

# HOUSE BILL NO. 6010

September 26, 2024, Introduced by Rep. Fitzgerald and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2701, 2705, and 2711 (MCL 333.2701, 333.2705, and 333.2711), sections 2701 and 2711 as amended by 2022 PA 38 and section 2705 as amended by 2022 PA 37.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 2701. As used in this part:
- 2           (a) "Board certified" means certified to practice in a
- 3 particular medical specialty by a national board recognized by the
- 4 American Board of Medical Specialties or the American Osteopathic

1 Association.

2 (b) "Certified nurse midwife" means an individual who is  
3 licensed as a registered professional nurse under part 172 who has  
4 been granted a specialty certification in the practice of nurse  
5 midwifery by the Michigan board of nursing under section 17210.

6 (c) "Certified nurse practitioner" means an individual who is  
7 licensed as a registered professional nurse under part 172 who has  
8 been granted a specialty certification as a nurse practitioner by  
9 the Michigan board of nursing under section 17210.

10 (d) "Clinical nurse specialist-certified" means an individual  
11 who is licensed as a registered professional nurse under part 172  
12 who has been granted a specialty certification as a clinical nurse  
13 specialist by the Michigan board of nursing under section 17210.

14 (e) "Dental school" means an accredited program for the  
15 training of individuals to become dentists.

16 (f) "Dentist" means an individual who is licensed to engage in  
17 the practice of dentistry under part 166.

18 (g) "Designated advanced practice registered nurse" means a  
19 certified nurse midwife, certified nurse practitioner, or clinical  
20 nurse specialist-certified.

21 (h) "Designated mental health professional" means an  
22 individual who is qualified in the area of mental illness or  
23 developmental disabilities and who is 1 of the following:

24 (i) A nurse.

25 (ii) A psychologist.

26 (iii) A licensed master's social worker.

27 (iv) A licensed professional counselor.

28 (v) A marriage and family therapist.

29 (i) "Designated physician" means a physician ~~qualified in 1 of~~

1 ~~the physician specialty areas identified~~ **described** in section  
2 ~~2711.2711 (1)~~ .

3 (j) "Designated professional" means a designated physician,  
4 designated advanced practice registered nurse, dentist, physician's  
5 assistant, or designated mental health professional.

6 (k) "Health resource shortage area" means a geographic area,  
7 population group, or health facility designated by the department  
8 under section 2717.

9 (l) "Licensed master's social worker" means an individual who  
10 is licensed under part 185 to engage in the practice of social work  
11 at the master's level.

12 (m) "Licensed professional counselor" means an individual who  
13 is licensed under part 181 to engage in the practice of counseling  
14 without supervision.

15 (n) "Marriage and family therapist" means an individual who is  
16 licensed under part 169 to engage in the practice of marriage and  
17 family therapy.

18 (o) "Medicaid" means benefits under the program of medical  
19 assistance established under title XIX of the social security act,  
20 42 USC 1396 to ~~1396w-6, 1396w-8~~, and administered by the department  
21 under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

22 (p) "Medical school" means an accredited program for the  
23 training of individuals to become physicians.

24 (q) "Medicare" means benefits under the federal Medicare  
25 program established under title XVIII of the social security act,  
26 42 USC 1395 to 1395III.

27 (r) "Mental health professional program" means an accredited  
28 program for the training of individuals to become a designated  
29 mental health professional.

1 (s) "National Health Service Corps" means the agency  
2 established under 42 USC 254d.

3 (t) "Nurse" means an individual who is licensed to engage in  
4 the practice of nursing under part 172.

5 (u) "Nursing program" means an accredited program for the  
6 training of individuals to become nurses.

7 (v) "Physician" means an individual who is licensed as a  
8 physician under part 170 or part 175.

9 (w) "Physician's assistant" means an individual who is  
10 licensed as a physician's assistant under part 170 or part 175.

11 (x) "Physician's assistant program" means an accredited  
12 program for the training of individuals to become physician's  
13 assistants.

14 (y) "Psychologist" means an individual licensed to engage in  
15 the practice of psychology under part 182.

16 (z) **"Public health graduate degree program" means an**  
17 **accredited program for the training of individuals to become**  
18 **medical directors of local health departments through the**  
19 **completion of 1 of the following degrees:**

20 (i) **Master of public health.**

21 (ii) **Master of science in public health.**

22 (aa) ~~(z)~~—"Service obligation" means the contractual obligation  
23 undertaken by an individual under section 2705 or section 2707 to  
24 provide health care services for a determinable time period at a  
25 site designated by the department.

26 Sec. 2705. (1) The department shall administer an essential  
27 health provider repayment program for designated professionals who  
28 have incurred a debt or expenses as a result of a loan taken to  
29 attend a medical school, a dental school, a mental health

1 professional program, **a** nursing program for the training of  
2 certified nurse midwives, certified nurse practitioners, or  
3 clinical nurse specialists-certified, ~~or a~~ physician's assistant  
4 program, **or a public health graduate degree program**, or as a result  
5 of providing services in a health resource shortage area. The  
6 department may each year repay all or part of a designated  
7 professional's debt or expenses, but the amount repaid in any 1  
8 year shall not exceed the amount described in subsection (3). The  
9 department shall repay a debt or expenses only for a designated  
10 professional who has entered into a written contract with the  
11 department that requires the designated professional to engage in  
12 the full-time practice of health care services in a health resource  
13 shortage area to which ~~he or she~~ **the designated professional** is  
14 assigned by the department for a period equal in years to the  
15 number of years for which the department has agreed in the contract  
16 to make a debt or expense repayment, or for a period of 2 years,  
17 whichever is greater.

18 (2) A debt or expense repayment on behalf of a designated  
19 professional under subsection (1) for fulfilling a service  
20 obligation for a particular year must be paid in a lump sum at the  
21 completion of the service obligation for that year. A designated  
22 professional who does not fulfill a service obligation for a  
23 particular year forfeits ~~his or her~~ **the designated professional's**  
24 right to the debt or expense repayment or any part of it for that  
25 year and the department may treat an agreement for further debt or  
26 expense repayment in a subsequent year as void. In its sole  
27 discretion, the department may make a debt or expense repayment  
28 before or during each year of service if there are extenuating  
29 circumstances. In its sole discretion, the department may pay a pro

1 rata amount of an agreed debt or expense repayment to a designated  
2 professional or ~~his or her~~ **the designated professional's** estate if  
3 1 of the following occurs before the completion of the designated  
4 professional's service obligation:

5 (a) The designated professional dies.

6 (b) The designated professional is unable, by reason of  
7 permanent disability, to render the service.

8 (c) Other circumstances prevail that are considered by the  
9 department to constitute a compelling reason to consider the  
10 service obligation fulfilled.

11 (3) In any year of a debt or expense repayment program, the  
12 maximum amount of a debt or expense repayment is \$40,000.00 per  
13 year. The maximum amount of debt or expense repayment the  
14 department may pay on behalf of a designated professional is  
15 \$300,000.00, paid over a period of 10 years or more. The written  
16 contract described in subsection (1) must include the amount the  
17 department shall pay on behalf of a designated professional and the  
18 amount payable for each year of service.

19 (4) The department may accept funds from any source for the  
20 operation of the essential health provider repayment program, and  
21 the department shall distribute those funds in a manner consistent  
22 with this section.

23 (5) The department shall give the essential health provider  
24 repayment program created by this section priority over the other  
25 programs created under this part.

26 Sec. 2711. (1) For the programs created in sections 2705 and  
27 2707, the department shall only recruit physicians who are  
28 qualified, or students who are training to become qualified, in 1  
29 or more of the following designated physician specialty areas:

- 1 (a) General practice.
- 2 (b) Family practice.
- 3 (c) Obstetrics.
- 4 (d) Pediatrics.
- 5 (e) Emergency medicine.
- 6 (f) Internal medicine.
- 7 (g) Preventive medicine **or public health**.
- 8 (h) Psychiatry or behavioral sciences.
- 9 (i) Geriatrics.

10 (2) When enrolling individuals to participate in the programs  
11 created in sections 2705 and 2707, the department may give  
12 preference to an individual who is qualified or studying in 1 or  
13 more of the specific designated physician specialty areas of  
14 general practice, family practice, obstetrics, pediatrics, or  
15 internal medicine over an individual who is qualified or studying  
16 in another designated physician specialty area described in  
17 subsection (1).

18 (3) As used in this section, "qualified" means board certified  
19 or eligible for board certification.