

Annual Regulatory Plan 2023-2024

**Department of Health and Human Services  
Lifecourse Epidemiology and Genomics Division**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Mandatory Reporting of Amyotrophic Lateral Sclerosis Cases-**Rulemaking Currently in Process (2022-13 HS)** -This new rule set addresses the reporting requirements from health professionals and facilities regarding patients who present with and are diagnosed with ALS.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

There are no obsolete or rule superseded. 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.

The draft rules have been reviewed and present as the most business-friendly method of regulation.

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

This is new rule set. There is a need for the rules

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

There are no known complaints or comments from the public concerning the rules.

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

There is not complexity of complying with these 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.

This is a new rule set.

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=All](https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=Health%20and%20Human%20Services&Bureau=All)

6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

Request for Rulemaking submitted and approved. Draft Rules submitted 4-26-2023.

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**Department of Health and Human Services  
Lifecourse Epidemiology and Genomics Division**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Mandatory Reporting of Chronic Diseases-**Rulemaking Currently in Process (2022-24 HS)** - This new rule set addresses the reporting requirements from health professionals and facilities regarding patients' health information about individuals with a diagnosed chronic disease, including, but not limited to, diagnostic and demographic information.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

There are no obsolete or rule superseded. 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.

The draft rules have been reviewed and present as the most business-friendly method of regulation.

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

This is new rule set. There is a need for the rules

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

There are no known complaints or comments from the public concerning the rules.

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

There is not complexity of complying with these 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.

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6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

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Request for Rulemaking submitted and approved. Draft Rules submitted and approved 4-1-2023.  
Regulatory Impact Statement pending.

**Department of Health and Human Services  
EMS and Systems of Care Section**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Statewide ST-Elevation Myocardial Infarction (STEMI) System-**Rulemaking Currently in Process (2022-61 HS)** -This new rule set addresses the structure, organization, and components of the STEMI system and how that will integrate into the existing trauma system. The rules outline the responsibilities of the department and the participants in the system and describe the process of STEMI program verification and designation; triage and transport and transfer; system evaluation; data collection; STEMI registry establishment; and STEMI performance improvement.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

There are no obsolete or rule superseded. 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.

The draft rules have been reviewed and present as the most business-friendly method of regulation.

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

This is new rule set. There is a need for the rules

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

There are no known complaints or comments from the public concerning the rules.

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

There is not complexity of complying with these 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.

This is a new rule set.

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6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

Request for Rulemaking submitted and approved. Draft Rules submitted and approved 4-24-2023. Regulatory Impact Statement pending.

**Department of Health and Human Services  
EMS and Systems of Care Section**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Statewide Stroke System-**Rulemaking Currently in Process (2023-02 HS)** -This new rule set addresses the structure, organization, and components of the stroke system and how it will integrate into the existing trauma system. They outline the responsibilities of the department and the participants in the system. The rules describe the process of stroke program verification and designation; triage, transport, and transfer; system evaluation; data collection; stroke registry establishment; and stroke performance improvement.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

There are no obsolete or rule superseded. 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.

The draft rules have been reviewed and present as the most business-friendly method of regulation.

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

This is new rule set. There is a need for the rules

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

There are no known complaints or comments from the public concerning the rules.

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

There is not complexity of complying with these 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.

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Department=Health%20and%20Human%20Services&Bureau=All](https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=Health%20and%20Human%20Services&Bureau=All)

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6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

Request for Rulemaking submitted and approved. Draft Rules submitted and approved 4-25-2023. Regulatory Impact Statement pending.
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**Department of Health and Human Services  
Bureau of Community-Based Services**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Crisis Stabilization Unit Certification -**Rulemaking Currently in Process (2022-51 HS)** -This new rule set provides operational requirements for crisis stabilization units to ensure the safe, effective, and equitable operation of these services for all Michiganders.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

There are no obsolete or rule superseded. 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.

The draft rules have been reviewed and present as the most business-friendly method of regulation.

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

This is new rule set. There is a need for the rules

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

There are no known complaints or comments from the public concerning the rules.

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

There is not complexity of complying with these 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.

This is a new rule set.

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

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Department=Health%20and%20Human%20Services&Bureau=All](https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=Health%20and%20Human%20Services&Bureau=All)

6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

Request for Rulemaking submitted and approved. Draft Rules pending.

**Department of Health and Human Services  
EMS and Systems of Care Section**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

EMS Community Paramedics -New Rule Set. The rules would define a relatively new area of practice: "community paramedicine by offering an additional community paramedic "certification" for licensed paramedics.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

There are no obsolete or rule superseded. 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.

The draft rules have been reviewed and present as the most business-friendly method of regulation.

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

This is new rule set. There is a need for the rules

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

There are no known complaints or comments from the public concerning the rules.

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

There is not complexity of complying with these 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.

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6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

Request for Rulemaking submitted and approved. Draft rules pending.

**Department of Health and Human Services  
EMS and Systems of Care Section**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Body Art Facilities. This is a new rule set. The rules will describe the requirements for applicants and licensees of body art facilities regarding sanitation, registration, safety to customers, and following public health guidelines for enforcement by local health inspectors.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

There are no obsolete or rule superseded. 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.

The draft rules have been reviewed and present as the most business-friendly method of regulation.

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

This is new rule set. 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 been complaints from currently licensed artists of non-licensed and unsafe/unsanitary services of tattoos and body art being done in the State.

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

There is not complexity of complying with these 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.

This is a new rule set.

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

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6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

Request for Rulemaking needs to be completed.

**Department of Health and Human Services  
Environmental Health Division**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Lead Hazard Controls, R 325.99101 through R 325.99409. These rules provide for the training, certification, work practice standards and pre-renovation education involved with lead hazard controls in the State with accompanying notification and enforcement action provisions for violations.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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 325.99205 Core Lead Basics and R 325.99210 Clearance Technician are considered for rescission. The remaining rules are critical to the mission and function of MDHHS.

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

The Department has not failed to promulgate any statutorily required rules, nor has it failed to utilize and 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.

Fee Schedule – adjust fee schedule to the rules and align fees with the Consumer Price Index.  
RRP Implementation – Add technical guidance to align with federal Environmental Protection Agency RRP requirements.  
Porch Floors – Detail porch testing requirements for risk assessments and clearances.  
Worker Course Requirements – Allow a currently certified worker to take the Supervisor refresher course over taking the entire 4-day course to prevent time out of work. Worker course is 3 days, Supervisor refresher is 1 day.  
Allow Worker and Supervisor refresher courses to be combined, worker refresher course is obsolete and training providers have a difficult time providing the training to very few individuals.  
Add that State and Federal agency personnel do not require certification to enter sites.  
Add email, contractor bid amounts to be exempt from FOIA.  
Add a portion for flexibility in altering work experience requirements when recruiting efforts are strained but public health obligations still need to be met.

- A. Whether there is a continued need for the rules.

There is a continued need for the rules.

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

The Department has received comments on the need to reflect industry concerns include the requirement for the use of an X-Ray Fluorescence Analyzer (XRF) as the acceptable instrumentation for performing lead inspection and risk assessments (325.99403 (2) and 325.99403 (4)) and clarification of the time between training and renewal of a certification

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(325.99304 (6)).

**C. The complexity of complying with the rules.**

These proposed changes reduce complexity to comply with the rules. In general, the rule changes are to clarify existing language. Definition changes are to comply with EPA requests which standardize language across states. HB4532 has been introduced that will require amendments to the Lead Hazard Control Rules if passed.

**D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.**

No, proposed changes will mirror federal regulations regarding renovation projects. MDHHS is authorized by the EPA to administer the lead abatement program in Michigan. A change was made to rescind a more protective definition back to the federal definition: “child age 6 years and under” to “under 6 years of age.”

**E. 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.**

The previous change to the lead hazard control rules were in 2007. Since 2007 the federal government has adopted the EPA Renovation, Repair and Painting (RRP) Rules 40 CFR Part 745 Section 402 (C) (3). The proposed changes incorporate the changes in the federal rules per the request of the EPA and is necessary to seek authorization.

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

[https://www.michigan.gov/documents/lead/Lead\\_Hazard\\_Control\\_Rules\\_625582\\_7.pdf](https://www.michigan.gov/documents/lead/Lead_Hazard_Control_Rules_625582_7.pdf)

**6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.**

These rules were not introduced under ARP 2023.

**Department of Health and Human Services  
Environmental Health Division**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

Heavy Metal and Pesticide Analysis Reporting, R 325.61 through R 325.68. These rules lay out requirements for reporting of the results of blood and urine tests for arsenic, cadmium, mercury, acetylcholinesterase or pseudocholinesterase from medical labs to MDHHS.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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.

None of the rules are obsolete or superseded for purposes of rescission.

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

The Department 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.

R 325.63 Reporting responsibilities – requirements for reporting to be completed within 5 working days of test completion.

R 325.64 Electronic communications – suggestion for electronic submission.

- A. Whether there is a continued need for the rules.

There is a continued need for these rules.

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

No public complaints or comments have been received to the Department's knowledge.

- C. The complexity of complying with the rules.

There is currently no proscribed way in which to report the test results, and only a suggestion to use electronic reporting. If R 325.64 was revised to mandate electronic reporting (as in the rules relating to the reporting of blood lead testing results, see R 325.9084), using standardized and universal formats, it would simplify compliance both the medical labs and by the Department.

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

There are no such conflicts or duplications to the Department's knowledge.

- E. 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.

The rules were last reviewed in 2005. The standardized and universal electronic reporting technology now used for blood lead test result reporting has likely changed and improved since this rule was last considered.

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

6. Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

These rules were not part of the 2023 ARP.

**Department of Health and Human Services  
ESA Policy Division**

1. Rule(s) to be **processed** between July 1, 2023 and June 30, 2024. [Give brief description.]

R 400.3009 Child support; good cause claim and determination; exceptions to cooperation requirement. – requires cooperation with obtaining child support for any child that receives FAP benefits.

R 400.3010 Imposition of support disqualification; removal of support disqualification. – requires a minimum 1-month disqualification from FAP for failure to cooperate with child support activities and outlines the requirements that must be met before a disqualification can be removed.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2023 and June 30, 2024. 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 Department is continuing its review of what other rules, if any, are obsolete or superseded for rescission.

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.

R 400.3009 and R 400.3010

- 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.

Michigan is only one of seven states/territories which requires child support and paternity compliance for food assistance. This requirement creates an unnecessary hardship for families seeking food assistance.

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

The rules require additional work for families and have a potential impact on a family's ability to receive the full food assistance benefit for their group size. Additionally, the rules require added work by the local office eligibility specialist and the child support specialist. This work is exacerbated when the parent does not comply or is unable to comply with the requirements or if the parent claims "good cause" for not pursuing child support. The good cause determination process is cumbersome and often difficult for both the Department as well as the client. The process of claiming good cause removes other services under IV. It can lead to unnecessarily invasive questions in addition to dilemmas for the family when deciding if pursuing child support is safe or in the best interest of their family. Families should not have to choose between being able to feed their family and the potential issues that come from pursuing child support from an unwilling parent. Child support services should be an option not a requirement for food assistance benefits.

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**D.** Describe whether the rules 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. at

No conflict exists. Per Supplemental Nutrition Assistance Program (SNAP) federal regulations child support cooperation requirements are a state option and are not federally required.

The date

These rules were last reviewed in 2014.

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

[MDHHS Admin Rules - ESA](#)

**6.** Please provide a list of the items identified for action in the 2023 ARP that have been completed and those that remain outstanding.

These rules were not considered for the 2023 ARP.