

**Michigan Office of Administrative Hearings and Rules**

**Administrative Rules Division (ARD)**

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**REGULATORY IMPACT STATEMENT  
and COST-BENEFIT ANALYSIS (RIS)**

**Agency Information:**

**Department name:**

Licensing and Regulatory Affairs

**Bureau name:**

Bureau of Professional Licensing

**Name of person filling out RIS:**

Dena Marks

**Phone number of person filling out RIS:**

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MarksD1@michigan.gov

**Rule Set Information:**

**ARD assigned rule set number:**

2021-78 LR

**Title of proposed rule set:**

Athletic Training -- General Rules

**Comparison of Rule(s) to Federal/State/Association Standard**

**1. Compare the proposed rules to parallel federal rules or standards set by a state or national licensing agency or accreditation association, if any exist.**

Each state establishes its own requirements with respect to athletic trainers, so there are no federal rules or standards set by a national or state agency that the proposed rules can be compared to.

**A. Are these rules required by state law or federal mandate?**

MCL 333.16145 requires the board to promulgate rules to specify the requirements for licensure, renewals, examination, and required passing scores.

MCL 333.16287 requires the department, in consultation with the board, to promulgate rules to implement telehealth services.

MCL 333.17904 requires the department to establish the minimum standards for licensure as an athletic trainer.

MCL 333.17905 requires the department, in consultation with the board, to promulgate rules to establish continuing education requirements.

**B. If these rules exceed a federal standard, please identify the federal standard or citation, describe why it is necessary that the proposed rules exceed the federal standard or law, and specify the costs and benefits arising out of the deviation.**

The proposed rules do not exceed a federal standard.

**2. Compare the proposed rules to standards in similarly situated states, based on geographic location, topography, natural resources, commonalities, or economic similarities.**

The proposed rules are consistent with the standards required in the Michigan Public Health Code, and the rules are largely consistent with the requirements of other states in the Great Lakes region. Every state in the Great Lakes region provides for the regulation of this profession.

**A. If the rules exceed standards in those states, please explain why and specify the costs and benefits arising out of the deviation.**

Overall, the standards in the proposed rules do not exceed those of the other states in the Great Lakes region.

**3. Identify any laws, rules, and other legal requirements that may duplicate, overlap, or conflict with the proposed rules.**

There are no other laws, rules, or other legal requirements that may duplicate, overlap, or conflict with these proposed rules.

**A. Explain how the rules have been coordinated, to the extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter. This section should include a discussion of the efforts undertaken by the agency to avoid or minimize duplication.**

No coordination is needed because there are no other applicable laws that regulate the areas addressed in the proposed rule.

**4. If MCL 24.232(8) applies and the proposed rules are more stringent than the applicable federally mandated standard, provide a statement of specific facts that establish the clear and convincing need to adopt the more stringent rules.**

MCL 24.232(8) does not apply.

**5. If MCL 24.232(9) applies and the proposed rules are more stringent than the applicable federal standard, provide either the Michigan statute that specifically authorizes the more stringent rules OR a statement of the specific facts that establish the clear and convincing need to adopt the more stringent rules.**

MCL 24.232(9) does not apply.

**Purpose and Objectives of the Rule(s)**

**6. Identify the behavior and frequency of behavior that the proposed rules are designed to alter.**

Part 1 General Provisions: The current rules provide definitions for terms used in the rule set. The proposed rules will add a new section to the definitions rule to advise that a term defined in the code has the same meaning when used in this rule set. The proposed rules will assist a reader in understanding the meaning of the terms used in the rule set.

Part 2 Licensure: The current rules pertain to the requirements for training standards for identifying victims of human trafficking, licensure, licensure by endorsement, relicensure, and license renewal. The proposed rules update the training standards for identifying victims of human trafficking to inform applicants for licensure and renewal that the standard must now be met when the application is submitted. The proposed rules add references to other administrative rules that impose requirements on an applicant for licensure or renewal, such as demonstrating proficiency in the English language and implicit bias training, to assist an applicant in meeting all requirements for licensure or renewal. The proposed rules also amend the licensure by endorsement rule to add the requirements for a Canadian-licensed applicant to assist an applicant in becoming licensed. The proposed rules amend the licensure by endorsement and relicensure rules to require an applicant to disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement or relicensed. These proposed changes are intended to ensure public safety and will assist applicants in determining if they satisfy the requirements for licensure by endorsement or relicensure.

Part 4 Continuing Education: The current rules pertain to the accumulation of continuing education and approved continuing education. The proposed rule will clarify that holding a Board of Certification (BOC) certification during each year of the renewal cycle satisfies the continuing education requirements for renewal. It will also clarify that if a BOC certification is held for less than every year of the renewal cycle, the continuing education earned by attending a BOC program will earn the credits approved by the BOC for that program.

Part 5 Delegation and Adoption by Reference of Professional Standards: The current rule pertaining to delegation and supervision requirements incorrectly imposes a duty to supervise another licensee when the act, task, or function falls within the licensee's scope of practice. The proposed rule will remove this duty because a licensee performing an act, task, or function within his or her own scope of practice is not a delegatee, and no supervision by the athletic trainer would be necessary.

**A. Estimate the change in the frequency of the targeted behavior expected from the proposed rules.**

The frequency of use is not expected to change.

**B. Describe the difference between current behavior/practice and desired behavior/practice.**

Part 1 General Provisions: The current rules provide definitions for terms used in the rule set, but the rule does not reference terms defined in the Public Health Code. The desired behavior is better reader understanding of all terms used in the rules.

Part 2 Licensure: The current rules pertain to the requirements for training standards for identifying victims of human trafficking, licensure, licensure by endorsement, relicensure, and license renewal. The proposed rules will assist an applicant for licensure or renewal in meeting this training requirement because the date of compliance will be clarified. The proposed rules will also add references to other administrative rules that impose requirements on an applicant for licensure or renewal, such as demonstrating proficiency in the English language and implicit bias training, to assist an applicant in meeting all requirements for licensure or renewal. And the proposed rules will amend the licensure by endorsement rule to add the requirements for a Canadian-licensed applicant to assist the applicant in becoming licensed. The proposed rules will also require an applicant for licensure by endorsement or relicensure to disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement or relicensed. The rules are intended to assist an applicant in determining if he or she satisfies all of the requirements for licensure by endorsement or relicensure.

Part 4 Continuing Education: The current rules pertain to the accumulation of continuing education and approved continuing education. The proposed rules will clarify that holding a Board of Certification (BOC) certification during each year of the renewal cycle satisfies the continuing education requirements for renewal. As currently written, the rule has caused confusion to licensees by referencing the number of credits that could be earned if the licensee holds the BOC certification for less than the full 3-year cycle. By removing any reference to the continuing education credits earned by holding the BOC certification for each year and including the BOC approved programs as an activity that earns the credits approved by the BOC in activity code "b," licensee's should have a better understanding on how continuing education credits earned from BOC certification or attending BOC programs are determined.

Part 5 Delegation and Adoption by Reference of Professional Standards: The current rule pertaining to delegation and supervision requirements incorrectly imposes a duty to supervise another licensee when the act, task, or function falls within the licensee's scope of practice. The proposed rule will remove this duty because a licensee performing an act, task, or function within his or her own scope of practice is not a delegatee, and no supervision by the athletic trainer would be necessary. As written, this rule may cause confusion.

### **C. What is the desired outcome?**

R 338.1301: This rule provides the definitions for the rule set. The proposed change to this rule would clarify that terms defined in the code have the same meaning when used in this rule set to ensure that the reader better understands the terms used.

R 338.1303: This rule pertains to the identifying victims of human trafficking training requirements. The proposed changes to this rule will clarify when the training is required.

R 338.1309: This rule pertains to licensure by examination. The proposed rule references other rules that contain licensure requirements, such as demonstrating proficiency in the English language and implicit bias training, both of which are contained in the Public Health Code General Rules, to ensure that an applicant is aware of licensure requirements not contained in this rule set.

R 338.1317: This rule pertains to licensure by endorsement. The proposed rule references other rules that contain licensure requirements, such as demonstrating proficiency in the English language and implicit bias training, both of which are contained in the Public Health Code General Rules, to ensure that an applicant is aware of licensure requirements not contained in this rule set. Additionally, the applicant will be informed that he or she must disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement. These proposed changes are intended to ensure public safety and will assist applicants in determining if they satisfy the requirements for licensure by endorsement.

R 338.1321: This rule pertains to licensure of foreign-trained applicants that do not meet the requirements of R 338.1309 or R 338.1317. The proposed rule references other rules that contain licensure requirements, such as demonstrating proficiency in the English language and implicit bias training, both of which are contained in the Public Health Code General Rules, to ensure that an applicant is aware of licensure requirements not contained in this rule set. Additionally, the applicant will be informed that he or she must disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement. These proposed changes are intended to ensure public safety and will assist applicants in determining if they satisfy the requirements for licensure.

R 338.1345: This rule pertains to relicensure. The proposed rule references other rules that contain relicensure requirements, such as implicit bias training, which is contained in the Public Health Code General Rules, to ensure that an applicant is aware of relicensure requirements not contained in this rule set. Additionally, the applicant will be informed that he or she must disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement. These proposed changes are intended to ensure public safety and will assist applicants in determining if they satisfy the requirements for relicensure.

R 338.1349: This rule pertains to license renewal requirements. The proposed rule references other rules that contain renewal requirements, such as implicit bias training, which is contained in the Public Health Code General Rules, to ensure that an applicant is aware of renewal requirements not contained in this rule set.

R 338.1357: This rule pertains to the continuing education credits earned by holding a BOC certification. The proposed rule will remove reference to earning credits per year for holding the certification for less than 3 years. If a licensee has held the BOC certification for less than every year of the 3-year cycle, credits earned by attending BOC approved continuing education programs will earn the credits approved by the BOC. The change is being made to clarify that there's no limit on the number of credits that can be earned per year if the licensee holds a BOC certification for the full 3 years of the renewal cycle and that holding the BOC certification for each year of the cycle satisfies the licensee's continuing education requirements.

R 338.1369: This rule pertains to the requirements for delegation and supervision. The proposed rule will remove the reference concerning the delegation of a duty to a licensee if the duty is within the scope of the licensee's practice. The rule inaccurately describes delegation in that situation, and a change is needed to ensure better understanding concerning the delegation of a duty.

**7. Identify the harm resulting from the behavior that the proposed rules are designed to alter and the likelihood that the harm will occur in the absence of the rule.**

Part 1 General Provisions: The current rules provide definitions for terms used in the rule set, but the definitions rule does not reference terms defined in the Public Health Code. Without the rule change, the reader may not understand all of the terms used in the rules.

Part 2 Licensure: The current rules pertain to the requirements for training standards for identifying victims of human trafficking, licensure, licensure by endorsement, relicensure, and license renewal. The proposed rules will assist an applicant for licensure or renewal in meeting this training requirement because the date of compliance will be clarified. The proposed rules will also add references to other administrative rules that impose requirements on an applicant for licensure or renewal, such as demonstrating proficiency in the English language and completing implicit bias training, to assist an applicant in meeting all requirements for licensure or renewal. The proposed rules will amend the licensure by endorsement rule to add the requirements for a Canadian-licensed applicant to assist the applicant in becoming licensed and require an applicant to disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement or relicensed. The proposed rules will assist an applicant in determining if he or she satisfies all of the requirements for licensure. Without the proposed changes, an applicant will be unable to determine if he or she satisfies all applicable requirements for licensure, relicensure, or license renewal.

Part 4 Continuing Education: The current rules pertain to the accumulation of continuing education and approved continuing education. The proposed rules will clarify that holding a Board of Certification (BOC) certification during each year of the renewal cycle satisfies the continuing education requirements for renewal. As currently written, the rule has caused confusion to licensees by referencing the number of credits that could be earned if the licensee holds the BOC certification for less than the full 3-year cycle. By removing any reference to the continuing education credits earned by holding the BOC certification for each year that the BOC certification is held and including the BOC approved programs as an activity that earns the credits approved by the BOC in activity code "b," licensees should have a better understanding on how continuing education credits from BOC certification or by attending BOC programs are earned.

Part 5 Delegation and Adoption by Reference of Professional Standards: The current rule pertaining to delegation and supervision requirements incorrectly imposes a duty to supervise another licensee when the act, task, or function falls within the licensee's scope of practice. The proposed rule will remove this duty because the licensee performing an act, task, or function within his or her own scope of practice is not a delegatee, and no supervision by the athletic trainer would be necessary. As written, this rule may be causing confusion.

**A. What is the rationale for changing the rules instead of leaving them as currently written?**

Part 1 General Provisions: The proposed rules are necessary to provide information pertaining to words used in the rule set.

Part 2 Licensure: The current rules pertain to the requirements for licensure, licensure by endorsement, relicensure, and license renewal. The proposed rules are intended to comply with statutory changes, ensure that a licensee is aware that requirements in other rules must be satisfied, and to ensure public safety by verifying that an applicant's health professional credentials are not subject to current sanctions.

Part 4 Continuing Education: The current rules pertain to the requirements for accumulating continuing education credits. The proposed rules are intended to clarify the credits earned by holding a BOC certification for the entire renewal cycle and those earned by taking BOC courses if the BOC certification was held for less than the full 3 years of the renewal cycle. This cannot be accomplished without changing the rules.

Part 5 Delegation and Adoption by Reference of Professional Standards. The current rule pertaining to delegation is stated incorrectly. No delegation is needed if the duty to be performed is already within a licensee's scope of practice. This cannot be corrected without amending the rule.

**8. Describe how the proposed rules protect the health, safety, and welfare of Michigan citizens while promoting a regulatory environment in Michigan that is the least burdensome alternative for those required to comply.**

Part 1 General Provisions: The current rule provides definitions for terms used in the rule set, but it does not reference terms defined in the Public Health Code. The proposed rule protects the health, safety, and welfare of Michigan citizens by ensuring that the reader understands and complies with the rules contained in this rule set.

Part 2 Licensure: The current rules pertain to the requirements for training standards for identifying victims of human trafficking, licensure, licensure by endorsement, relicensure, and license renewal. The proposed rules will protect the health, safety, and welfare of Michigan citizens by ensuring that a licensee has the training to identify victims of human trafficking, has complied with all statutes and rules required for licensure, relicensure, or renewal, and has had each health professional credential that the applicant holds verified to ensure that the applicant is not subject to sanctions.

Part 4 Continuing Education: The current rule requires a licensee to accumulate continuing education credits for renewal. The proposed rules will assist a licensee in understanding how his or her credits are earned by holding BOC certification and attending BOC programs. The accumulation of the continuing education protects the health, safety, and welfare of Michigan citizens by ensuring that the licensee is up-to-date in current trends in the practice of an athletic trainer.

Part 5 Delegation and Adoption by Reference of Professional Standards: The current rule concerns delegation and supervision requirements. The health, safety, and welfare of Michigan citizens is protected when a licensee makes an appropriate delegation of a duty and appropriately supervises the performance of that duty. The current rule will remove information that inaccurately describes a duty to supervise the performance of a duty when the duty already falls within a licensee's scope of practice. This requires no delegation and no supervision, so that portion of the rule will be corrected.

**9. Describe any rules in the affected rule set that are obsolete or unnecessary and can be rescinded.**

No rules can be rescinded.

**Fiscal Impact on the Agency**

Fiscal impact is an increase or decrease in expenditures from the current level of expenditures, i.e. hiring additional staff, higher contract costs, programming costs, changes in reimbursements rates, etc. over and above what is currently expended for that function. It does not include more intangible costs for benefits, such as opportunity costs, the value of time saved or lost, etc., unless those issues result in a measurable impact on expenditures.

**10. Please provide the fiscal impact on the agency (an estimate of the cost of rule imposition or potential savings for the agency promulgating the rule).**

The proposed rules are not expected to have a fiscal impact on the agency.

**11. Describe whether or not an agency appropriation has been made or a funding source provided for any expenditures associated with the proposed rules.**

No agency appropriation has been made or a funding source provided because there are no expenditures associated with the proposed rules.

**12. Describe how the proposed rules are necessary and suitable to accomplish their purpose, in relationship to the burden(s) the rules place on individuals. Burdens may include fiscal or administrative burdens, or duplicative acts.**

Part 1 General Provisions: It is not anticipated that the proposed rules will add any new burden on an individual. This rule is necessary to ensure the public health, safety, and welfare of Michigan citizens by clarifying the meanings of terms used in the rule set for better understanding and compliance.

Part 2 Licensure: The proposed rules require an applicant for licensure, licensure by endorsement, relicensure, and license renewal to have complied with all applicable statutes and rules and to have health professional credentials verified. These changes are necessary to ensure public health, safety, and welfare by requiring an applicant to demonstrate the requirements for licensure or relicensure and by verifying that the applicant is safe to practice.

Part 4 Continuing Education: The current rule requires a licensee to accumulate continuing education credits for renewal. The accumulation of the continuing education is required by statute and it protects the health, safety, and welfare of Michigan citizens by ensuring that the licensee is up-to-date in current trends in the practice of an athletic trainer.

Part 5 Delegation and Adoption by Reference of Professional Standards: The current rule concerns delegation and supervision requirements. The health, safety, and welfare of Michigan citizens is protected when a licensee makes an appropriate delegation of a duty and appropriately supervises the performance of that duty.

**A. Despite the identified burden(s), identify how the requirements in the rules are still needed and reasonable compared to the burdens.**

There is no identified burden imposed by the proposed rules.

## **Impact on Other State or Local Governmental Units**

**13. Estimate any increase or decrease in revenues to other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Estimate the cost increases or reductions for other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Include the cost of equipment, supplies, labor, and increased administrative costs in both the initial imposition of the rule and any ongoing monitoring.**

There are no anticipated increases or reductions for other state or local governmental units as a result of the proposed rules.

**14. Discuss any program, service, duty, or responsibility imposed upon any city, county, town, village, or school district by the rules.**

There are no anticipated or intended programs, services, duties, or responsibilities imposed on any city, town, village, or school district as a result of these proposed rules.

**A. Describe any actions that governmental units must take to be in compliance with the rules. This section should include items such as record keeping and reporting requirements or changing operational practices.**

There are no anticipated actions that a governmental unit must take to comply with the proposed rules.

**15. Describe whether or not an appropriation to state or local governmental units has been made or a funding source provided for any additional expenditures associated with the proposed rules.**

No appropriations have been made to any governmental units as a result of the proposed rules. No additional expenditures are anticipated or intended with the proposed rules.

## **Rural Impact**

**16. In general, what impact will the rules have on rural areas?**

The proposed rules impose requirements on individual licensees regardless of where the licensee works or lives. Even if a licensee works or lives in a rural area, the department could not exempt him or her from the rules because it would create a disparity in the regulation of the profession.

**A. Describe the types of public or private interests in rural areas that will be affected by the rules.**

The proposed rules will not impact public or private interests in rural areas.

## Environmental Impact

### 17. Do the proposed rules have any impact on the environment? If yes, please explain.

The proposed rules do not have any impact on the environment.

## Small Business Impact Statement

### 18. Describe whether and how the agency considered exempting small businesses from the proposed rules.

The department did not consider exempting small businesses because they are not impacted by the proposed rules.

### 19. If small businesses are not exempt, describe (a) the manner in which the agency reduced the economic impact of the proposed rules on small businesses, including a detailed recitation of the efforts of the agency to comply with the mandate to reduce the disproportionate impact of the rules upon small businesses as described below (in accordance with MCL 24.240(1)(a-d)), or (b) the reasons such a reduction was not lawful or feasible.

The rules cannot exempt small businesses because the rules do not directly regulate small businesses. The rules regulate individual licensees.

### A. Identify and estimate the number of small businesses affected by the proposed rules and the probable effect on small businesses.

There are approximately 1,749 athletic trainers licensed in Michigan.

A licensee may work in a small business. However, no matter what type of business environment the licensee works in, he or she will have to comply with the proposed rules. The rules do not impact small business differently because the impact is to the individual licensee only.

### B. Describe how the agency established differing compliance or reporting requirements or timetables for small businesses under the rules after projecting the required reporting, record-keeping, and other administrative costs.

The agency did not establish separate compliance or reporting requirements for small businesses. The proposed rules will apply to all individual licensees. The rules were drafted to be the least burdensome on all affected licensees.

### C. Describe how the agency consolidated or simplified the compliance and reporting requirements for small businesses and identify the skills necessary to comply with the reporting requirements.

The agency did not consolidate or simplify compliance and reporting requirements for small businesses with the proposed rules because the proposed rules do not impact small businesses.

### D. Describe how the agency established performance standards to replace design or operation standards required by the proposed rules.

The agency did not establish performance standards to replace design or operation standards required by these rules.

### 20. Identify any disproportionate impact the proposed rules may have on small businesses because of their size or geographic location.

The proposed rules do not impact small business. They impact an individual licensee. Therefore, there is no disproportionate impact on a small business because of its size or geographic location.

### 21. Identify the nature of any report and the estimated cost of its preparation by small businesses required to comply with the proposed rules.

The proposed rules affect individuals applying for licensure and renewal, regardless if they practice in a small business. There is no separate cost to a small business.

### 22. Analyze the costs of compliance for all small businesses affected by the proposed rules, including costs of equipment, supplies, labor, and increased administrative costs.

There are no expected costs for equipment, supplies, labor, or administrative costs that a small business would incur in complying with the proposed rules.

The rules impact licensees and not small businesses.

### 23. Identify the nature and estimated cost of any legal, consulting, or accounting services that small businesses would incur in complying with the proposed rules.

There are no expected costs for legal, consulting, or accounting services that a small business would incur in complying with the proposed rules.

**24. Estimate the ability of small businesses to absorb the costs without suffering economic harm and without adversely affecting competition in the marketplace.**

There are no expected costs to a small business that will cause economic harm to a small business or the marketplace as a result of the proposed rules.

**25. Estimate the cost, if any, to the agency of administering or enforcing a rule that exempts or sets lesser standards for compliance by small businesses.**

The proposed rules impose requirements on individual licensees rather than a small business. Even if a licensee's practice qualifies as a small business, the department could not exempt his or her business because it would create disparity in the regulation of the profession.

Therefore, there is no cost to the agency for administering or enforcing the rules because exempting or setting lesser standards of compliance for a small business is not in the best interest of the public.

**26. Identify the impact on the public interest of exempting or setting lesser standards of compliance for small businesses.**

The proposed rules impose requirements on individual licensees rather than a small business. Even if a licensee's work qualifies as a small business, the department could not exempt his or her business because it would create a disparity in the regulation of the profession. Therefore, exempting or setting lesser standards of compliance for a small business is not in the best interest of the public.

**27. Describe whether and how the agency has involved small businesses in the development of the proposed rules.**

The department worked with the Michigan Board of Athletic Trainers in the development of the proposed rules. The Board is composed of professional and public members.

**A. If small businesses were involved in the development of the rules, please identify the business(es).**

No small businesses were involved in the development of the rules.

**Cost-Benefit Analysis of Rules (independent of statutory impact)**

**28. Estimate the actual statewide compliance costs of the rule amendments on businesses or groups.**

There are no estimated compliance costs with these rule amendments on businesses or groups.

**A. Identify the businesses or groups who will be directly affected by, bear the cost of, or directly benefit from the proposed rules.**

No businesses or groups will be directly affected or benefitted by the proposed rules. No additional costs will be imposed on any businesses or groups.

**B. What additional costs will be imposed on businesses and other groups as a result of these proposed rules (i.e. new equipment, supplies, labor, accounting, or recordkeeping)? Please identify the types and number of businesses and groups. Be sure to quantify how each entity will be affected.**

No additional costs will be imposed on any businesses or groups.

**29. Estimate the actual statewide compliance costs of the proposed rules on individuals (regulated individuals or the public). Include the costs of education, training, application fees, examination fees, license fees, new equipment, supplies, labor, accounting, or recordkeeping.**

It is estimated that there will be no new compliance costs imposed on individuals as a result of the proposed rules.

**A. How many and what category of individuals will be affected by the rules?**

All licensees and applicants are affected by the proposed rules.

**B. What qualitative and quantitative impact do the proposed changes in rules have on these individuals?**

There is no qualitative or quantitative impact on individuals as a result of the proposed rules.

**30. Quantify any cost reductions to businesses, individuals, groups of individuals, or governmental units as a result of the proposed rules.**

There are no cost reductions to businesses, individuals, groups of individuals, or governmental units as a result of the proposed rules.

**31. Estimate the primary and direct benefits and any secondary or indirect benefits of the proposed rules. Please provide both quantitative and qualitative information, as well as your assumptions.**

The proposed rules use clear, concise language, and implement the statutory requirements for licensing. The clear, concise language allows the public, applicants, and licensees to better understand the requirements for licensure and renewal.

**32. Explain how the proposed rules will impact business growth and job creation (or elimination) in Michigan.**

The rules are not expected to have an impact on business growth, job creation, or job elimination in Michigan.

**33. Identify any individuals or businesses who will be disproportionately affected by the rules as a result of their industrial sector, segment of the public, business size, or geographic location.**

The department does not expect any individuals or businesses to be disproportionately impacted by the rules as a result of their industrial sector, segment of the public, business size, or geographic location.

**34. Identify the sources the agency relied upon in compiling the regulatory impact statement, including the methodology utilized in determining the existence and extent of the impact of the proposed rules and a cost-benefit analysis of the proposed rules.**

Illinois: <http://www.ilga.gov/commission/jcar/admincode/068/06801160sections.html>;  
<http://ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1291&ChapAct=225%A0ILCS%A05/&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATIONS&ActName=Illinois+Athletic+Trainers+Practice+Act>

Indiana: <http://www.in.gov/legislative/iac/T08980/A00010.PDF?>; <https://www.in.gov/pla/3886.htm>;  
<http://iga.in.gov/legislative/laws/2020/ic/titles/025#25-5.1>

Minnesota: <https://www.revisor.mn.gov/statutes/cite/148.7808>; <https://www.revisor.mn.gov/statutes/cite/148.7809>

Ohio: <http://codes.ohio.gov/orc/4755.61>; <http://codes.ohio.gov/orc/4755.62>

Pennsylvania: <http://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/049/chapter18/subchapHtoc.html&d=reduce>

Wisconsin: [https://docs.legis.wisconsin.gov/code/admin\\_code/at/2.pdf](https://docs.legis.wisconsin.gov/code/admin_code/at/2.pdf);  
[https://docs.legis.wisconsin.gov/code/admin\\_code/at/1.pdf](https://docs.legis.wisconsin.gov/code/admin_code/at/1.pdf);  
<http://docs.legis.wisconsin.gov/statutes/statutes/448/VI/953>

**A. How were estimates made, and what were your assumptions? Include internal and external sources, published reports, information provided by associations or organizations, etc., that demonstrate a need for the proposed rules.**

Since the rules are required by statute, no estimates were made.

## **Alternative to Regulation**

**35. Identify any reasonable alternatives to the proposed rules that would achieve the same or similar goals.**

Since the rules are required by statute, there are no reasonable alternatives to the proposed rules.

**A. Please include any statutory amendments that may be necessary to achieve such alternatives.**

Since the rules are required by statute, a statutory change would be needed to provide an alternative.

**36. Discuss the feasibility of establishing a regulatory program similar to that proposed in the rules that would operate through private market-based mechanisms. Please include a discussion of private market-based systems utilized by other states.**

Since the rules are required by statute, private market-based systems cannot serve as an alternative. The licensing and regulation of athletic trainers are state functions, and states regulate athletic trainers by statute, regulation, or both. Private market-based systems are not used for licensing and regulation.

There are professional organizations that establish criteria for membership, but these organizations would provide the public with significantly less protection because membership in many of these organizations is voluntary. This means an individual who meets the membership requirements but does not join one of the professional organizations would be able to practice, and there would be no way to ensure their competency or hold them accountable.

**37. Discuss all significant alternatives the agency considered during rule development and why they were not incorporated into the rules. This section should include ideas considered both during internal discussions and discussions with stakeholders, affected parties, or advisory groups.**

Since the rules are specifically required by statute, there are no alternatives to the proposed rules that the agency could consider. They are necessary for the administration and enforcement of the licensing process.

### **Additional Information**

**38. As required by MCL 24.245b(1)(c), please describe any instructions regarding the method of complying with the rules, if applicable.**

The instructions for compliance are included in the rules.