

# HealthLink

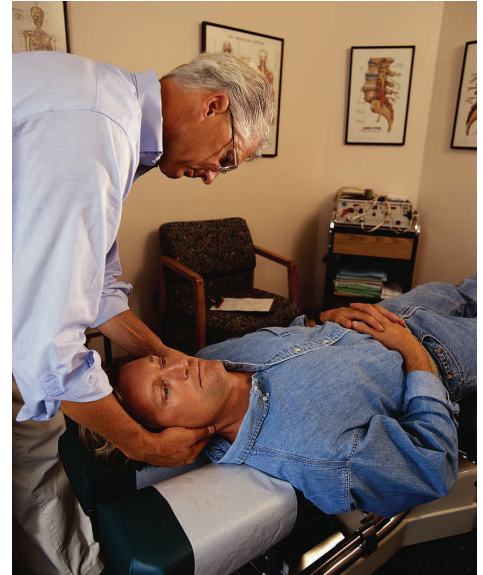


Department of Community Health ■ Spring 2010 ■ Volume 11 ■ Issue 1

## ■ **Chiropractic Scope of Practice Bills Signed Into Law**

A series of bills impacting the Chiropractic profession were signed into law by Governor Granholm on January 5, 2010. Two of these bills directly impact the Public Health Code's provisions for chiropractors:

Public Act 223 of 2009 expands the definition for the *practice of chiropractic* to include not only the human nervous system but also the musculoskeletal system, the diagnosis of human conditions and disorders of the human musculoskeletal and nervous systems as they relate to subluxations, misalignments and joint dysfunctions. It also defines *dislocation*, *joint dysfunction* and *musculoskeletal system*. In addition, the evaluation of conditions or symptoms related to subluxations, misalignments and joint dysfunctions may be done through physical examination, taking/reviewing the patient's health information, performance/ordering/use of tests and performance/ordering/use of x-ray.



It also specifies that the practice of chiropractic does not include:

- The performance of any procedure that cuts or punctures the skin.
- The dispensing or prescribing of drugs or medicine.
- The use of x-ray except for diagnostic purposes only.
- The performance of an invasive procedure involving a body orifice or cavity other than ears, nose and throat unless allowed by rule.
- The treatment of fractures or dislocations.
- The performance or ordering of non x-ray diagnostic imaging tests not previously allowed.

Public Act 221 of 2009 revises Section 16423(1) and requires the Board of Chiropractic to promulgate administrative rules to establish criteria that is substantially equivalent to nationally recognized standards in the profession for the performance and ordering of tests and the use and operation of analytical instruments. Section 16423(2) prohibits chiropractors from performing/ordering tests or using analytical instruments/adjustment apparatus that do not meet nationally recognized standards or are not approved by the Board of Chiropractic. Nationally recognized standards refers to topics/procedures taught in an accredited school of chiropractic.

While these bills had immediate effect as of January 5, 2010, the current administrative rules for the Board of Chiropractic will need to be revised to describe the tests, physical measures, analytical instruments and adjustment apparatus that can be used. Once the Board of Chiropractic has approved the revised administrative rules, a public hearing will be scheduled to seek comment from all interested parties. As soon as the proposed administrative rules are available for review prior to the required public hearing, a hearing notice will be posted on the Bureau of Health Professions' website at [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense).

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## ■ **New Dedicated Website for the Michigan Automated Prescription System (MAPS)**

**Website Address:** [www.michigan.gov/mimapsinfo](http://www.michigan.gov/mimapsinfo)

The Bureau of Health Professions is pleased to announce the launch of a new dedicated website for the Michigan Automated Prescription System (MAPS). This new, comprehensive website can be accessed by going to [www.michigan.gov/mimapsinfo](http://www.michigan.gov/mimapsinfo). There are also several links to the new MAPS website on the Bureau of Health Professions' website at [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense).

Regardless of whether you are a regular user of MAPS or accessing it for the first time, you will find a wealth of MAPS information including reporting requirements, forms, frequently asked questions, laws and regulations, specific information for health professionals and pharmacies, etc.

As always, please contact the MAPS staff at [mapsinfo@michigan.gov](mailto:mapsinfo@michigan.gov) if you need assistance. Any comments or suggestions on how the MAPS website could be improved would also be welcome and can be emailed to [mapsinfo@michigan.gov](mailto:mapsinfo@michigan.gov).

## WHAT YOU NEED TO KNOW

### Question & Answer Corner



As a licensee or registrant, what are some of the more noteworthy reporting requirements under the Public Health Code?



**Section 333.16191(1)** requires that each licensee or registrant report a change in name or mailing address to the Bureau of Health Professions no later than 30 days after the change occurs.

**Section 333.16222(1)** requires a licensee or registrant having knowledge of another licensee or registrant who has committed a violation under Section 333.16221 or Article 7 or an administrative rule promulgated under Article 7 to report the conduct and the name of the licensee/registrant of the report to the Bureau of Health Professions.

**Section 333.16222(3)** requires a licensee or registrant to notify the Bureau of Health Professions of any criminal conviction or any disciplinary licensing or registration action taken by any other state against the licensee or registrant within 30 days after the date of the conviction or action. This includes but is not limited to a disciplinary action that is stayed pending appeal.

**Section 333.16223** requires a licensee or registrant who has reasonable cause to believe that a licensee, registrant or applicant is impaired to report that fact to the Bureau of Health Professions. This does not apply to a licensee or registrant who is in a bona fide health professional relationship with a licensee, registrant or applicant.

## CONTACTING BHP

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## ■ **Controlled Substance Legislation Recently Signed Into Law by Governor Granholm**

**Public Act 150 of 2009** (House Bill 4161) amends the Public Health Code to allow a pharmacist to fill a controlled substance prescription (Schedules 2-5) written by any out-of-state medical doctor or osteopathic physician only, as long as the prescribing physician is licensed in the state in which they are practicing.

Prior legislation required that pharmacists could only dispense controlled substance prescriptions (Schedules 2-5) prescribed by physicians who resided adjacent to the land border between Michigan and the adjoining states or who resided in Illinois and Minnesota.

**Public Act 3 of 2010** (Senate Bill 689) amends the Public Health Code to allow a prescriber to write more than one Schedule 2 controlled substance prescription on a single prescription form. It also allows for a Schedule 2 controlled substance prescription to be filled up to 90 days from the date the prescription was issued.

Prior to the enactment of this legislation, the Public Health Code prohibited multiple Schedule 2 controlled substance prescriptions to be written on a single prescription form. Unfortunately, some prescribers were not aware of this statute and wrote multiple Schedule 2 controlled substance prescriptions on one prescription form. Pharmacists could not fill these prescriptions and patients were forced to return to their physician's office to obtain new prescription forms. Ultimately, this caused undue hardship on patients, physicians and pharmacists.

In addition, the Public Health Code previously allowed a Schedule 2 controlled substance prescription to be filled only up to 60 days from the date the prescription was issued. This section of the Public Health Code directly conflicted with the U.S. Drug Enforcement Agency Rule 21 CFR 1306.12 that allows Schedule 2 controlled substance prescriptions to be valid for 90 days. Public Act 3 of 2010 eliminates this conflict between state and federal laws.

If you have any questions regarding these new laws, please email the Bureau of Health Professions at [bhpinfo@michigan.gov](mailto:bhpinfo@michigan.gov).

## ■ **New Federal DEA Rule Will Permit Electronic Prescriptions for Controlled Substances Rule is Effective June 1, 2010**

The U.S. Drug Enforcement Agency (DEA) recently revised their regulations concerning electronic prescriptions for controlled substances. Effective June 1, 2010, Rule 75 FR 16236 gives practitioners the option of writing prescriptions for controlled substances electronically and permits pharmacies to receive, dispense and archive these electronic prescriptions. While these regulations are an addition to, and not a replacement of the existing rules, they do provide pharmacies, hospitals and practitioners with the ability to use modern technology for controlled substance prescriptions while maintaining the closed system of controls on controlled substances.

For practitioners and pharmacies to prescribe/dispense controlled substances using electronic prescriptions, they must have the appropriate software that meets the requirements of this federal rule. Companies that make such electronic prescribing software or pharmacy software available should carefully review the requirements of this rule if they want their software to handle electronic prescriptions for controlled substances. As of June 1, 2010, only those electronic prescription applications and pharmacy applications that comply with all of DEA's requirements as set forth in 21 CFR Part 1311 may be used by DEA-registered prescribing practitioners and DEA-registered pharmacies to sign and transmit controlled substance prescriptions electronically or electronically receive and archive controlled substances prescriptions and dispense controlled substances based on those prescriptions.

Additional details can be found on the DEA's website at [www.justice.gov/dea](http://www.justice.gov/dea).

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## ■ **Continuous Professional Development** **A New Initiative in the Bureau of Health Professions**

Chances are most health professionals are familiar with the term *continuing education*, which requires that a certain number of continuing education hours must be completed in order to renew some health professional licenses. However, it is likely many health professionals are not familiar with the term *Continuous Professional Development (CPD)*. Continuous Professional Development is not a new concept and in fact, it has been used by various credentialing organizations for many years. The intent of CPD is to encourage learning throughout a career and enable credit to be granted for a broader range of activities. It also ensures a health professional's knowledge, skills and abilities not only remain current but continuously improve.

Approximately three years ago, staff in the Bureau of Health Professions began looking into CPD for one very important reason — there is really no hard evidence among licensing experts that simply completing continuing education makes a health professional a better or even safer practitioner. Ultimately, the Michigan CPD model was developed and has now been presented to some of the health professional licensing boards. Currently, four licensing boards who do not have a continuing education requirement — Physical Therapy, Psychology, Respiratory Care and Veterinary Medicine — are reviewing the model and customizing it for their respective professions. These four licensing boards have been very receptive to the model and much progress has been made.

### **The CPD Model**

The CPD model framework is a planned approach to the maintenance of existing skills and knowledge or the acquisition of new skills and knowledge. The CPD process for a health professional would be to:

1. Complete a self-assessment at the beginning of the licensing renewal cycle.
2. Formulate a learning plan.
3. Throughout the licensing renewal cycle, continuously compile a learning log.
4. Complete a self-evaluation at the end of the licensing renewal cycle.

There are three categories of CPD: 1) continuing education activities, 2) hands-on learning activities and 3) competency assessments. Some of the components for each of these categories are listed below:

### **Continuing Education:**

- Publishing in professional journals
- Participating in approved educational programs in person or online
- Presentations at national meetings
- Reading professional journals

### **Experiential Education:**

- Demonstration
- Simulation
- Mentoring
- Event-based learning

### **Competency Assessments:**

- Certification/recertification examinations
- Self-assessment tools
- Participation in national examination development and administration
- Participation in employer credentialing programs

Work to fine-tune the CPD model for these initial four professions continues. In the future, additional boards will begin work on the CPD model for their respective professions. As we continue to move forward with this important initiative, updates will be provided in future issues of *HealthLink*.

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## ■ *Michigan Business One Stop* *A New Website for Businesses*

Pharmacy, manufacturer/wholesaler and controlled substance for facility licenses can all be renewed online now through the Michigan Business One Stop. Save time and postage by registering your business with One Stop and renewing these licenses online.

[Michigan Business One Stop](http://Michigan Business One Stop) was launched in March 2009. It successfully streamlines and bundles hundreds of state processes together for businesses to access via a “one stop” shop. On it, businesses can start and register a business, apply for licenses and permits, and pay fees, among other things. The portal is a collaboration of ten state agencies whose goal is to make doing business with the state easier and making government more efficient.

In keeping with the goal to make government efficient, for these health professional license types only, this will be the last year that a paper renewal form will be mailed to you. Beginning in 2011, you will receive email reminders when your renewal is due and you will be able to renew only electronically.

For further information regarding Michigan Business One Stop, please go to [www.michigan.gov/business](http://www.michigan.gov/business) or call their Customer Assistance Center toll free at (877) 766-1779.

The advertisement features a central image of a laptop displaying the Michigan Business One Stop website. Above the laptop is a dark blue box with white text, and below it is a green box with white text. The website on the laptop shows navigation tabs for 'START A BUSINESS', 'OPERATE A BUSINESS', and 'FIND OUT MORE!' along with a photo of a diverse group of business professionals.

Introducing  
the online service  
that makes it easier  
than ever to  
do business.

**Michigan Business One Stop**  
Your source for doing business  
[Michigan.gov/business](http://Michigan.gov/business)  
(877) 766-1779  
Lansing, Michigan

Whether you're starting, operating or changing a business,  
the Michigan Business One Stop is the  
place to go to find what you need.  
It's fast, streamlined and easy to use,  
accessible by internet 24/7, 365 days a year.

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## ■ **Physical Therapist Assistant Licensure Limited License Available Until December 31, 2010**

Public Act 55 of 2009 amends the Public Health Code to provide for the licensure of physical therapist assistants and this bill was effective on June 25, 2009. Before licenses can be issued to physical therapist assistants, administrative rules must be promulgated. The Department of Community Health, in consultation with the Board of Physical Therapy, will develop administrative rules that establish the minimum standards for licensure for physical therapist assistants. However, in the interim, the law does provide for the issuance of limited physical therapist assistant licenses provided the applicant is either a graduate of a physical therapist assistant education program that is accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) or an educational program that is determined to be equivalent to a CAPTE-accredited physical therapist assistant program. Applications for the limited physical therapist assistant license can be downloaded by going to [http://www.michigan.gov/documents/mdch/cis\\_fhs\\_bhser\\_ptaltdpkt\\_292578\\_7.pdf](http://www.michigan.gov/documents/mdch/cis_fhs_bhser_ptaltdpkt_292578_7.pdf). **No new limited physical therapist assistant licenses will be issued after December 31, 2010.** In order to practice as a physical therapist assistant in Michigan on or after January 1, 2011, you must hold either a limited or full physical therapist assistant license. All limited physical therapist assistant licenses will expire on December 31, 2011.

The Board of Physical Therapy recently approved the administrative rules and a public hearing was held on May 24, 2010 to seek comment from all interested parties. The comments received have now been reviewed and incorporated where applicable. The final rules will be submitted to the State Office of Administrative Hearings and Rules for final review.

If you have any questions regarding the Physical Therapist Assistant Limited license, please email us at [bhpinfo@michigan.gov](mailto:bhpinfo@michigan.gov).

## ■ **Massage Therapy and Speech-Language Pathology Update**

Public Act 471 of 2008 was effective on January 9, 2009 and provides for the licensure of massage therapists. Public Act 524 of 2008 was effective on January 13, 2009 and provides for the licensure of speech-language pathologists. Governor Granholm has now appointed members to the Board of Massage Therapy and to the Board of Speech-Language Pathology. Both of these boards had their initial meetings in December 2009 and have subsequently held several additional meetings. Currently, the boards are in the process of developing administrative rules that establish minimum standards for licensure, which is a detailed and lengthy process that can take 12-18 months to complete. Until the administrative rules promulgation process is completed, applications for licensure and the actual issuance of licenses cannot begin.

Information regarding the Board of Massage Therapy and the Board of Speech-Language Pathology can be found on the Bureau of Health Professions' website at [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense). As soon as the proposed administrative rules are available for review prior to the required public hearings, hearing notices will also be posted on our website. Please check our website often for updates and details concerning our progress.

## ■ **Athletic Trainer Licensure Application Now Available Application Packet Can Either Be Downloaded or Mailed**

The athletic trainer licensure application is now available and can either be downloaded or mailed upon request. To download the application packet, please go to the Bureau of Health Professions' website at [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense) and click on Athletic Trainer on the left-hand side of the page. You will find the application packet located in the Athletic Trainer Licensing Forms box. If you would prefer to have the application packet mailed to you, please email us at [bhphelp@michigan.gov](mailto:bhphelp@michigan.gov) and include your name and mailing address. You can also call us at (517) 335-0918 to request an application packet. In addition to the application being available online, you will also find other information pertaining to the Athletic Trainer profession including the section of the Public Health Code regarding athletic trainers, the administrative rules and frequently asked questions. Please check our website often for updates regarding this newly-regulated profession.

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## ■ **Nurse Fees Increased for New Applicants and for License Renewals**

Due to the enactment of Public Act 216 of 2009, the application fees to obtain a Michigan license to practice as a registered nurse or a licensed practical nurse have increased. The license renewal fees to practice as a registered nurse or licensed practical nurse have also increased. These increases were effective January 4, 2010 and will provide for additional fees to be credited to the Nurse Professional Fund. The purpose of the Nurse Professional Fund, in part, is to promote safe patient care in all nursing practice environments and operate a nursing scholarship program. The breakdown of the **new application fees** are outlined below:

	<b>RN</b>	<b>LPN</b>
License by Exam	\$54.00	\$54.00
License by Exam & Temporary License (Canadian Only)	\$64.00	Not Applicable
License by Endorsement	\$54.00	\$54.00
License by Endorsement & Provisional License	\$64.00	Not Applicable
Relicensure (Previously Held Michigan License)	\$74.00	\$74.00

The **renewal fee** to practice nursing as a registered nurse or a licensed practical nurse is increased to \$60.00 for a 2-year renewal period.

Please note there is no change in the application and renewal fees for a Nurse Specialty Certification (Nurse Practitioner, Nurse Anesthetist and Nurse Midwife).

If you have any questions, please email us at [bhpinfo@michigan.gov](mailto:bhpinfo@michigan.gov).

## ■ **Public Act 15 of 2010** **Also Known as Katie Viger's Law**

Public Act 15 of 2010, also known as Katie Viger's Law, was recently signed into law by Governor Granholm and amends the Public Health Code to allow for an honorary nursing license to be issued to an individual, living or deceased, who meets all requirements for licensure but due to advanced illness is unable to sit for the licensure examination. Advanced illness is defined in the Public Health Code in Section 333.5653(1) as “. . . a medical or surgical condition with significant functional impairment that is not reversible by curative therapies and that is anticipated to progress toward death despite attempts at curative therapies or modulation, the time course of which may or may not be determinable through reasonable medical prognostication . . .” The bill specifies that an honorary nursing license would not give an individual the right to engage in the practice of nursing.

The issue of an honorary nursing license was first brought to the Department of Community Health's attention when Henry Ford Community College nursing instructor Cathy Wakefield contacted the department to inquire if an honorary nursing license could be issued to one of her former students, Katie Viger. Based on all accounts, Ms. Viger was very passionate about her chosen profession and graduated with her Associate's Degree in Nursing in May 2009. She was scheduled to sit for her licensing examination in August 2009 but just days prior to the exam, Ms. Viger was diagnosed with brain cancer. Upon review of the Public Health Code, staff found the Bureau had no statutory authority to issue an honorary nursing license. Ms. Wakefield contacted Senator Raymond Basham who introduced Senate Bill 1172 in February 2010. Unfortunately, Ms. Viger lost her battle with brain cancer and passed away on February 18, 2010. Fortunately, Senator Basham was able to personally present an honorary nursing license to Ms. Viger as well as a Board of Nursing resolution prior to her death.

The Department of Community Health, the Bureau of Health Professions, and the Michigan Board of Nursing extends their deepest sympathy to Ms. Viger's family and friends.

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■ **How Many Individuals/Businesses Have a Michigan Health Professional License or Registration?  
Here is the Breakdown!**

BOARD	TOTAL
Audiology	498
Chiropractic	2,810
Counseling	5,784
Dentistry	
• Dentists	7,561
• Dental Assistants	1,443
• Dental Hygienists	10,014
Marriage and Family Therapy	784
Medicine	31,240
Nursing	
• Registered Nurses	133,055
• Licensed Practical Nurses	28,663
Nursing Home Administrators	1,176
Occupational Therapy	
• Occupational Therapists	4,635
• Occupational Therapy Assistants	1,300
Optometry	1,603
Osteopathic Medicine and Surgery	6,595
Pharmacy	
• Pharmacists	13,117
• Manufacturer/Wholesalers	1,067
• Pharmacies	3,110
Physical Therapy	
• Physical Therapists	9,267
• Limited Physical Therapist Assistants	2,726
Physician's Assistant	3,391
Podiatric Medicine and Surgery	757
Psychology	
• Psychologists	2,813
• Doctoral Educational Limited	228
• Master's Limited/Master's Educational Limited	3,916
Respiratory Care	4,690
Sanitarians	507
Social Worker	
• Licensed Bachelor's Social Workers	5,591
• Licensed Master's Social Workers	14,680
• Social Service Technicians	1,838
Veterinary Medicine	
• Veterinarians	3,635
• Veterinary Technicians	2,278
<b>GRAND TOTAL</b>	<b>310,772</b>

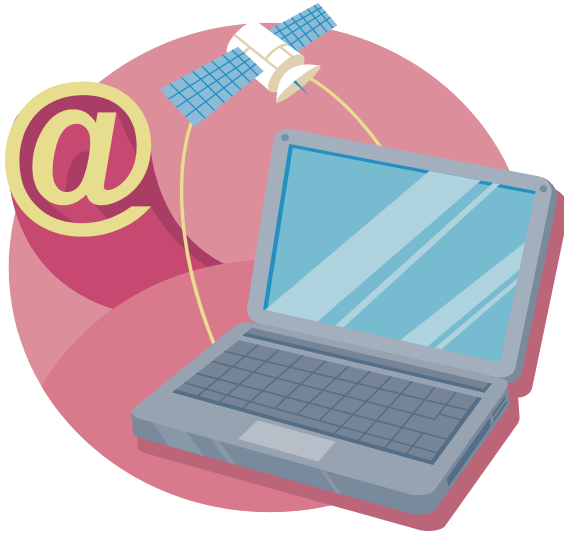
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## ■ **IMPORTANT INFORMATION FOR LICENSEES/REGISTRANTS** **Provide/Update Your Email Address, Renew Your License/Registration,** **Change Your Mailing Address All Online!**

### *Have You Provided Your Email Address to the Bureau of Health Professions?*

When you last renewed your health professional license or registration or changed your address of record online, did you provide your email address to us? When you provide your email address, you are included in an extensive email address book that currently includes 147,144 licensees/registrants. That is 47% of our total number of licensees/registrants!

These email addresses allow us to notify licensees/registrants with up-to-date news and information on important topics such as changes in administrative rules, laws, etc. It's a very cost effective mechanism and saves a tremendous amount of money in postage and staff time and allows us to get the information to you in a timely manner.



If you haven't already done so, please take a moment to either provide your email address or update the email address we currently have on file for you. Please go to our website at [www.michigan.gov/mylicense](http://www.michigan.gov/mylicense) and provide your current email address or update your email address today!

### *Is Your License or Registration Expiring Soon?*

Now is a good time to check the license/registration expiration date on your health professional license/registration. Although the Bureau of Health Professions mails out renewal cards to licensees/registrants approximately 45 days prior to the expiration date, Section 333.16201(1) specifies that it is the

licensee's or registrant's responsibility to renew his/her license or registration regardless of whether or not the renewal card was received. Prior to your expiration date, double-check your license or registration to ensure that we have your correct address. If you find that you need to change your address, you can update it online by going to [www.michigan.gov/mylicense](http://www.michigan.gov/mylicense). If you want a new license issued with the new address, you can also request this online and pay for it at this same website.

Nearly 40% of our licensees/registrants are now renewing online. Save time, save postage and enjoy the convenience of renewing online!

## **REMINDER—Many Online Services Are At Your Fingertips!**

- **Main Website:** [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense)
- **Application Status:** [www.michigan.gov/appstatus](http://www.michigan.gov/appstatus)
- **Online Change of Address:** [www.michigan.gov/mylicense](http://www.michigan.gov/mylicense)
- **Online Renewal:** [www.michigan.gov/mylicense](http://www.michigan.gov/mylicense)
- **Verify a License:** [www.michigan.gov/verifylicense](http://www.michigan.gov/verifylicense)
- **MAPS** [www.michigan.gov/mimapsinfo](http://www.michigan.gov/mimapsinfo)



For a complete listing of online services provided by the Bureau of Health Professions, please click here: [http://www.michigan.gov/documents/mdch/BHP\\_Website\\_Brochure\\_277235\\_7.pdf](http://www.michigan.gov/documents/mdch/BHP_Website_Brochure_277235_7.pdf)