

SENATE BILL No. 964

December 13, 2001, Introduced by Senators SCHWARZ, EMERSON, BYRUM, HAMMERSTROM, JOHNSON, MC MANUS, STILLE, YOUNG, SCOTT and GARCIA and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2001 PA 139, and by adding section 16323a and part 168.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16131. The terms of office of individual members of
2 the boards and task forces, except those appointed to fill vacan-
3 cies, expire 4 years after appointment as follows:

- | | | |
|---|--------------|---------|
| 4 | AUDIOLOGISTS | JUNE 30 |
| 5 | Nursing | June 30 |

1	Nursing home administrator	June 30
2	Optometry	June 30
3	Pharmacy	June 30
4	Podiatric medicine and surgery	June 30
5	Dentistry	June 30
6	Chiropractic	December 31
7	Counseling	June 30
8	Marriage and family therapy	June 30
9	Medicine	December 31
10	Occupational therapists	December 31
11	Osteopathic medicine and surgery	December 31
12	Physical therapy	December 31
13	Psychology	December 31

1 Social work December 31

2 Veterinary medicine December 31

3 Sec. 16263. (1) Except as provided in subsection (2), the
4 following words, titles, or letters or a combination thereof,
5 with or without qualifying words or phrases, are restricted in
6 use only to those persons authorized under this article to use
7 the terms and in a way prescribed in this article:

8 (a) "Chiropractic", "doctor of chiropractic",
9 "chiropractor", "d.c.", and "chiropractic physician".

10 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
11 lofacial surgeon", "orthodontist", "prosthodontist",
12 "periodontist", "endodontist", "oral pathologist", "pediatric
13 dentist", "dental hygienist", "registered dental hygienist",
14 "dental assistant", "registered dental assistant", "r.d.a.",
15 "d.d.s.", "d.m.d.", and "r.d.h.".

16 (c) "Doctor of medicine" and "m.d.".

17 (d) "Physician's assistant" and "p.a.".

18 (e) "Registered professional nurse", "registered nurse",
19 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
20 "nurse anesthetist", "nurse practitioner", "trained attendant",
21 and "t.a.".

22 (f) "Doctor of optometry", "optometrist", and "o.d.".

23 (g) "Osteopath", "osteopathy", "osteopathic practitioner",
24 "doctor of osteopathy", "diplomate in osteopathy", and "d.o.".

25 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",
26 "druggist", "medicine store", "prescriptions", and "r.ph.".

1 (i) "Physical therapy", "physical therapist",
2 "physiotherapist", "registered physical therapist", "licensed
3 physical therapist", "physical therapy technician", "p.t.",
4 "r.p.t.", "l.p.t.", and "p.t.t."

5 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
6 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
7 specialist", "podiatric physician and surgeon", and "d.p.m."

8 (k) "Consulting psychologist", "psychologist",
9 "psychological assistant", "psychological examiner", "licensed
10 psychologist", and "limited licensed psychologist".

11 (l) "Licensed professional counselor", "licensed counselor",
12 "professional counselor", and "l.p.c."

13 (m) "Sanitarian", "registered sanitarian", and "r.s."

14 (n) "Social worker", "certified social worker", "social work
15 technician", "s.w.", "c.s.w.", and "s.w.t."

16 (o) "Veterinary", "veterinarian", "veterinary doctor",
17 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
18 "d.v.m.", "animal technician", or "animal technologist".

19 (p) "Occupational therapist", "occupational therapist
20 registered", "certified occupational therapist", "o.t.",
21 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
22 "occupational therapy assistant", or "c.o.t.a."

23 (q) "Marriage advisor" or "marriage consultant"; "family
24 counselor", "family advisor", "family therapist", or "family
25 consultant"; "family guidance counselor", "family guidance
26 advisor", or "family guidance consultant"; "marriage guidance
27 counselor", "marriage guidance advisor", or "marriage guidance

1 consultant"; "family relations counselor"; "marriage relations
2 counselor", "marriage relations advisor", or "marriage relations
3 consultant"; "marital counselor" or "marital therapist"; "limited
4 licensed marriage and family therapist" or "limited licensed mar-
5 riage counselor"; "licensed marriage and family therapist" or
6 "licensed marriage counselor"; and "l.m.f.t.".

7 (r) "Nursing home administrator".

8 (S) "AUDIOMETRIST", "AUDIOLOGIST", "HEARING THERAPIST",
9 "HEARING AID AUDIOLOGIST", "EDUCATIONAL AUDIOLOGIST", "INDUSTRIAL
10 AUDIOLOGIST", AND "CLINICAL AUDIOLOGIST", OR ANY OTHER SIMILAR
11 TITLE CONVEYING THE PRACTICE OF AUDIOLOGY.

12 (2) Notwithstanding section 16261, a person who was spe-
13 cially trained at an institution of higher education in this
14 state to assist a physician in the field of orthopedics and upon
15 completion of training, received a 2-year associate of science
16 degree as an orthopedic physician's assistant before January 1,
17 1977, may use the title "orthopedic physician's assistant"
18 whether or not the person is licensed under this article.

19 SEC. 16323A. FEES FOR A PERSON LICENSED OR SEEKING LICEN-
20 SURE AS AN AUDIOLOGIST UNDER PART 168 ARE AS FOLLOWS:

21	(A) APPLICATION PROCESSING FEE.....	\$ 120.00
22	(B) LICENSE FEE, PER YEAR.....	150.00
23	(C) TEMPORARY LICENSE.....	120.00
24	(D) LIMITED LICENSE.....	125.00

25 PART 168. AUDIOLOGY

26 SEC. 16801. (1) AS USED IN THIS PART:

1 (A) "AUDIOLOGIST" MEANS AN INDIVIDUAL LICENSED UNDER THIS
2 PART TO ENGAGE IN THE PRACTICE OF AUDIOLOGY.

3 (B) "DISORDER" MEANS ALL CONDITIONS, WHETHER OF ORGANIC OR
4 INORGANIC ORIGIN, PERIPHERAL OR CENTRAL, THAT IMPEDE THE NORMAL
5 PROCESS OF HUMAN COMMUNICATION INCLUDING DISORDERS OF AUDITORY
6 SENSITIVITY, ACUITY, BALANCE, OR PROCESSING.

7 (C) "PRACTICE OF AUDIOLOGY" MEANS ALL OF THE FOLLOWING:

8 (i) THE PLANNING, DIRECTING, SUPERVISION, AND CONDUCT OF
9 HABILITATIVE OR REHABILITATIVE COUNSELING PROGRAMS FOR INDIVIDU-
10 ALS OR GROUPS OF INDIVIDUALS WHO HAVE OR ARE SUSPECTED OF HAVING
11 DISORDERS.

12 (ii) ANY SERVICE IN AUDIOLOGY INCLUDING, BUT NOT LIMITED TO,
13 PREVENTION, IDENTIFICATION, EVALUATION, CONSULTATION, HABILITA-
14 TION OR REHABILITATION, INSTRUCTION, AND RESEARCH.

15 (iii) PARTICIPATING IN HEARING CONSERVATION, HEARING AID AND
16 ASSISTIVE LISTENING DEVICE EVALUATION, SELECTION, PREPARATION,
17 DISPENSING, AND ORIENTATION.

18 (iv) DISPENSING OF HEARING AIDS AND THE FABRICATING OF EAR
19 MOLDS.

20 (v) PROVIDING AUDITORY TRAINING AND SPEECH READING.

21 (vi) ADMINISTERING AND INTERPRETING TESTS OF VESTIBULAR
22 FUNCTION AND TINNITUS.

23 (vii) ROUTINE CERUMEN REMOVAL.

24 (viii) SPEECH AND LANGUAGE SCREENING LIMITED TO A PASS-FAIL
25 DETERMINATION FOR THE PURPOSE OF IDENTIFICATION OF INDIVIDUALS
26 WITH DISORDERS OF COMMUNICATION.

1 (2) PRACTICE OF AUDIOLOGY DOES NOT INCLUDE THE PRACTICE OF
2 MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY OR THE PERFORMANCE
3 OF A TASK IN THE NORMAL PRACTICE OF MEDICINE OR OSTEOPATHIC MEDI-
4 CINE AND SURGERY BY A PERSON TO WHOM THE TASK IS DELEGATED BY A
5 LICENSED PHYSICIAN.

6 (3) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
7 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
8 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
9 DEFINITIONS APPLICABLE TO THIS PART.

10 SEC. 16803. EXCEPT AS OTHERWISE PROVIDED IN SECTION 16809,
11 AN INDIVIDUAL SHALL NOT ENGAGE IN THE PRACTICE OF AUDIOLOGY
12 UNLESS LICENSED OR OTHERWISE AUTHORIZED BY THIS ARTICLE.

13 SEC. 16805. AN AUDIOLOGIST SHALL NOT ENGAGE IN ANY OF THE
14 ACTIVITIES WITHIN THE PRACTICE OF AUDIOLOGY FOR WHICH HE OR SHE
15 DOES NOT HAVE ADEQUATE EDUCATION AND TRAINING.

16 SEC. 16807. THE MICHIGAN BOARD OF AUDIOLOGY IS CREATED
17 WITHIN THE DEPARTMENT. THE BOARD CONSISTS OF THE FOLLOWING 5
18 VOTING MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

19 (A) THREE AUDIOLOGISTS. THE MEMBERS INITIALLY APPOINTED
20 UNDER THIS SUBDIVISION SHALL MEET THE REQUIREMENTS OF
21 SECTION 16135.

22 (B) TWO PUBLIC MEMBERS.

23 SEC. 16809. (1) THIS PART DOES NOT PROHIBIT AN INDIVIDUAL
24 WHO IS EMPLOYED BY A REGIONALLY ACCREDITED COLLEGE OR UNIVERSITY
25 AND INVOLVED WITH RESEARCH OR THE TEACHING OF COMMUNICATION DIS-
26 ORDERS FROM PERFORMING THOSE DUTIES FOR WHICH HE OR SHE IS
27 EMPLOYED BY THAT INSTITUTION, AS LONG AS THE INDIVIDUAL DOES NOT

1 ENGAGE IN THE PRACTICE OF AUDIOLOGY OR HOLD HIMSELF OR HERSELF
 2 OUT AS LICENSED OR OTHERWISE AUTHORIZED UNDER THIS PART AS AN
 3 AUDIOLOGIST.

4 (2) THIS PART DOES NOT PROHIBIT AN INDIVIDUAL WHO IS
 5 EMPLOYED BY THE DEPARTMENT OF COMMUNITY HEALTH IN 1 OF ITS
 6 APPROVED HEARING SCREENING TRAINING PROGRAMS FROM CONDUCTING
 7 SCREENING OF HEARING SENSITIVITY.

8 (3) THIS PART DOES NOT PROHIBIT AN INDIVIDUAL CERTIFIED BY
 9 AN AGENCY ACCEPTABLE TO THE OCCUPATIONAL HEALTH STANDARDS COMMIS-
 10 SION FROM ENGAGING IN HEARING SCREENING AS PART OF A HEARING CON-
 11 SERVATION PROGRAM IN COMPLIANCE WITH STANDARDS ADOPTED UNDER THE
 12 MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 PA 154,
 13 MCL 408.1001 TO 408.1094.

14 (4) THIS PART DOES NOT PROHIBIT A CERTIFIED, LICENSED, REG-
 15 ISTERED, OR OTHERWISE STATUTORILY RECOGNIZED MEMBER OF ANOTHER
 16 PROFESSION FROM PRACTICING HIS OR HER PROFESSION AS AUTHORIZED BY
 17 LAW, SO LONG AS THE INDIVIDUAL DOES NOT HOLD HIMSELF OR HERSELF
 18 OUT TO THE PUBLIC AS AN AUDIOLOGIST LICENSED OR OTHERWISE AUTHO-
 19 RIZED UNDER THIS PART.

20 SEC. 16811. THE BOARD SHALL BY RULE REQUIRE AN INDIVIDUAL
 21 GRANTED A LICENSE UNDER THIS PART AS AN AUDIOLOGIST TO MEET AT
 22 LEAST ALL OF THE FOLLOWING REQUIREMENTS:

23 (A) POSSESS, AT A MINIMUM, A MASTER'S DEGREE IN AUDIOLOGY
 24 FROM A REGIONALLY ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY
 25 THE BOARD.

26 (B) HAVE COMPLETED SUPERVISED CLINICAL EXPERIENCE IN
 27 AUDIOLOGY WITH INDIVIDUALS WHO PRESENT A VARIETY OF COMMUNICATION

1 DISORDERS. THE EXPERIENCE REQUIRED UNDER THIS SUBDIVISION SHALL
2 BE OBTAINED THROUGH A TRAINING INSTITUTION OR AN INTEGRATED COOP-
3 ERATIVE PROGRAM APPROVED BY THE BOARD AND UNDER THE SUPERVISION
4 OF AN AUDIOLOGIST. FOR A PERIOD ENDING 2 YEARS AFTER THE EFFEC-
5 TIVE DATE OF THIS PART, THE SUPERVISION REQUIRED BY THIS SUBDIVI-
6 SION MAY BE PROVIDED BY AN INDIVIDUAL WHO MEETS THE REQUIREMENTS
7 OF SUBDIVISION (A) AND IS APPROVED BY THE BOARD.

8 (C) HAVE OBTAINED A PASSING SCORE, AS DETERMINED BY THE
9 BOARD, ON A NATIONAL EXAMINATION IN AUDIOLOGY OR AN EXAMINATION
10 DETERMINED BY THE BOARD TO BE EQUIVALENT TO THE NATIONAL
11 EXAMINATION.