

Act No. 274
Public Acts of 2023
Approved by the Governor
December 7, 2023
Filed with the Secretary of State
December 8, 2023
EFFECTIVE DATE: March 7, 2024

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. Aragona, McKinney, Farhat, Paiz, Hill, Brabec, Hope, Tyrone Carter,
Edwards, Dievendorf, Roth, Miller and Meerman

ENROLLED HOUSE BILL No. 4923

AN ACT to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 21903 and 21905 (MCL 333.21903 and 333.21905), as added by 2017 PA 172.

The People of the State of Michigan enact:

- Sec. 21903. (1) “Certificate of permit” means a document issued by the department as evidence of a permit.
- (2) “Certificate of registration” means a document issued by the department as evidence of registration.
- (3) “Fund” means the nurse aide and medication aide registration fund created in section 21921.
- (4) “Medication aide” means a nurse aide who holds a registration to engage in practice as a medication aide. A medication aide is not a health professional licensed under article 15, a registered dietitian, or someone who volunteers to provide nursing or nursing-related services without pay.
- (5) “Medication aide trainer” means an individual who holds a permit to provide training to a medication aide candidate who is enrolled in a medication aide training program.
- (6) “Medication aide training program” means an instructional program provided at a qualified educational institution that prepares a nurse aide with the knowledge and ability to engage in practice as a medication aide and that is offered by a person who holds a permit.

(7) "Nurse aide" means an individual who holds a registration to engage in practice as a nurse aide. A nurse aide is not a health professional licensed under article 15, a registered dietitian, or someone who volunteers to provide nursing or nursing-related services without pay.

(8) "Nurse aide trainer" means an individual who holds a permit to provide training to a nurse aide candidate who is enrolled in a nurse aide training program.

(9) "Nurse aide training program" means an instructional program that prepares a nurse aide candidate with the knowledge and ability to engage in practice as a nurse aide and that is offered by a person that holds a permit.

Sec. 21905. (1) "Permit" means an authorization granted by the department under this part to conduct training or instruction of nurse aide candidates under the program described in section 21907(a) or medication aide candidates under the described in section 21907(b).

(2) "Practice as a medication aide" means administering regularly scheduled medications to residents of a nursing home or skilled nursing facility while under the supervision of a registered professional nurse licensed under article 15. Practice as a medication aide is not the practice of nursing as that term is defined in section 17201 and does not include administering controlled substances, administering medications in injectable forms, the initial administration of medications, or the administration of as needed medications including pro re nata medications.

(3) "Practice as a nurse aide" means providing nursing or nursing-related services to a patient or resident. Practice as a nurse aide is not the practice of nursing as that term is defined in section 17201.


(4) "Qualified educational institution" means a degree- or certificate-granting public or private college or university, junior college, or community college.

(5) "Registration" means an authorization granted by the department under this part granting permission to an individual to engage in practice as a nurse aide under the program described in section 21907(a) or engage in practice as a medication aide under the program described in section 21907(b).

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4885 of the 102nd Legislature is enacted into law.

This act is ordered to take immediate effect.


Clerk of the House of Representatives


Secretary of the Senate

Approved _____

Governor