

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHYSICIAN'S ASSISTANTS – GENERAL RULES

Filed with the secretary of state on December 7, 2021

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 17060, and 17068 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.17060, and 333.17068, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.6101, R 338.6103, R 338.6201, R 338.6301, R 338.6305, R 338.6308, and R 338.6311 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 338.6101 Definitions.

Rule 101. (1) As used in these rules:

- (a) "Code" means public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
 - (b) "Department" means the department of licensing and regulatory affairs.
 - (c) "Task force" means the Michigan task force on physician's assistants created under section 17025 of the code, MCL 333.17025.
- (2) A term defined in the code has the same meaning when used in these rules.

R 338.6103 Training standards for identifying victims of human trafficking; requirements.

Rule 103. (1) Under section 17060 of the code, MCL 333.17060, an individual seeking licensure or licensed shall complete training in identifying victims of human trafficking that satisfies the following standards:

- (a) Training content must cover all the following:
 - (i) Understanding the types and venues of human trafficking in Michigan or the United States.
 - (ii) Identifying victims of human trafficking in health care settings.
 - (iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

- (iv) Resources for reporting the suspected victims of human trafficking.
- (b) Acceptable providers or methods of training include any of the following:
 - (i) Training offered by a nationally recognized or state-recognized, health-related organization.
 - (ii) Training offered by, or in conjunction with, a state or federal agency.
 - (iii) Training obtained in an educational program approved for initial licensure, or by a college or university.
 - (iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subdivision (1)(a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.
- (c) Acceptable modalities of training may include any of the following:
 - (i) Teleconference or webinar.
 - (ii) Online presentation.
 - (iii) Live presentation.
 - (iv) Printed or electronic media.
- (2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:
 - (a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
 - (b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:
 - (i) For training completed under subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
 - (ii) For training completed under subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.
- (3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the 2016 renewal cycle and for initial licenses issued after April 22, 2021.

PART 2. PHYSICIAN'S ASSISTANT PROGRAM APPROVAL

R 338.6201 Educational program standards; adoption by reference.

Rule 201. (1) The standards for accrediting educational programs for physician's assistants approved by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) in the document entitled "Accreditation Standards for Physician Assistant Education, Fifth Edition," effective September 1, 2020, are adopted by reference in these rules. The standards are available at no cost on the commission's website at <http://www.arc-pa.org>. Copies of the standards are also available for inspection and distribution at a cost of 10 cents per page from the Michigan Task Force on Physician's Assistants, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan 48909.

(2) Only educational programs for physician's assistants accredited by the ARC-PA are approved physician's assistant educational programs.

PART 3. PHYSICIAN'S ASSISTANT LICENSE

R 338.6301 Application for physician's assistant license; requirements.

Rule 301. An applicant for a physician's assistant license shall provide the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and these rules, an applicant shall satisfy both of the following requirements:

(a) Have graduated from an accredited educational program for physician's assistants that satisfies the standards in R 338.6201.

(b) Have passed the certifying examination conducted and scored by the National Commission on Certification of Physician Assistants (NCCPA).

R 338.6305 Licensure by endorsement; requirements.

Rule 305. (1) An applicant for a physician's assistant license by endorsement who satisfies the requirements of the code and this rule satisfies the requirements of section 16186 of the code, MCL 333.16186. The department shall issue a physician's assistant license to an applicant who satisfies all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Holds a current physician's assistant license in another state or in a province of Canada.

(c) Completed the educational requirements for a physician's assistant license in a province of Canada or another state to obtain licensure as a physician's assistant in a province of Canada or another state.

(d) Received a passing score on either of the following examinations for a physician's assistant license in a province of Canada or another state to obtain licensure as a physician's assistant in a province of Canada or another state:

(i) The certifying examination conducted and scored by the NCCPA.

(ii) The Physician Assistant Entry to Practice Certification Exam.

(2) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.6308 Requirements for relicensure.

Rule 308. (1) An applicant may be relicensed within 3 years after the expiration date of the license under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Establishes good moral character.

(2) An applicant may be relicensed more than 3 years after the expiration date of the license under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Establishes good moral character.

(c) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.

(d) Does either of the following:

(i) Presents proof to the department of licensure as a physician's assistant in a province of Canada or another state during the 3-year period immediately preceding the date of the application for relicensure.

(ii) Establishes a passing score on either the certifying or recertifying examination conducted and scored by the NCCPA during the 10-year period immediately preceding the date of the application for relicensure.

(3) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.6311 License renewal; requirements.

Rule 311. An applicant for license renewal who has been licensed for the 2-year period immediately preceding the application for renewal shall provide the required fee and a completed application on a form provided by the department.