

State Budget Office
Office of Regulatory Reinvention
111 S. Capitol Avenue; 8th Floor, Romney Building,
Lansing, MI 48933
Phone: (517) 335-8658 FAX: (517) 335-9512

REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at orr@michigan.gov.

1. Agency Information

Agency name:	LARA
Division/Bureau/Office:	Workers' Compensation Agency
Name, title, phone number, and e-mail of person completing this form:	David Campbell, Division Manager. 517-488-3225; campbelld5@michigan.gov

2. Rule Set Information

Title of proposed rule set:	Workers' Compensation General Rules
Rule number(s) or range of numbers:	R 408.31 – 408.59
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes

3. Estimated timetable for completion, or statutory deadline, if applicable:

Estimated October 2019

4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

The general purpose of these rules is to provide consumers with procedures and guidance for addressing workers' compensation claims, contested hearings, and workers' compensation insurance policies, in order to carry out the provisions of the Worker's Disability Compensation Act. The entire rule set will be updated for accuracy and procedural consistency. Additional proposed changes to the rules are as follows: All rules referencing the filing of agency forms will be updated to reflect the implementation of electronic filing with the agency. Applicable rules will be changed to add the newly created Private Employer Group Self-Insurers Security Fund (PEGSISF) pursuant to MCL 418.501. Rules will be updated to change references of the agency from "bureau" to "agency," pursuant to ERO No. 2003-1, MCL 445.2011.

5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

By authority conferred on the director of the workers' compensation agency by section 205 of 1969 PA 317, MCL 418.205; and Executive Reorganization Order Nos. 1996-2, 1999-3, 2002-1, and 2003-1, MCL 445.2001, 418.3, 445.2004, and 445.2011.

6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

These rules do not exceed national or regional compliance requirements or other standards.
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7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook,

instructional bulletin, form with instructions, or operational memo?

No.

8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:

Full rulemaking process.

9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.

No.

10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.

No.

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received:2-26-2019

Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2019-026 LR
Date of approval:	3/5/19

Based on the information in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	
Explanation:	