

HOUSE BILL No. 4797

April 2, 2009, Introduced by Reps. Sheltroun, Polidori, Mayes, Espinoza, Spade, Lahti, Constan, Nerat, Neumann, Lemmons, Warren, Hammel, Donigan, Johnson, Scripps and Dean and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
 "Public health code,"
 by amending section 16205 (MCL 333.16205), as amended by 1986 PA
 290.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16205. (1) A board ~~which~~**THAT** requires evidence of
 2 attendance at educational programs as a condition to license
 3 renewal may waive those requirements if, upon written application,
 4 the board finds the failure of the licensee to attend was due to
 5 the licensee's disability, military service, absence from the
 6 continental United States, or a circumstance beyond the control of
 7 the licensee ~~which~~**THAT** the board considers good and sufficient. **A**
 8 **BOARD THAT REQUIRES EVIDENCE OF ATTENDANCE AT EDUCATIONAL PROGRAMS**
 9 **AS A CONDITION TO LICENSE RENEWAL SHALL WAIVE THOSE REQUIREMENTS**
 10 **IF, UPON WRITTEN APPLICATION, THE BOARD FINDS THE FAILURE OF THE**

1 LICENSEE TO ATTEND WAS BECAUSE THE LICENSEE WAS ON ACTIVE DUTY IN
2 THE ARMED FORCES OF THE UNITED STATES OR WAS ON GOVERNOR-ORDERED
3 MILITARY SERVICE AS A MEMBER OF THE NATIONAL GUARD.

4 (2) A board may promulgate rules to establish a system of
5 assessing the continued competence of licensees as a condition of
6 periodic license renewal.

7 (3) NOTWITHSTANDING ANY PROVISION OF THIS ACT TO THE CONTRARY,
8 A BOARD RESPONSIBLE FOR THE ISSUANCE OF A LICENSE OR REGISTRATION
9 REQUIRED UNDER THIS ARTICLE FOR THE PRACTICE OF A HEALTH PROFESSION
10 SHALL RENEW THE LICENSE OR REGISTRATION ISSUED TO AN INDIVIDUAL
11 THAT EXPIRES WHILE THE INDIVIDUAL IS ON ACTIVE DUTY IN THE ARMED
12 FORCES OF THE UNITED STATES OR IS ON GOVERNOR-ORDERED MILITARY
13 SERVICE AS A MEMBER OF THE NATIONAL GUARD. A RENEWAL UNDER THIS
14 SUBSECTION IS VALID FOR A PERIOD OF 1 YEAR FROM THE DATE THE
15 INDIVIDUAL IS DISCHARGED FROM ACTIVE DUTY OR GOVERNOR-ORDERED
16 MILITARY SERVICE, OR UNTIL THE DATE THE INDIVIDUAL SUCCESSFULLY
17 RENEWS THE LICENSE OR REGISTRATION IN THE MANNER PRESCRIBED IN THIS
18 ARTICLE, WHICHEVER FIRST OCCURS. AN INDIVIDUAL APPLYING FOR RENEWAL
19 OF A LICENSE OR REGISTRATION THAT WAS LAST RENEWED UNDER THE
20 PROVISIONS OF THIS SUBSECTION SHALL SUBMIT DOCUMENTATION OF ACTIVE
21 DUTY SERVICE OR GOVERNOR-ORDERED MILITARY SERVICE AS REQUIRED BY
22 THE BOARD. THIS SUBSECTION DOES NOT APPLY TO RESERVISTS OR NATIONAL
23 GUARD MEMBERS ON ACTIVE DUTY FOR ANNUAL TRAINING THAT IS A
24 REGULARLY SCHEDULED OBLIGATION FOR RESERVISTS OR MEMBERS OF THE
25 NATIONAL GUARD FOR TRAINING AND IS NOT PART OF A MOBILIZATION.