



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5134 (Substitute H-2 as reported by the Committee of the Whole)
Sponsor: Representative Edward Gaffney
House Committee: Health Policy
Senate Committee: Health Policy

CONTENT

The bill would amend the Public Health Code to prohibit a licensee, registrant, or other individual from performing any procedure using a laser for dermatological purposes unless the procedure was performed under the supervision of a licensed physician; and the patient had knowledge and consented to the procedure being performed by the licensee, registrant, or individual. The prohibition would not apply to a licensed physician, or a licensed physician's assistant or certified nurse practitioner who performed such a procedure in a health care facility.

The bill also would allow the Department of Community Health to promulgate rules to prohibit further or otherwise restrict the use of lasers for dermatological purposes.

Under the bill, "supervision" would mean the overseeing of or participation in the work of another individual by a health professional licensed under the Code in circumstances under which at least all of the following conditions existed:

- The continuous availability of direct communication in person or by radio, telephone, or telecommunication between the supervised individual and a licensed health professional.
- The availability of a licensed health professional on a regularly scheduled basis to review the practice of and provide consultation to the supervised individual, to review records, and to educate the supervised individual further in the performance of his or her functions.
- The provision by the licensed supervising health professional of predetermined procedures and drug protocol.

Proposed MCL 333.16726

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-19-04

Fiscal Analyst: Dana Patterson