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## **P.A. 643 of 2006 – Provisional Nurse Licensure**

### **Executive Summary**

On January 5, 2007 House Bill 5750 was signed into law as Public Act 643 of 2006 taking effect immediately. The new law amends the current Public Health Code addressing temporary licensure of nurses and other medical professionals. Specifically, the amended statute grants authority to the Michigan Board of Nursing to issue nonrenewable, temporary licenses to registered professional nurses licensed in other states as well as the provinces of Canada. The overall effect of the new law allows registered professional nurses licensed in other states and Canada to begin practice almost immediately as a registered professional nurse while the individuals application for Michigan licensure is processed.

### **Discussion**

The temporary licensure provision is located in the Public Health Code under MCL §333.16181. In general, a licensure board may grant a nonrenewable, temporary license to an applicant who has completed all requirements for licensure except for examination or other required evaluation procedure. The revised statute addresses the Michigan Board of Nursing's authority to issue nonrenewable, temporary licenses to applicants holding a current license as a registered nurse in another state or Canada.

Under the new law, the Michigan Board of Nursing may grant a nonrenewable, temporary license to a registered professional nurse if:

1. The registered professional nurse is applying for Michigan licensure; and
2. The individual is currently licensed and in good standing as a registered professional nurse in another state or province of Canada.

Once a temporary license is issued, the license expires one year after the date of issuance unless the applicant receives notice that he/she:

- Failed the commission on graduates of foreign nursing schools examination;
- Failed the national council licensure examination;
- Is issued a Michigan license to practice as a registered nurse;
- Failed to meet the requirements under this new act; or
- Failure to complete the application process for full licensure.

Therefore, the temporary license expires one year after the date of issuance unless one of the above described events occurs first. If the applicant receives notice of one or more of the above described events, the temporary license expires immediately on the notice date and shall not continue for the term of one year.

Importantly, the new law provides a defined time period for issuing a temporary license. Previously, the temporary license was to be issued "promptly." This vague definition has been clarified by requiring the Michigan Board of Nursing to issue a temporary license within 48 hours upon receipt of proof by the applicant that he/she possess a currently active license in good standing which was issued by another state or a providence in Canada.

### **Conclusion**

The severe nursing shortage has created significant recruiting challenges for Michigan healthcare organizations. Under the new law, healthcare organizations have increased flexibility for recruiting out of state and/or Canadian nurses by allowing nurses currently licensed to expeditiously receive temporary licensure to practice in the State of Michigan.



Should you have any questions, please contact your local counsel or Gregory W. Moore, Esq. or Michael W. Matthews, Esq. of Hall, Render, Killian, Heath & Lyman, PLLC at (248) 740-7505 or [gmoore@hallrender.com](mailto:gmoore@hallrender.com) or [mmatthews@hallrender.com](mailto:mmatthews@hallrender.com)

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