



Coalition of Michigan Organizations of Nursing

American Association of Critical Care Nurses Michigan Chapter
 American College of Nurse Midwives
 Association of Rehabilitation Nurses
 Association of Women's Health, Obstetric and Neonatal Nurses
 Detroit Black Nurses Association
 Emergency Nurses Association
 Far Eastern and American Nurses Association
 Institute of Professional Nursing
 Lambda Chi Chapter Chi Eta Phi Sorority
 Lansing Community College Nursing Careers Program
 Maternal Newborn Nurse Professionals
 Metro Detroit Oncology Nursing Society
 Michigan Association of Clinical Nurse Specialists
 Michigan Association of Colleges of Nursing
 Michigan Association of Nurse Anesthetists
 Association of Occupational Health Professionals
 Michigan Association of Occupational Health Nurses
 Michigan Association of Peri-Anesthesia Nurses
 Michigan Association of School Nurses
 Michigan Board of Nursing
 Michigan Center for Nursing
 Michigan Council of Nurse Practitioners
 Michigan Council of Nursing Education Administrators
 Michigan Council of periOperative Registered Nurses
 Michigan Dept. of Community Health Office of the Chief Nurse Executive
 Michigan League for Nursing
 Michigan Licensed Practical Nurses Association
 Michigan Nurses Association
 Michigan Nursing Students Association
 Michigan Organization of Nurse Executives
 Michigan Public Health Association Public Health Nursing Section
 Michigan Society of Gastroenterology Nurses and Associates
 National American Arab Nurses Association
 National Association for Directors of Nursing in Long Term Care
 National Association of Hispanic Nurses
 National Association of Pediatric Nurse Practitioners
 Nurse Administrators' Forum
 Philippine Nurses Association of Michigan
 Registered Nurses Association in Michigan
 West Michigan Nursing Advisory Council

The Honorable Jim Marleau
 Michigan Senate
 1010 Farnum Building
 Lansing, MI 48909

October 3, 2013

Dear Chairman Marleau:

This letter is to notify you of support for HB 4156, the Volunteer Nurse Licensure Legislation by the Coalition of Michigan Organizations of Nursing (COMON).

COMON represents 42 nursing organizations around the state of Michigan. Our mission is to serve as a vehicle that gives all nurses the opportunity to collectively work toward achieving mutually agreed upon goals for nursing in the state of Michigan.

- COMON member organizations include over 40,000 Michigan nurses.
- COMON collaborate in an advisory capacity with the Michigan Director of Nursing Policy.
- COMON is actively working to advance the health and wellness of Michigan residents by improving the education and work environments of the nurses providing healthcare, and by assisting nurses in addressing Michigan health problems.

The Michigan Department of Community Health – Task Force on Nursing Regulation (TFNR-2008) recommended updates to the Michigan Public Health Code, including allowing registered nurses to apply for a volunteer nurse licensure. COMON recognizes and supports the TFNR recommendation and encourages the committee to report out HB 4156 favorably. COMON acknowledges the wisdom, expertise, and abilities of retired nurses who may choose to hold a Volunteer License. We support the work our colleagues could perform if HB 4156 is passed.

On behalf of COMON, I thank you for your time and work for the State of Michigan and Michigan Nurses.

Sincerely,

Sue Idczak, PhD, RN, Chair
sidczak@sienaheights.edu

Attachment: MDCH-Task Force on Nursing Regulation: Special Volunteer Nurses License Recommendation

NRPP 2.2: Special Volunteer Nurses License

Recommendation

It is recommended that retired nurses who wish to practice nursing as volunteers should be encouraged to do so through the same Public Health Code provisions that encourage retired physicians to practice as volunteers – the Special Volunteer License and liability exemption.

Michigan and the nation are facing a nursing shortage expected to continue through 2030. Many nurses of retirement age are interested in continuing to practice as a volunteer. Such volunteer nursing services could ease the nursing shortage in underserved areas, and provide nursing care to indigent populations. At present, there is no provision in the Public Health Code for a Special Volunteer License for nurses. Sections 333.16184 and 16185 should include language adding nurses and nursing to the provisions that encourage other health professions to practice as volunteers – these provisions include the Special Volunteer License and a limited exemption from liability during the practice of their profession under a Special Volunteer License.

Approved by the MDCH – Task Force on Nursing Regulation, February 1, 2008

Submitted to the Director of the Michigan Department of Community Health, February 13, 2008

Background

Michigan's strategic plan for dealing with the nursing shortage, *The Nursing Agenda for Michigan*, includes action steps to strengthen the nursing profession and workforce through changes in nursing education and credentials, enhanced standards of practice, and appropriate regulation. The MDCH convened the Task Force on Nursing Regulation (TFNR) in September 2007 to make recommendations to the Director of MDCH regarding needed changes in statutes, rules, and policies in order to improve the education of nurses and the practice of nursing in Michigan, thereby protecting the health and safety of Michigan residents. The TRNR was composed of professional nurses, including representatives of the Michigan State Board of Nursing, nursing education programs, professional nursing practice organizations, experts in nurse credentialing and regulation, plus other stakeholders. The TFNR met from September through December 2007, and identified the issue of provision of a Special Volunteer License opportunity for retired nurses high priority and amenable to a straightforward solution. The nursing shortage means that the services of all nurses willing to practice nursing are needed, and that retired nurses should be encouraged to volunteer.

Nursing Regulatory Issue

Section 333.16184 of the Public Health Code deals with the definition of eligibility and requirements for the Special Volunteer License available to those retired from the active practice of medicine, osteopathic medicine and surgery, podiatric medicine and surgery, or dentistry. Nursing should be added to this list of health care professions.

Section 333.16185 of the PHC deals with liability for care provided under a Special Volunteer License, and the conditions under which liability exemption applies. Nurses and nursing should be added to the health care professions provided with a limited exemption from liability during the practice of their profession under a Special Volunteer License.

Recommended Solution and Rationale for the Solution

It is recommended that nursing be added to the list of health care professions in Section 333.16184 (1) (changes underlined):

“An individual who is retired from the active practice of medicine, osteopathic medicine and surgery, podiatric medicine and surgery, dentistry, or nursing and who wishes to donate his or her expertise for the medical, dental or nursing care and treatment of indigent and needy individuals in this state or for the medical, dental, or nursing care and treatment of individuals in medically underserved areas of this state may obtain a special volunteer license to engage in the practice of medicine, osteopathic medicine and surgery, podiatric medicine and surgery, dentistry, or nursing by submitting an application to the board pursuant to this section. An application for a special volunteer license shall be on a form provided by the department and shall include each of the following:”

Modifications consistent with those above should be made throughout Section 333.16184.

It is further recommended that nurse and nursing be added to the language of Section 333.16185 (1) of the Public Health Code (changes underlined):

“Subject to subsection (2), a physician who provides medical care or a nurse who provides nursing care under a special volunteer license granted under section 16184 is not liable in a civil action for personal injury or death proximately caused by the professional negligence or malpractice of the physician or nurse in providing the care if both of the following apply:”

Modifications consistent with those above should be made throughout Section 333.16185.

Retired nurses who wish to practice nursing as volunteers should be encouraged to do so through the same provisions that encourage retired physicians to practice as volunteers – the Special Volunteer License. The nursing shortage and the resulting increased salaries for actively practicing nurses are already making it difficult for free clinics and facilities that serve the uninsured and medically indigent to compete for nursing staff. Adding nurses and nursing to the language in Sections 16184 and 16185 would serve to encourage retired nurses to volunteer their services to these underserved populations and to the facilities that provide them with health care services. It is important to note that the benefits of the Special Volunteer License include only a zero licensure fee and a limited exemption from civil liability for malpractice. All other provisions of the regular active licensure statutes and administrative rules apply.

Supporting References

Texas Board of Nurse Examiners, *Volunteer Retired Nurse Authorization FAQ*, 2007.

Michigan Department of Community Health, Bureau of Health Professions, *Occupational Regulation Sections of the Michigan Public Health Code*, 2007.

Coalition of Michigan Organizations of Nursing and the Office of the Chief Nurse Executive, MDCH, *The Nursing Agenda for Michigan*, 2006.