

HOUSE BILL No. 4833

May 27, 1997, Introduced by Reps. Baird, Wallace, Gire, Ciaramitaro, Schroer, Brater, Hale, Martinez and Hanley and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16263, 16335, 17801, and 17820 (MCL
333.16263, 333.16335, 333.17801, and 333.17820), section 16263 as
amended by 1995 PA 126, section 16335 as added by 1993 PA 80, and
sections 17801 and 17820 as amended by 1987 PA 213, and by adding
sections 17819 and 17823.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

6 (a) "Chiropractic", "doctor of chiropractic",
7 "chiropractor", "d.c.", and "chiropractic physician".

1 (b) "Dentist", "doctor of dental surgery", "oral and
 2 maxillofacial surgeon", "orthodontist", "prosthodontist",
 3 "periodontist", "endodontist", "oral pathologist", "pediatric
 4 dentist", "dental hygienist", "registered dental hygienist",
 5 "dental assistant", "registered dental assistant", "R.D.A.",
 6 "d.d.s.", "d.m.d.", and "r.d.h.".

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

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

9 (e) "Registered professional nurse", "registered nurse",
 10 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
 11 "nurse anesthetist", "nurse practitioner", "trained attendant",
 12 and "t.a.".

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

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

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

18 (i) "Physical therapy", "PHYSIOTHERAPY", "physical
 19 therapist", "physiotherapist", "registered physical therapist",
 20 "licensed physical therapist", "physical therapy technician",
 21 "CERTIFIED PHYSICAL THERAPY ASSISTANT", "CERTIFIED PHYSICAL THER-
 22 APIST ASSISTANT", "LICENSED PHYSICAL THERAPY ASSISTANT",
 23 "LICENSED PHYSICAL THERAPIST ASSISTANT", "PHYSIOTHERAPY
 24 ASSISTANT", "REGISTERED PHYSICAL THERAPY ASSISTANT", "REGISTERED
 25 PHYSICAL THERAPIST ASSISTANT", "PHYSICAL THERAPY ASSISTANT",
 26 "PHYSICAL THERAPIST ASSISTANT", "p.t.", "r.p.t.", "l.p.t.", ~~and~~
 27 "p.t.t.", "C.P.T.A.", "L.P.T.A.", "R.P.T.A.", AND "P.T.A.".

1 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
2 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
3 specialist", "podiatric physician and surgeon", and "d.p.m.".

4 (k) "Consulting psychologist", "psychologist",
5 "psychological assistant", and "psychological examiner",
6 "licensed psychologist", and "limited licensed psychologist".

7 (l) "Licensed professional counselor", "licensed counselor",
8 "professional counselor", and "l.p.c.".

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

10 (n) "Veterinary", "veterinarian", "veterinary doctor",
11 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
12 "d.v.m.", "animal technician", or "animal technologist".

13 (o) "Occupational therapist", "occupational therapist
14 registered", "certified occupational therapist", "o.t.",
15 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
16 "occupational therapy assistant", or "c.o.t.a.".

17 (p) "Marriage advisor" or "marriage consultant"; "family
18 counselor", "family advisor", "family therapist", or "family
19 consultant"; "family guidance counselor", "family guidance
20 advisor", or "family guidance consultant"; "marriage guidance
21 counselor", "marriage guidance advisor", or "marriage guidance
22 consultant"; "family relations counselor"; "marriage relations
23 counselor", "marriage relations advisor", or "marriage relations
24 consultant"; "marital counselor" or "marital therapist"; "limited
25 licensed marriage and family therapist" or "limited licensed mar-
26 riage counselor"; "licensed marriage and family therapist" or
27 "licensed marriage counselor"; and "l.m.f.t.".

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

Sec. 16335. Fees for a person licensed or seeking licensure to engage in the practice of physical therapy OR FOR A PERSON SEEKING REGISTRATION AS A PHYSICAL THERAPIST ASSISTANT under part 178 are as follows:

(a) Application processing fee.....	\$ 20.00
(b) Examination fees:	
(i) PHYSICAL THERAPIST ASSISTANT EXAMINATION.....	115.00
(ii) Jurisprudence examination only.....	25.00
(c) License PHYSICAL THERAPIST LICENSE fee, per	
year.....	50.00
(d) Temporary PHYSICAL THERAPIST TEMPORARY license....	20.00
(e) Limited PHYSICAL THERAPIST LIMITED license, per	
year.....	25.00
(F) PHYSICAL THERAPIST ASSISTANT REGISTRATION FEE, PER	
YEAR.....	25.00

Sec. 17801. (1) As used in this part:

(a) "Physical therapist" means an individual licensed under this article to engage in the practice of physical therapy.

(B) "PHYSICAL THERAPIST ASSISTANT" MEANS AN INDIVIDUAL REGISTERED AS A PHYSICAL THERAPIST ASSISTANT UNDER THIS ARTICLE.

1 (C) ~~(b)~~ "Practice of physical therapy" means the
2 evaluation of, education of, consultation with, or treatment of
3 an individual by the employment of effective properties of physi-
4 cal measures and the use of therapeutic exercises and rehabilita-
5 tive procedures, with or without assistive devices, for the pur-
6 pose of preventing, correcting, or alleviating a physical or
7 mental disability. ~~It~~ PRACTICE OF PHYSICAL THERAPY includes
8 treatment planning, performance of tests and measurements, inter-
9 pretation of referrals, initiation of referrals, instruction,
10 consultative services, and supervision of personnel. Physical
11 measures include massage, mobilization, heat, cold, air, light,
12 water, electricity, and sound. Practice of physical therapy does
13 not include the identification of underlying medical problems or
14 etiologies, establishment of medical diagnoses, or the prescrib-
15 ing of treatment.

16 (2) In addition to the definitions in this part, article 1
17 contains general definitions and principles of construction
18 applicable to all articles in this code and part 161 contains
19 definitions applicable to this part.

20 SEC. 17819. AN INDIVIDUAL SHALL NOT USE THE TITLES
21 "PHYSICAL THERAPIST ASSISTANT" OR "P.T.A." OR SIMILAR WORDS THAT
22 INDICATE THAT HE OR SHE IS A REGISTERED PHYSICAL THERAPIST
23 ASSISTANT UNLESS THE INDIVIDUAL IS REGISTERED UNDER THIS ARTICLE.

24 Sec. 17820. (1) ~~A person~~ AN INDIVIDUAL shall not engage
25 in the practice of physical therapy unless licensed or otherwise
26 authorized by this article. A ~~person~~ LICENSEE shall engage in
27 the actual treatment of an individual only upon the prescription

1 of an individual holding a license, other than a HEALTH
2 PROFESSION subfield license, issued under part 166, 170, 175, or
3 180, or the equivalent license issued by another state.

4 (2) A PHYSICAL THERAPIST ASSISTANT SHALL ENGAGE IN THE PRAC-
5 TICE OF PHYSICAL THERAPY ONLY UNDER THE SUPERVISION OF A PHYSICAL
6 THERAPIST.

7 SEC. 17823. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), THE
8 BOARD SHALL ISSUE A REGISTRATION AS A PHYSICAL THERAPIST ASSIST-
9 ANT TO AN INDIVIDUAL WHO MEETS BOTH OF THE FOLLOWING
10 REQUIREMENTS:

11 (A) HAS SUCCESSFULLY COMPLETED A COURSE OF STUDY IN A PHYSI-
12 CAL THERAPIST ASSISTANT PROGRAM APPROVED BY THE BOARD.

13 (B) FOLLOWING COMPLETION OF THE COURSE OF STUDY REQUIRED
14 UNDER SUBDIVISION (A), HAS SUCCESSFULLY COMPLETED AN EXAMINATION
15 DESIGNED TO EVALUATE THE KNOWLEDGE AND SKILLS REQUIRED TO SAFELY
16 AND COMPETENTLY PERFORM AS A PHYSICAL THERAPIST ASSISTANT AND
17 APPROVED BY THE BOARD.

18 (2) UNTIL THE BOARD APPROVES AN EXAMINATION FOR USE UNDER
19 SUBSECTION (1)(B), THE BOARD SHALL ISSUE A REGISTRATION AS A
20 PHYSICAL THERAPIST ASSISTANT WITHOUT EXAMINATION TO AN APPLICANT
21 WHO HAS SUCCESSFULLY COMPLETED THE REQUIREMENT OF SUBSECTION
22 (1)(A).