

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Professional Licensing

Name of person completing this form:

Weston MacIntosh

Phone number of person completing this form:

517-241-9269

E-mail of person completing this form:

MacIntoshW1@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2021-58 LR

Title of proposed rule set:

Counseling – General Rules

3. Purpose for the proposed rules and background:

The Counseling – General Rules pertain to definitions, accreditation, educational training, human trafficking training, licensure, limited licenses, examinations, relicensure, renewal, and supervision, for professional counselors.

Amendment of the rules will take place to supply necessary revisions on definitions, telehealth, accreditation, educational training, human trafficking training, licensure, limited licenses, examinations, relicensure, renewal, and supervision, for professional counselors.

4. Summary of proposed rules:

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The proposed rules will: clarify definitions and the meaning of terms used in the rules; supply conditions for telehealth and related patient consent; update higher institution educational program accreditation standards and include Canadian program educational standards; clarify the educational training program requirements for applicants who are graduates of both CACREP and non-CACREP accredited programs; clarify language under the human trafficking rule; include clean-up of references to limited licensed counselor, so that the language is consistent with statute; include a new requirement of a separate statement to the department identifying the Michigan licensed professional counselor who is supervising the limited licensed counselor's practice and the licensed professional counselor's supervising qualifications; include revisions to allow experience gained in the immediate physical presence of the supervisor to also occur via 2-way real-time audiovisual technology that allows direct, contemporaneous interaction by sight and sound between the supervisor and the supervisee; include revisions to allow showing proof of licensure in a province of Canada as a pathway to licensure; clarify that showing proof of passing the National Clinical Mental Health Counseling Examination (NCMHCE) would also satisfy the examination requirement for relicensure; clarify the criteria that a limited licensed counselor must send in for the department and board's consideration of an extension of the ten-year limitation to holding the limited license; and update the language related to supplying counseling supervision.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

The Flint Journal, November 10, 2022.
The Grand Rapids Press, November 10, 2022.
The Mining Journal, November 23, 2022.

6. Date of publication of rules and notice of public hearing in Michigan Register:

12/1/2022

7. Date, time, and location of public hearing:

12/14/2022 09:00 AM at G. Mennen Williams Building Auditorium , 525 W. Ottawa Street, Lansing, Michigan

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1316>

9. List of the name and title of agency representative(s) who attended the public hearing:

Weston MacIntosh, Departmental Specialist, Bureau of Professional Licensing.
Stephanie Wysack, Departmental Technician, Bureau of Professional Licensing.

10. Persons submitting comments of support:

Jessica Bonneville.

11. Persons submitting comments of opposition:

Stefanie Frank.

12. Persons submitting other comments:

None.

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1					

14. Date report completed:

2/15/2023