

# Michigan Office of Administrative Hearings and Rules

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Lansing, MI 48933

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## 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 Michigan Office of Administrative Hearings and Rules (MOAHR) before initiating any changes or additions to the rules. Submit copy to the MOAHR at [o'berryd@michigan.gov](mailto:o'berryd@michigan.gov).

### 1. Agency Information

Agency name:	Department of Treasury		
Division/Bureau/Office:	Student Scholarships and Grants (SSG)/Student Financial Services Bureau (SFSB)		
Name, title, phone number, and e-mail of person completing this form:	Carla Foltyn, Director, Student Scholarships and Grants <a href="mailto:foltync@michigan.gov">foltync@michigan.gov</a> 517-335-1790		

### 2. Rule Set Information

Title of proposed rule set:	Michigan Tuition Grants Program (MTG)		
Rule number(s) or range of numbers:	R 390.831 through 390.849		
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:

As soon as the full promulgation process allows. The goal is within six (6) months of submission of this RFR to MOAHR, which would be approximately the end of November 2019.

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

The general purpose of the amendments to the rules is to realign the rules with changes in the Michigan Tuition Grants Program.

### 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.

MCL 390.996 of 1966 PA 313 mandates that "the Michigan Higher Education Assistance Authority (Authority) shall promulgate rules to carry out this act pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws."

### 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.

The statute gives exclusive authority to the Authority to administer and enforce the tuition grants program. So, no other Michigan or federal regulations apply.

### 7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

Yes – State Programs Procedures Manual for Financial Aid Professionals.

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

The rule amendments will be promulgated under the 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, an Advisory Rules Committee was not involved in amending these rules.

**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.**

There is no applicable decision record.

**11. Reviewed by the following Departmental Regulatory Affairs Officer:**

Margaret L. Patterson

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 ↓ To be completed by the MOAHR ↓

Date RFR received:5-9-2019

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

MOAHR assigned rule set number:	<b>2019-047 TY</b>
Date of approval:	<b>5/14/19</b>

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

Date of disapproval:	
Explanation:	