

**SENATE BILL NO. 233**

February 3, 1999, Introduced by Senator HAMMERSTROM 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 1995 PA 126, and by adding section  
16346 and part 183A.

**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, ~~shall~~ expire 4 years after appointment as follows:

4	NUTRITION AND DIETETICS	JUNE 30
5	Nursing	June 30
6	Optometry	June 30
7	Pharmacy	June 30
8	Podiatric medicine and surgery	June 30

1	Dentistry	June 30
2	Chiropractic	December 31
3	Counseling	June 30
4	Marriage and family therapy	June 30
5	Medicine	December 31
6	Occupational therapists	December 31
7	Osteopathic medicine and surgery	December 31
8	Physical therapy	December 31
9	Psychology	December 31
10	Sanitarians	December 31
11	Veterinary medicine	December 31

12       Sec. 16263. (1) Except as provided in subsection (2), the  
13 following words, titles, or letters or a combination ~~thereof~~ OF  
14 THEM, with or without qualifying words or phrases, are restricted  
15 in use only to those persons authorized under this article to use  
16 the terms and in a way prescribed in this article:

17       (a) "Chiropractic", "doctor of chiropractic",  
18 "chiropractor", "d.c.", and "chiropractic physician".

19       (b) "Dentist", "doctor of dental surgery", "oral and maxil-  
20 lofacial surgeon", "orthodontist", "prosthodontist",  
21 "periodontist", "endodontist", "oral pathologist", "pediatric  
22 dentist", "dental hygienist", "registered dental hygienist",  
23 "dental assistant", "registered dental assistant", "R.D.A.",  
24 "d.d.s.", "d.m.d.", and "r.d.h.".

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

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

1 (e) "Registered professional nurse", "registered nurse",  
 2 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",  
 3 "nurse anesthetist", "nurse practitioner", "trained attendant",  
 4 and "t.a.".

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

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

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

10 (i) "Physical therapy", "physical therapist",  
 11 "physiotherapist", "registered physical therapist", "licensed  
 12 physical therapist", "physical therapy technician", "p.t.",  
 13 "r.p.t.", "l.p.t.", and "p.t.t.".

14 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",  
 15 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot  
 16 specialist", "podiatric physician and surgeon", and "d.p.m.".

17 (k) "Consulting psychologist", "psychologist",  
 18 "psychological assistant", and "psychological examiner",  
 19 "licensed psychologist", and "limited licensed psychologist".

20 (l) "Licensed professional counselor", "licensed counselor",  
 21 "professional counselor", and "l.p.c.".

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

23 (n) "Veterinary", "veterinarian", "veterinary doctor",  
 24 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",  
 25 "d.v.m.", "animal technician", ~~or~~ AND "animal technologist".

26 (o) "Occupational therapist", "occupational therapist  
 27 registered", "certified occupational therapist", "o.t.",

1 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",  
 2 "occupational therapy assistant", ~~or~~ AND "c.o.t.a.".

3 (p) "Marriage advisor", ~~or~~ "marriage consultant", ~~+~~  
 4 "family counselor", "family advisor", "family therapist", ~~or~~  
 5 "family consultant", ~~+~~ "family guidance counselor", "family  
 6 guidance advisor", ~~or~~ "family guidance consultant", ~~+~~  
 7 "marriage guidance counselor", "marriage guidance advisor", ~~or~~  
 8 "marriage guidance consultant", ~~+~~ "family relations counselor",  
 9 ~~+~~ "marriage relations counselor", "marriage relations advisor",  
 10 ~~or~~ "marriage relations consultant", ~~+~~ "marital counselor",  
 11 ~~or~~ "marital therapist", ~~+~~ "limited licensed marriage and  
 12 family therapist", ~~or~~ "limited licensed marriage counselor",  
 13 ~~+~~ "licensed marriage and family therapist", ~~or~~ "licensed mar-  
 14 riage counselor", ~~+~~ and "l.m.f.t.".

15 (Q) "REGISTERED NUTRITIONIST AND DIETITIAN" AND "R.N.D.".

16 (2) Notwithstanding section 16261, a person who was spe-  
 17 cially trained at an institution of higher education in this  
 18 state to assist a physician in the field of orthopedics and upon  
 19 completion of training, received a 2-year associate of science  
 20 degree as an orthopedic physician's assistant before January 1,  
 21 1977, may use the title "orthopedic physician's assistant"  
 22 whether or not the person is licensed under this article.

23 SEC. 16346. FEES FOR AN INDIVIDUAL REGISTERED OR SEEKING  
 24 REGISTRATION AS A REGISTERED NUTRITIONIST AND DIETITIAN UNDER  
 25 PART 183A ARE AS FOLLOWS:

26 (A) APPLICATION PROCESSING FEE..... \$20.00

1 (B) REGISTRATION FEE, PER YEAR..... \$25.00

2 PART 183A. NUTRITION AND DIETETICS

3 SEC. 18351. (1) AS USED IN THIS PART, "REGISTERED NUTRI-  
 4 TIONIST AND DIETITIAN", EXCEPT AS OTHERWISE PROVIDED IN SUBSEC-  
 5 TION (2), MEANS AN INDIVIDUAL WHO INTEGRATES AND APPLIES SCIEN-  
 6 TIFIC PRINCIPLES OF FOOD, NUTRITION, BIOCHEMISTRY, PHYSIOLOGY,  
 7 MANAGEMENT, AND BEHAVIORAL AND SOCIAL SCIENCES TO ACHIEVE AND  
 8 MAINTAIN THE HEALTH OF INDIVIDUALS THROUGH THE PROVISION OF  
 9 NUTRITION CARE SERVICES, ADMINISTRATIVE SERVICES, COUNSELING  
 10 SERVICES, EDUCATIONAL SERVICES, FOOD SERVICES, FOOD SAFETY SERV-  
 11 ICES, INFORMATIONAL SERVICES, NUTRITION THERAPY SERVICES, MANAGE-  
 12 MENT SERVICES, AND SAFETY AND SANITATION SERVICES AND IS REGIS-  
 13 TERED AS A NUTRITIONIST AND DIETITIAN UNDER THIS ARTICLE.

14 (2) REGISTERED NUTRITIONIST AND DIETITIAN DOES NOT INCLUDE  
 15 AN INDIVIDUAL WHO DOES 1 OR MORE OF THE FOLLOWING:

16 (A) FURNISHES INFORMATION ON FOODS, FOOD PRODUCTS, OR  
 17 DIETARY SUPPLEMENTS IN CONNECTION WITH THE MARKETING OR DISTRIBU-  
 18 TION OF THOSE FOODS, FOOD PRODUCTS, OR DIETARY SUPPLEMENTS, AS  
 19 LONG AS HE OR SHE DOES NOT HOLD HIMSELF OR HERSELF OUT AS A REG-  
 20 ISTERED NUTRITIONIST AND DIETITIAN.

21 (B) PROVIDES WEIGHT CONTROL SERVICES.

22 (3) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1  
 23 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION  
 24 APPLICABLE TO ALL ARTICLES IN THIS CODE, AND PART 161 CONTAINS  
 25 DEFINITIONS APPLICABLE TO THIS PART.

26 SEC. 18353. BEGINNING ON THE EFFECTIVE DATE OF THE  
 27 AMENDATORY ACT THAT ADDED THIS PART, AN INDIVIDUAL SHALL NOT USE

1 THE TITLES "REGISTERED NUTRITIONIST AND DIETITIAN" OR "R.N.D."  
2 OR SIMILAR WORDS THAT INDICATE THAT THE INDIVIDUAL IS A REGIS-  
3 TERED NUTRITIONIST AND DIETITIAN, UNLESS THE INDIVIDUAL IS REGIS-  
4 TERED UNDER THIS ARTICLE AS A REGISTERED NUTRITIONIST AND  
5 DIETITIAN.

6 SEC. 18355. THE MICHIGAN BOARD OF NUTRITION AND DIETETICS  
7 IS CREATED IN THE DEPARTMENT AND CONSISTS OF THE FOLLOWING 7  
8 VOTING MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

9 (A) TWO PUBLIC MEMBERS.

10 (B) FIVE MEMBERS WHO ARE REGISTERED DIETITIANS AND NUTRI-  
11 TIONISTS AND WHO MEET THE REQUIREMENTS OF SECTION 16135(2) AND  
12 BOTH OF THE FOLLOWING REQUIREMENTS:

13 (i) POSSESS A BACCALAUREATE OR HIGHER DEGREE FROM A UNITED  
14 STATES REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION  
15 APPROVED BY THE DEPARTMENT WITH A MAJOR COURSE OF STUDY IN HUMAN  
16 NUTRITION, NUTRITION EDUCATION, FOODS AND NUTRITION, DIETETICS,  
17 OR FOOD SYSTEMS MANAGEMENT APPROVED BY THE DEPARTMENT. AN APPLI-  
18 CANT FOR THE INITIAL BOARD WHO HAS OBTAINED HIS OR HER EDUCATION  
19 OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES SHALL HAVE HIS OR  
20 HER ACADEMIC DEGREE VALIDATED BY THE DEPARTMENT AS EQUIVALENT TO  
21 A BACCALAUREATE OR HIGHER DEGREE CONFERRED BY A UNITED STATES  
22 REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION APPROVED BY  
23 THE DEPARTMENT.

24 (ii) HAVE NOT LESS THAN 900 HOURS OF SUPERVISED POSTCOLLEGE  
25 OR PLANNED CONTINUOUS AND VERIFIABLE PREPROFESSIONAL EXPERIENCE  
26 APPROVED BY THE DEPARTMENT.

1        SEC. 18357. THE DEPARTMENT SHALL ISSUE A REGISTRATION TO AN  
2 INDIVIDUAL WHO APPLIES ON A FORM PRESCRIBED BY THE DEPARTMENT,  
3 PAYS THE APPLICABLE FEES UNDER SECTION 16346, AND MEETS ALL OF  
4 THE FOLLOWING REQUIREMENTS:

5        (A) POSSESSES A BACCALAUREATE DEGREE FROM A UNITED STATES  
6 REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION APPROVED BY  
7 THE DEPARTMENT WITH A MAJOR COURSE OF STUDY IN HUMAN NUTRITION,  
8 NUTRITION EDUCATION, FOODS AND NUTRITION, DIETETICS, OR FOOD SYS-  
9 TEMS MANAGEMENT, OR AN EQUIVALENT COURSE OF STUDY, AS APPROVED BY  
10 THE DEPARTMENT.

11        (B) HAS NOT LESS THAN 900 HOURS OF SUPERVISED POSTCOLLEGE OR  
12 PLANNED CONTINUOUS PREPROFESSIONAL EXPERIENCE AS PRESCRIBED IN  
13 RULES PROMULGATED BY THE DEPARTMENT.

14        (C) PASSES AN EXAMINATION THAT IS APPROVED BY THE  
15 DEPARTMENT.

16        SEC. 18359. A REGISTRATION ISSUED BY THE DEPARTMENT UNDER  
17 SECTION 18357 IS RENEWABLE UPON PAYMENT OF THE PRESCRIBED REGIS-  
18 TRATION RENEWAL FEE. NOTWITHSTANDING THE REQUIREMENTS OF  
19 PART 161 AND BEGINNING WITH THE SECOND RENEWAL PERIOD AFTER THE  
20 EFFECTIVE DATE OF THIS PART, THE BOARD MAY REQUIRE A REGISTRANT  
21 SEEKING RENEWAL OF A REGISTRATION TO FURNISH THE BOARD WITH EVI-  
22 DENCE THAT DURING THE 1 YEAR BEFORE AN APPLICATION FOR RENEWAL  
23 THE REGISTRANT HAS ATTENDED CONTINUING EDUCATION COURSES OR PRO-  
24 GRAMS APPROVED BY THE BOARD AND TOTALING NOT LESS THAN 12  
25 CLOCK-HOURS IN SUBJECTS RELATED TO NUTRITION AND DIETETICS THAT  
26 ARE DESIGNED TO FURTHER EDUCATE REGISTRANTS.

1        SEC. 18361.    THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL  
2 THIRD-PARTY REIMBURSEMENT FOR SERVICES RENDERED BY AN INDIVIDUAL  
3 REGISTERED UNDER THIS PART.