

# SENATE BILL No. 751

October 2, 2003, 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 section 16263 (MCL 333.16263), as amended by 2001  
PA 139, and by adding section 16336 and part 179.

## 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", "chiropractor",  
7 "d.c.", and "chiropractic physician".

8       (b) "Dentist", "doctor of dental surgery", "oral and  
9 maxillofacial surgeon", "orthodontist", "prosthodontist",  
10 "periodontist", "endodontist", "oral pathologist", "pediatric

1 dentist", "dental hygienist", "registered dental hygienist",  
 2 "dental assistant", "registered dental assistant", "r.d.a.",  
 3 "d.d.s.", "d.m.d.", and "r.d.h.".

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

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

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

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

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

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

15 (i) "Physical therapy", "physical therapist",  
 16 "physiotherapist", "registered physical therapist", "licensed  
 17 physical therapist", "physical therapy technician", "p.t.",  
 18 "r.p.t.", "l.p.t.", and "p.t.t.".

19 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",  
 20 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot  
 21 specialist", "podiatric physician and surgeon", and "d.p.m.".

22 (k) "Consulting psychologist", "psychologist", "psychological  
 23 assistant", "psychological examiner", "licensed psychologist",  
 24 and "limited licensed psychologist".

25 (l) "Licensed professional counselor", "licensed counselor",  
 26 "professional counselor", and "l.p.c.".

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

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

3 (o) "Veterinary", "veterinarian", "veterinary doctor",  
4 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",  
5 "d.v.m.", "animal technician", or "animal technologist".

6 (p) "Occupational therapist", "occupational therapist  
7 registered", "certified occupational therapist", "o.t.",  
8 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",  
9 "occupational therapy assistant", or "c.o.t.a.".

10 (q) "Marriage advisor" or "marriage consultant"; "family  
11 counselor", "family advisor", "family therapist", or "family  
12 consultant"; "family guidance counselor", "family guidance  
13 advisor", or "family guidance consultant"; "marriage guidance  
14 counselor", "marriage guidance advisor", or "marriage guidance  
15 consultant"; "family relations counselor"; "marriage relations  
16 counselor", "marriage relations advisor", or "marriage relations  
17 consultant"; "marital counselor" or "marital therapist"; "limited  
18 licensed marriage and family therapist" or "limited licensed  
19 marriage counselor"; "licensed marriage and family therapist" or  
20 "licensed marriage counselor"; and "l.m.f.t.".

21 (r) "Nursing home administrator".

22 (s) **"Athletic trainer", "licensed athletic trainer",**  
23 **"certified athletic trainer", "athletic trainer certified",**  
24 **"a.t.", "a.t.l.", "c.a.t.", and "a.t.c.".**

25 (2) Notwithstanding section 16261, a person who was specially  
26 trained at an institution of higher education in this state to  
27 assist a physician in the field of orthopedics and upon

1 completion of training, received a 2-year associate of science  
 2 degree as an orthopedic physician's assistant before January 1,  
 3 1977, may use the title "orthopedic physician's assistant"  
 4 whether or not the person is licensed under this article.

5       **Sec. 16336. Fees for a person registered or seeking**  
 6 **licensure as an athletic trainer under part 179 are as follows:**

7       (a) Application processing fee.....\$ 20.00

8       (b) License fee, per year.....60.00.

9                               **PART 179.**

# 10                               **ATHLETIC TRAINING**

11       **Sec. 17901. (1) As used in this part:**

12       (a) "Athletic injury" means an injury sustained by an  
 13 individual as a result of that individual's participation in  
 14 activities requiring physical strength, agility, flexibility,  
 15 range of motion, speed, and stamina.

16       (b) "Athletic trainer" means an individual engaged in the  
 17 practice of athletic training.

18       (c) "Practice of athletic training" means the prevention,  
 19 assessment, treatment, and rehabilitation of athletic injuries  
 20 under the direction and supervision of a licensed allopathic  
 21 physician or a licensed osteopathic physician.

22       (2) 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. 17902. (1) Beginning on the effective date of the**  
 27 **rules promulgated under section 17904, a person shall not engage**

1 in the practice of athletic training unless licensed under this  
2 part or not prohibited from engaging in the practice of athletic  
3 training under subsection (2).

4 (2) Subsection (1) does not prohibit an individual licensed  
5 under any other part or any other act from performing activities  
6 under the scope of practice of athletic training so long as the  
7 individual does not use the titles protected under subsection  
8 (3).

9 (3) Beginning on the effective date of the rules promulgated  
10 under section 17904, an individual shall not use the titles  
11 "athletic trainer", "licensed athletic trainer", "certified  
12 athletic trainer", "athletic trainer certified", "a.t.",  
13 "a.t.l.", "c.a.t.", "a.t.c.", or similar words that indicate that  
14 the person is an athletic trainer unless the individual is  
15 licensed under this article as an athletic trainer.

16 Sec. 17903. The Michigan athletic trainer board is created  
17 in the department and shall consist of 7 members meeting the  
18 requirements of part 161, 3 of whom are public members.

19 Sec. 17904. (1) The department shall promulgate rules  
20 establishing the minimum standards for licensure as an athletic  
21 trainer under this part.

22 (2) In promulgating the rules required under this section,  
23 the department may consult the professional standards issued by  
24 the national athletic trainer's association, by the national  
25 athletic trainer's association board of certification, or by  
26 another nationally recognized professional association. The  
27 department may incorporate by reference, in whole or in part,

1 existing standards in the rules.

2 (3) As needed, the department may amend or supplement any  
3 standards by promulgation of a rule.

4 Sec. 17905. (1) The department shall issue a license under  
5 this article as an athletic trainer to an individual who meets  
6 all of the following requirements:

7 (a) Applies to the department on a form provided by the  
8 department.

9 (b) Meets the requirements for licensure contained in  
10 section 17904.

11 (c) Pays the fees prescribed in section 16336.

12 (2) The department shall promulgate rules to provide for at  
13 least 8 clock hours of continuing education within each 3-year  
14 license cycle in subjects related to athletic training and  
15 approved by the department.

16 Sec. 17906. (1) A license issued by the department under  
17 section 17905 shall be for a 3-year license cycle. The license  
18 is renewable upon payment of the prescribed license renewal fee  
19 and, beginning with the third year after the effective date of  
20 the rules promulgated under section 17905(2), submission to the  
21 department of proof of satisfactory completion of at least 8  
22 clock hours of continuing education within the 3-year license  
23 cycle in subjects related to athletic training and approved by  
24 the department.

25 (2) In addition to the continuing education requirements of  
26 subsection (1), an athletic trainer shall submit along with his  
27 or her application for license renewal proof satisfactory to the

1 department of both of the following:

2       (a) That he or she has successfully completed a course of  
3 training in first aid, cardiopulmonary resuscitation, and foreign  
4 body obstruction of the airway approved by the department and  
5 offered or approved by the American red cross, the American heart  
6 association, or a comparable organization, as determined by the  
7 department.

8       (b) That he or she holds, at the time of application for  
9 renewal and at all times during the previous license period, a  
10 valid certification in first aid and cardiopulmonary  
11 resuscitation issued by the organization offering the training.

12       Sec. 17907. This part does not require new or additional  
13 third party reimbursement for services rendered by an individual  
14 licensed under this part.