consumers, providers, purchasers, or payers of health care; public hearing; meetings; “review area” defined.

Popular Name: Act 368

Admin Rule: <Paragraph><P>R 325.9101 et seq. of the Michigan Administrative Code.</P></Paragraph>

333.22227 Health maintenance organization; purposes for which certificate of need required; capital expenditures; considerations and criteria.

Popular Name: Act 368

333.22229 Projects and services subject to comparative review; exceptions; establishment of comparative

review or alternative procedure; proposed site for project; utilization and financing of covered clinical services.

Popular Name: Act 368

333.22230 Participation in medicaid program as distinct criterion.

Popular Name: Act 368

333.22231 Decision to grant or deny application for certificate of need; conditions; single decision for all applications; proposed decision; final decision; notice of reversal; hearing; judicial review; effect of exceeding time frames.

Popular Name: Act 368

333.22232 Hearing; written request; appointment and duties of hearing officer; governing law.

Popular Name: Act 368

333.22233 Waiver of criteria and procedures.

Popular Name: Act 368

333.22235 Waiver of law and procedural requirements and criteria for review; affidavit; emergency certificate of need.

Popular Name: Act 368

333.22237 Data and statistics as condition precedent to issuance of certificate of need.

Popular Name: Act 368

333.22239 Stipulation.

Popular Name: Act 368

333.22241 "New technology" defined; new technology review period; conditions to acquisition of new technology before end of review period; appointment, composition, and purpose of standing new medical technology advisory committee.

Popular Name: Act 368

333.22243 Acquisition of new technology before approval of federal food and drug administration; notice; requirements; deactivation and removal of new technology from service; conditions to utilizing new technology beyond specified period.

Popular Name: Act 368

333.22247 Monitoring compliance with certificates of need; investigating allegations of noncompliance; violation; sanctions; refund of charges.

Popular Name: Act 368

333.22249 Agreement authorizing hospital to lease space and operate beds in another hospital; conditions.

Popular Name: Act 368

333.22251 Repealed. 1993, Act 88, Imd. Eff. July 9, 1993.

Compiler's Notes: <Paragraph><P>The repealed section pertained to plans for reduction of excess hospital beds.</P></Paragraph>

Popular Name: Act 368

333.22253 Injunction or other process to restrain or prevent violation.

Popular Name: Act 368

333.22255 Procedural rules.

Popular Name: Act 368

333.22257 Certificate of need issued under former part 221.

Popular Name: Act 368

333.22260 Reports of reviews; preparation and publication; statements; recommendations; public examination of applications and written materials on file; providing copies.

Popular Name: Act 368

Article 18
SURPRISE MEDICAL BILLING

333.24501 Meaning of words and phrases; principles of construction.

Popular Name: Act 368

333.24502 Definitions; C to I.

Popular Name: Act 368

333.24503 Definitions; L to N.

Popular Name: Act 368

333.24504 Definitions; P.

Popular Name: Act 368

333.24507 Nonparticipating provider; emergency patient; limitation on charges; payment in full.

Popular Name: Act 368

333.24509 Nonparticipating provider; nonemergency patient; disclosure requirements; limitation on charges imposed; payment in full.

Popular Name: Act 368

333.24510 Request for review of calculation of charges; treatment of data, documents, materials and other information.

Popular Name: Act 368

333.24511 Increased reimbursement claim for health care service involving a complicating factor; required documentation; denial; binding arbitration; "complicating factor" defined.

Popular Name: Act 368

333.24513 Nonparticipating provider and carrier payment agreement; limitation.

Popular Name: Act 368

333.24515 Annual report.

Popular Name: Act 368

333.24517 Rules.

Popular Name: Act 368

Article 19
REPEALS, SAVINGS CLAUSES, AND EFFECTIVE DATES

Part 251
REPEALS

333.25101 Repeal of acts and parts of acts.

Popular Name: Act 368

333.25103 Repeal of MCL 125.401 to 125.543; time.

Compiler's Notes: <Paragraph><P>Sec. 12211, which authorized the promulgation of rules on minimum housing standards, was repealed by Act 431 of 1980, Eff. Mar. 31, 1981, prior to the promulgation of any rules.</P></Paragraph>
Popular Name: Act 368

333.25105 Repeal of MCL 325.901 to 325.947; time.

Popular Name: Act 368

333.25107 Repeal of MCL 722.230; time.

Popular Name: Act 368

333.25109 Repeal of MCL 338.209a; effective date of section.

Compiler's Notes: <Paragraph><P>R 338.11401 et seq. of the Michigan Administrative Code, regulating the practice of a dental assistant, were promulgated on July 3, 1984.</P></Paragraph>
Popular Name: Act 368

Part 252
SAVINGS CLAUSES AND EFFECTIVE DATES

333.25201 Continuation of statutory provisions and rules; submission of proposed rules to public hearing; nomination and appointment of agency members.

Popular Name: Act 368

333.25205 Section 8.4a inapplicable to code; action or other proceeding not abated.

Popular Name: Act 368

333.25211 Effective date of code; exceptions; promulgation of rules authorized by code.

Popular Name: Act 368