Licensing and Regulation of Nursing in Michigan

Michigan Board of Nursing

Boards of Nursing (BONs) are state governmental agencies that are responsible for the regulation of nursing practice. More than a century ago, state governments established BONs to protect the health and welfare of the public by overseeing and ensuring the safe practice of nursing. BONs achieve this mission by outlining the standards for safe nursing care and issuing licenses to practice nursing. Once a license is issued, the specific board’s job continues by monitoring the licensee’s compliance to state laws and taking action against the licenses of those nurses who have exhibited unsafe nursing practice.1

The Michigan Board of Nursing was established in 1909, as part of the first Michigan Nurse Practice Act. It was created to set and maintain a high level of standards for all nurses, through education, testing, licensing, certification, discipline, and information. In 1978, the state legislature enacted the Michigan Public Health Code (PA 368), which compiled laws intended to protect and promote the health and well-being of the Michigan public. This far-reaching set of laws impacts every aspect of health care, including nursing, medicine, and all other health professions in Michigan.

With the enactment of PA 368, the Michigan Legislature combined all laws regulating health personnel into one statute. This consolidated the legal framework for Nursing in the Michigan Public Health Code, rather than a separate Nurse Practice Act. This approach is unique to Michigan. Most states still provide separate laws for each of the health professions. The Michigan Public Health Code of 1978, as amended addresses issues of licensure, specialty certification, educational programs, discipline, delegation, and authority to practice.2

The Michigan Department of Licensing and Regulatory Affairs (LARA), along with its Bureau of Health Care Services (BHCS), is the specific branch of the Michigan government charged to oversee the welfare of the public, by regulating health care services in the state. The role of this department in the state government is to regulate both health care facilities and health care professionals. All health occupation boards, including the Board of Nursing are housed under LARA and the BHCS. Appointments to the Board of Nursing are approved by the Governor and are voluntary. The 23 voting members of the Board consist of 9 registered professional nurses, 1 nurse midwife, 1 nurse practitioner, 3 licensed practical nurses, and 8 public members.

http://www.michigan.gov/lara/0,4601,7-154-35299_63294_63303---,00.html

Nursing Licensure

Registered nurses are individually licensed and regulated by the State of Michigan. Nursing is recognized as a separate occupation by the Michigan Public Health Code. Nurses are licensed to ensure that the public receives a high level of care consistent with the law and the standards of the State and

1 Source: The National Council of State Boards of Nursing (NCSBN);  www.ncsbn.org
2 Source: MNA, Professional & Legal Regulation of Nursing Practice in Michigan (3rd edition); 2010
the State Board of Nursing. Licensed practical nurses may not practice individually. Rather, they function under the supervision of a registered nurse or licensed physician or dentist.

The nurse is a provider and coordinator of direct care services. The nurse is legally responsible and accountable, under law, for his/her actions and cannot assume responsibility for another party. The registered nurse bears the ultimate responsibility for the performance of nursing actions, functions, and tasks. A non-nurse cannot assume this responsibility.

“Practice of Nursing” means the systematic application of substantial specialized knowledge and skill, derived from the biological, physical, and behavioral sciences, to the care, treatment, counsel, and health teaching of individuals who are experiencing changes in the normal health processes or who require assistance in the maintenance of health and the prevention or management of illness, injury, or disability.

Michigan Public Health Code 1978 PA 368, as amended; Part 172 Nursing: Section 333.17201 Definitions

In order to practice as a registered nurse in Michigan, the individual must complete a Board of Nursing-approved program of education and meet any additional requirements for licensure, including successful completion of the standardized licensure exam. The National Council Licensing Examination (NCLEX-RN) is the standardized exam that every nursing graduate in the United States must complete in order to use the credentials RN after his/her name.

The NCLEX-RN is a computer adaptive test, consisting of multiple choice and alternative testing items, such as fill-in-the-blank, multiple answer, hot-spots, and others. The computer evaluates each response and chooses which question to present next based on the previous response. Test results are available to candidates within a few weeks of testing. Candidates who pass the exam will be issued the appropriate license from the state.

Acceptance as a candidate for licensure in Michigan (and most other states) is determined by the following qualifications:

- Graduation from a Michigan Board of Nursing approved nursing education program,
- Documentation (certification) of program completion; sent by the program director upon completion of all coursework and other requirements,
- Submission of application for licensure to the Michigan Board of Nursing and acceptable criminal background investigation, and
- Successful completion of the NCLEX-RN.

3 The National Council of State Boards of Nursing (NCSBN) is an umbrella organization through which boards of nursing from all of the states work together on common issues concerning the public health, safety, and welfare, including the development of licensing examinations for nursing.