

Annual Regulatory Plan 2022-2023

**Department of Health and Human Services  
Children's Services Agency**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Child Placing Agencies, ARD No. 2020-02 HS. RULEMAKING IN PROGRESS. These rules provide guidance for the contracted child placing agencies in Michigan involving foster youth placed in foster family and group homes.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

R 400.12202, R 400.12703, and R 400.12707 have been identified for rescission. The remainder of the rules are important to the mission and function of the agency.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate or utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The rules need to be more licensed-friendly regarding the foster home. New federal standards, adding more non-safety variance requirements will encourage and allow more applicants for foster care purposes.

- A. Describe whether there is a continued need for the rules.

The rules are statutorily mandated under MCL 722.112(1) and there is a continued need for the rules to address the federal and state requirements for continued funding.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

Comment from both the public and the child placing agencies indicated the current rules are too strict and cumbersome for licensing foster parents.

- C. Describe the complexity of complying with the rules.

The rules are not complex and there should be no issue complying with the rules, particularly as the Department plans on easing some of the licensing restrictions involving non-safety issues.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022. Rulemaking is ongoing.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

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<https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=Health%20and%20Human%20Services&Bureau=Childrens%20Services%20Agency>

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

The rules are complete. They were withdrawn from JCAR for changes yet to be determined and will be resubmitted.

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**Department of Health and Human Services  
Children's Services Agency**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Foster Family and Group Homes, ARD No. 2020-03 HS. RULEMAKING IN PROGRESS. These rules provide guidance for the foster families for the foster children placed with them by the Department.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

R 400.9207 and R 400.9307 have been identified for rescission. The remainder of the rules are important to the mission and function of the agency.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate or utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The rules need to be more licensed-friendly regarding the foster home. New federal standards and more non-safety variance requirements will encourage and allow more applicants for foster care purposes.

- A. Describe whether there is a continued need for the rules.

The rules are statutorily mandated under MCL 722.112(1) and there is a continued need for the rules to address the federal and state requirements for continued funding.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

Comments from both the public, including foster parents and prospective foster parent, and the child placing agencies indicated the current rules are too strict and cumbersome for licensing foster parents.

- C. Describe the complexity of complying with the rules.

The rules are not complex and there should be no issue complying with the rules, particularly as the Department plans on easing some of the licensing restrictions involving non-safety issues.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022. Rulemaking is ongoing.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

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<https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=Health%20and%20Human%20Services&Bureau=Childrens%20Services%20Agency>

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

The rules are complete. They were withdrawn from JCAR for changes yet to be determined and will be resubmitted.

**Department of Health and Human Services  
Children's Services Agency**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

NEW RULE SET-Placement on Central Registry After Criminal Conviction-These rules address the process of placement on the Central Registry of a person convicted for crimes against children from the criminal court to the Department.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

This is a new rule set.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

The Department is in the process of promulgating these statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

This is a new rule set.

- A. Describe whether there is a continued need for the rules.

The rules are statutorily mandated under MCL 722.627j(3) and they are needed.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

The rules are intended to address those persons not responsible for a child but whose actions involving crimes against a child creates a mandatory referral from the criminal court to the Department for mandated placement on the Registry.

- C. Describe the complexity of complying with the rules.

The proposed rules should not be complex. It is a process between the court and the Department. The court orders placement and will handle any requests for expunction.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022. New statutory amendment mandating promulgation of rules.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

New rule set.

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6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

New rule set.

**Department of Health and Human Services  
Public Health Administration**

Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Amyotrophic Lateral Sclerosis (ALS) Reporting, ARD No. 2022-13 HS RULEMAKING IN PROGRESS. These rules would establish a statewide ALS case registry based on data collection of patients with ALS, identified by neurologists, hospitals, ALS clinics, and vital records. The ALS case registry would provide data for public health surveillance and provide researchers with standardized and comprehensive data aimed at identifying risk factors and prevention strategies.

1. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

This is a new rule set.

2. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules

3. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

This is a new rule set.

- A. Describe whether there is a continued need for the rules.

This is a new rule set and the need for these rules have requested by patients and clinics in Michigan.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

Clinicians from the U of M ALS clinic team has stressed the importance of making ALS reportable to their patients and their families. In addition, the ALS registry and reporting has the full support of all 4 ALS clinics and their staff in Michigan.

- C. Describe the complexity of complying with the rules.

The proposed rules will streamline the data collection process to avoid complex compliance with the rules.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The proposed rules will not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022. Rulemaking in progress.

4. Please the URL link the department or bureau is currently using to display their administrative rules.

<https://ars.apps.lara.state.mi.us/> (Pending rules)

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5. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

Request for Rulemaking filed and approved. Draft rules are circulating and will be available for submission this year.

**Department of Health and Human Services  
Public Health Administration**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Chronic Disease Reporting, ARD No. 2022-24 HS RULEMAKING IN PROGRESS. These new rules are intended to address reporting requirements for chronic conditions. Establishing this requirement is necessary for MDHHS to leverage electronic health record (EHR) data that is already shared between Michigan health systems and health information exchanges (HIEs). The ADT messages will populate the 'Chronic Disease Registry Leveraging Electronic Health Record Data' (CHRONICLE) housed within the Michigan Disease Surveillance System (MDSS).

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

This is a new rule set.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

This is a new rule set.

- A. Describe whether there is a continued need for the rules.

This is a new rule set and there is a need for these rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

These rules have not yet been presented to the public for comment. However, the modernization of chronic disease surveillance and chronic disease reporting aligns with the strategic initiatives planned in the 2022 MDHHS Health IT Roadmap of enhancing health data utility and protecting public health.

- C. Describe the complexity of complying with the rules.

The rules will be streamlined to provide for the best way of reporting chronic diseases while ensuring that patient confidentiality and other elements are safeguarded.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules will not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022. Rulemaking in progress.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

<https://ars.apps.lara.state.mi.us/> (Pending rules)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

Request for Rulemaking approved. Draft rules are circulating and will be filed with ARD by the end of this year.

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**Department of Health and Human Services  
Legal Affairs and Legislative Services Administration**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Schedule of Monetary Civil Penalties for Violations of MDHHS Orders and Rules, ARD No. 2021-42 HS RULEMAKING IN PROGRESS. These rules would set the penalties for violations under the Public Health Code from Orders issued by the MDHHS Director for the public health and welfare.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

This is a new rule set.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

This is a new rule set.

- A. Describe whether there is a continued need for the rules.

This is a new rule set and there is a need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

There have not been complaints or comments received from the public concerning the rules.

- C. Describe the complexity of complying with the rules.

The rules compliance is not complex. As long as the DHHS Director's orders are complied with, the fines would not be issued.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2021. Rulemaking in progress.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

<https://ars.apps.lara.state.mi.us/> (Pending rules)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

Public Hearing to be scheduled.

**Department of Health and Human Services  
Public Health Administration**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

EMS Life Support Agencies and Medical Control, ARD No. 2020-20 HS, RULEMAKING IN PROGRESS. The rules address the licensing requirements for emergency medical services (EMS) life support agencies and medical control authorities (MCA).

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

No rules were identified for rescission. All the remaining rules are important to the mission and function of the agency.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The entire rule set was reviewed by the Emergency Medical Services Coordination Committee (EMSCC) and the rules were amended to provide the most business-friendly method of regulation.

- A. Describe whether there is a continued need for the rules.

There is a continued need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

The rule set has gone through an extensive and transparent review process over the past two years with the State appointed EMSCC, which consists of stakeholders from all levels of the EMS system and associated professional organizations and their various subcommittees. All members unanimously approved the proposed rules.

- C. Describe the complexity of complying with the rules.

The rules, together with manuals and job aids, will limit the complexity of compliance by stakeholders.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2020. Rulemaking in progress.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

<https://ars.apps.lara.state.mi.us/> (Pending rules)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

Regulatory Impact Statement pending.

**Department of Health and Human Services  
Public Health Administration**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

EMS Personnel Licensing and Education, 2020-81 HS. RULEMAKING IN PROGRESS. The rules address the licensing requirements and education standards for emergency medical services (EMS) personnel.

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

No rules were identified for rescission and all the rules are important to the mission and function of the agency.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The current rules were reviewed by the Emergency Medical Services Coordination Committee (EMSCC) and were amended to address a more business-friendly method of regulation.

- A. Describe whether there is a continued need for the rules.

There is a continued need for the rules to provide the process regarding EMS vehicles involving safety, licensing, and disciplinary action.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

This rule set has gone through an extensive and transparent review process over the past two years with the State appointed EMSCC which consists of stakeholders from all levels of the EMS system and associated professional organizations, and their various subcommittees. Public complaint and/or comment have been filtered through the EMSCC and the Committee has approved the draft rules that reflect changes needed.

- C. Describe the complexity of complying with the rules.

With additional manuals and job aides, compliance with the rules will not be complex.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022-Rulemaking in progress

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

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<https://ars.apps.lara.state.mi.us/> (Pending Rule Set)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

Rule promulgation at Regulatory Impact Statement step.

**Department of Health and Human Services  
Behavioral and Physical Health and Aging Services Administration**

1. Rule(s) to be processed between July 1, 2022 and June 30, 2023. [Give brief description.]

Financial Liability for Mental Health Services, ARD No. 2021-91 HS. RULEMAKING IN PROGRESS. The administrative rules that apply to the determination of an ability to pay (ATP) for individuals receiving mental health services.

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

A preliminary review shows no rule to be rescinded at this time. The rules are very important to the mission and function of allowing patients to receive mental health services on a scale of affordability.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate or utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The cost determination has been reduced to a simple process/formula for determination of a patient's ability to pay for mental health services. Further, the amended rules put the Department in compliance with the federal guidelines for determination of ability to pay.

- A. Describe whether there is a continued need for the rules.

The rules are needed.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

Comments from the public and providers indicate that the rules as written are preventing the Community Mental Health Service Programs from being able to be accredited by the US Health Resources and Services Administration to enter into their loan forgiveness program. HRSA requires that ability to pay is based on federal standards and MI ability to pay is not.

- C. Describe the complexity of complying with the rules.

The rules will provide a step-by-step process and formula for the providers to determine ability to pay for clientele.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022-Rulemaking in progress.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

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<https://ars.apps.lara.state.mi.us/> (Pending Rule Set)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

Promulgation is currently at draft rule stage.

**Department of Health and Human Services  
Children's Services Agency**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Child Caring Institutions, Mich Admin Code R 400.4101-400.4666. These rules provide the requirements and guidance for child caring institutions on care of children in their facilities.

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

A workgroup will reconvene for the identification of those rules that require rescission. The rules are required by federal law, 42 USC 671 and remain important to both the mission and function of the Department.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules nor failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

Rules will be identified during workgroup review.

- A. Describe whether there is a continued need for the rules.

There is a continued need for the rules. They are mandated under the Child Care Organizations Act, MCL 722.111 et seq. and 42 USC 671.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

Comments received by both public and providers to ease some restrictive, non-safety rule requirements, enforce restraint and seclusion violations, until the practice is eliminated in November 2022.

- C. Describe the complexity of complying with the rules.

The rules are not complex for compliance purposes.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022. A portion of the rules were promulgated earlier in 2022. The remaining rules will be reviewed and identified for further promulgation in 2022-2023.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

<https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=>

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6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

A portion of the rules were promulgated in 2022. The remaining rules will be reviewed again for promulgation.

**Department of Health and Human Services  
Public Health Administration**

1. Rule(s) to be processed between July 1, 2022 and June 30, 2023. [Give brief description.]

Body Art Facilities-This is a new rule set. The proposed rules will set the standards for safety and enforcement of to reduce/eliminate the spread of disease by improper or illegal procedures performed by body art owners, operators, and technicians in the State.

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

This is a new rule set. The rules are needed for the continued mission and function of the Department that involves safety of the public.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The proposed rules will address the most business-friendly method of regulation while ensuring the safety and welfare of the public is achieved.

- A. Describe whether there is a continued need for the rules.

This is a new rule set and there is a continued need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

The rules promote quality control and prevent the spread of infections and diseases, e.g. Hepatitis C, from occurring in this state and are designed to end non-licensed practices as complained/commented upon by licensed body artists. These licensed body artists also see the rules as enforcement to the major threat to the public by illegal tattooists offering at home services and procedures in unsanitary conditions.

- C. Describe the complexity of complying with the rules.

The rules will follow national standards of quality control and prevention of disease in the most business-friendly way.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2022. This is the third submission of rulemaking for body art facilities.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

This is a new rule set.

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

This is a new rule set.

**Department of Health and Human Services  
Children's Services Agency**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Juvenile County-Operated Juvenile Facilities (COF)-New rule set. COF rules currently under the Child Caring Institution rules will be moved to this new rule set to better identify the appropriate rules for those children in detention.

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

The rules that can be rescinded will be determined by the workgroup. The rules are important to the mission and function of the Department.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate or utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

All current rules that will be moved to the new COF rules will be reviewed to determine if they are the most business-friendly method of regulation.

- A. Describe whether there is a continued need for the rules.

There is a continued need for the rules for the safety of children in these youth facilities.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

The COF's have made comments that many of the Child Caring Institution (CCI) rules do not apply to them. Under the Social Welfare Act, the rules must be moved to a new rule set based on the authority to promulgate rules.

- C. Describe the complexity of complying with the rules.

The rules should not be complex and compliance issues should be minimal.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2021. COF's were part of the CCI workgroup and the issue to move the COFs into their own rule set was actively discussed.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

This is a new rule set.

Annual Regulatory Plan 2022-2023

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

This is a new rule set.

**Department of Health and Human Services  
Children's Services Agency**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

Juvenile Court Operated Facilities, Mich Admin Code R 400.10101-400.10639 These rules provide the legal requirements and guidance for children placed in court operated detention facilities.

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2022 and June 30, 2023. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

A workgroup will convene, and determination will be made of what rules may be rescinded. The rules are important to the mission and function of the Department.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The agency has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The workgroup will make a determination of which rules can be amended to be more business-friendly.

- A. Describe whether there is a continued need for the rules.

There is a continued need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

There have been no complaints or comments at this time. The rules have not been reviewed for rescission, amendment, or adding rules since 1987.

- C. Describe the complexity of complying with the rules.

There should be no issues with the rules being complex, nor complying with the rules.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. Provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

2021. Rules were reviewed in conjunction with the county-operated rules and consistency will be achieved with these rules and the court-operated facilities (COF) rules;

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

<https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=Health%20and%20Human%20Services&Bureau=Childrens%20Services%20Agency>

Annual Regulatory Plan 2022-2023

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

All action items are outstanding. Issues with promulgation of the Child Caring Institution (CCI) rules have caused a domino effect issue with both these rules and the COF new proposed rule set.