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**Legislators Introduce Legislation to Regulate Safety Standards for
Hyperbaric Oxygen Therapy Chambers**

Bicameral group of legislators announces legislation to license freestanding

LANSING, MI— A broad array of Senate and House sponsors introduced a package of bills to license the use of hyperbaric oxygen therapy chambers at free-standing facilities (SB 803-806; HB 5590-5593). The bills reflect the recommendations gathered by a consortium of industry leaders and health advocates and represent a step forward in establishing a safe environment to use hyperbaric oxygen therapy chambers in Michigan.

“No one should ever experience that tragedy that the Cooper family faced last January when their son was ripped from their lives due to the negligence of others,” **Sen. Stephanie Chang** said. “Hyperbaric medicine is like any other branch of medicine: helpful for people when administered by trained professionals who know what they’re doing, but potentially harmful in the hands of those who aren’t properly trained or don’t follow established safety standards.”

“It is our goal that what happened at the Oxford Center, the deadly accident, and the pattern of negligence, never happen again. We don’t want to wait to act until the next deadly incident claims another Michigander’s life,” **Rep. MacDonell** said. “Because the Oxford Center explosion was not just a ‘tragic accident - it was an outrageously preventable failure; on the part of the owner and staff. They could have followed known safety practices, but they simply didn’t bother. When this legislation is enacted, Michigan will become the first state in the nation to provide real oversight of these facilities, also referred to as HBOT facilities.”

“This legislation will ensure that no matter where you live in Michigan and where you’re seeking care, you’ll be cared for by professionals who place patients over profits,” said **Rep. Donovan McKinney**. “I’m also the dad of three young children. I want every child in Michigan to have access to the safest and best healthcare, and that means that we must put in place proper safeguards for healthcare options, including hyperbaric oxygen therapy. Our children, our veterans, and all Michiganders deserve safety and quality when it comes to their health care.

The bills do the following:

- Adds “freestanding hyperbaric oxygen therapy facility” to the list of licensed health facilities and agencies under the Public Health Code.
- Defines “hyperbaric chamber” and defines “freestanding hyperbaric oxygen therapy facility” as any facility providing hyperbaric oxygen therapy.
- Requires LARA to license HBOT facilities, inspect them every 3 years, and collect licensing fees from them.

- Defines “Medical Director,” “Safety Coordinator,” “qualified health professional,” and other relevant terms.
- Requires all freestanding facilities to do the following as a condition of licensure:
 - Be accredited by at least one of the following types of organizations:
 - An agency recognized by the federal Centers for Medicare and Medicaid Services (CMS) as a general accreditor of healthcare facilities, such as the Joint Commission or DNV Healthcare; or
 - An evidence-based accreditor that specializes in hyperbaric facilities, such as the Undersea and Hyperbaric Medical Society (UHMS), the American College of Hyperbaric Medicine, or the National Board of Diving and Hyperbaric Medical Technology.
 - Meet nationally-recognized engineering and fire safety standards.
 - Have a Medical Director and at least one Safety Coordinator.
 - Ensure that all staff operating hyperbaric chambers are supervised by a Safety Coordinator and meet certain training requirements.
 - Provide information to patients on the benefits and risks of HBOT, the uses of HBOT recognized by the FDA, and the possibility that insurance will not cover treatment for conditions that are not recognized by the FDA.
- Create an HBOT facility inspection fund, so that all HBOT facility licensing fees are used to inspect HBOT facilities instead of going to LARA’s general fund.

"The practice of hyperbaric medicine is considered a mastered medical technology and enjoys an impressive safety record in the right hands. Hospital-based and hospital-affiliated programs that, by definition, are fully compliant with the many oversight authorities characterize those right hands. There are some independent/private held hyperbaric programs that strive to emulate these standards. However, many fail to do so, and it is these latter programs that represent the primary focus of the four bills," said **Dick Clarke of the National Board of Diving & Hyperbaric Medical Technology**. "The distinction between these two hyperbaric practice settings couldn't be more apparent, and these bills, should they be enacted, will serve to close that gap."

"The Autism Alliance of Michigan (AAoM) is in support of this legislation given our stance towards the continued safety of the communities we serve. AAoM has a long history of addressing safety needs for the autistic community with the statewide resource identification work we provide with MiNavigator, as well as the GPS Scholarship we offer to address instances of wandering and elopement," said **Jaime Zavier of the Autism Alliance of Michigan**. "AAoM recognizes that hyperbaric oxygen therapy is a service that is promoted towards the autism community. If a family or individual chooses to explore this service, we would like assurance that the highest safety regulations are in place for this therapy."

The bicameral bill packages were filed with the respective chambers² and are pending referral to a committee for review.

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