



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Memorandum

VIA E-MAIL

DATE: August 13, 2021

TO: Representative Luke Meerman, Chairperson, JCAR
Senator Jon Bumstead, Alternate Chairperson, JCAR
Jonathan Shiflett, Senate Majority Policy Office
Jimmy Biehl, House Republican Policy Office
Tim Reeves, Counsel, JCAR
Elizabeth Edberg, Counsel, JCAR

FROM: Derek Sova, Office of Policy and Legislative Affairs

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for
Respiratory Care – General Rules (2020-17 LR)

Rules Primer

The respiratory care general rules pertain to the education, licensure, and relicensure for respiratory therapists. The rules will be amended to provide clarity, add a telehealth rule, and rescind the rule establishing a minimum English language standard.

Summary of the Final Proposed Rule

The proposed rules do all of the following:

- Add definitions to assist the reader to better understand the terms used in the proposed rules.
- Clarify the training standards for identifying victims of human trafficking and the date that an applicant for licensure or renewal must have completed that training
- Clarify the rule pertaining to relicensure.
- Add a new telehealth rule, as required by MCL 333.16287,
- The rule establishing a minimum English language standard for licensure will be included in the Public Health Code – General Rules, so the requirement will be removed from this rule set.

July 21, 2021

- Clarify that an applicant for licensure by endorsement must hold an active license in good standing in another state immediately preceding the date of application.
- Update accreditation standards.

Stakeholder Engagement

A public rules workgroup meeting was held on July 9, 2020 and on December 17, 2020. No comments were received from the public at either meeting.

Public Engagement and Public Hearing/Comment/Information

The public comment period for this rule set opened September 5, 2020, and ended at 5 p.m. on November 23, 2020. The public hearing was held on November 23, 2020, at 9:00 a.m.

The Bureau received 2 comments by during the public hearing. No comments were received by mail or email.

Significant Issues Not Incorporated in the Final Proposed Rules

There were no significant issues raised during the rules workgroup meeting that were not addressed in the final proposed rules.

cc/att: Orlene Hawks, Director, LARA
 Kim Gaedeke, Chief Deputy Director, LARA
 Courtney Pendleton, Deputy Director, LARA
 Adam Sandoval, Deputy Director, LARA
 Debra Gagliardi, LARA
 Elizabeth Arasim, Regulatory Affairs Officer, LARA