

**Michigan Office of Administrative Hearings and Rules
Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

REQUEST FOR RULEMAKING (RFR)

1. Department:

Licensing and Regulatory Affairs

2. Bureau:

Bureau of Community and Health Systems

3. Promulgation type:

Full Process

4. Title of proposed rule set:

Qualified Interpreter-General Rules

5. Rule numbers or rule set range of numbers:

R 393.5001-R 393.5095

6. Estimated time frame:

12 months

Name of person filling out RFR:

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7. Describe the general purpose of these rules, including any problems the changes are intended to address.

The Qualified Interpreter-General Rules administrative rules regulate the minimum credentials, endorsements, levels of expected proficiency, application, testing, licensure, renewal, minimum standards of practice, disciplinary procedures, and continuing education for interpreters. The current rule set will be rescinded and replaced with the proposed rule set.

The proposed rule set will be recodified with new numbers, eliminate duplications, comport with today's practice standards, and reflect department current processes.

8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).

Section 8a of 1982 PA 204, MCL 393.508a, the deaf persons' interpreters act, authorizes the Department of Licensing and Regulatory Affairs to promulgate the rules.

A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).

By authority conferred on the director of the department of licensing and regulatory affairs by section 8a of the deaf persons' interpreters act, 1982 PA 204, MCL 393.508a, Executive Reorganization Order Nos. 1996-2, 2003-1, 2011-4, 2014-5, and 2017-4, MCL 445.2001, 445.2011, 445.2030, 445.2035, and 445.2036.

B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.

Section 8a of 1982 PA 204, MCL393.508a, the deaf persons' interpreters act mandates the Department of Licensing and Regulatory Affairs to promulgate the rules.

9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.

Each state established its own requirements with respect to the standards, prelicensure education, licensure, licensure renewal, relicensure, continuing education, and discipline for interpreters. The rules do not conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted.

10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?

The subject matter is not currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memorandum.

11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?

Yes, the rules are listed on the Annual Regulatory Plan.

12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?

Full Process

13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

The proposed rule set does not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional or federal level.

14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.

Yes, recommendations for the advisory board and public testimony from these board meetings have been received about the need to update the current rules, last modified in 2014. Further input is expected at town hall meeting(s) of certified providers and community stakeholders along with a formal public hearing.

15. If amending an existing rule set, please 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 the regulatory activity covered by the rules since the last evaluation.

Rules were last revised in 2014. Technology, economic conditions, or other factors have not changed the regulatory activity covered by the rules since the last evaluation.

16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?

There are no changes or developments since implementation that demonstrate that there is no continued need for the rules or any portion of the rules.

17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.

No

Based on the information provided in this RFR, MOAHR concludes that there are sufficient policy and legal bases for approving the RFR. The RFR satisfies the requirements of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and Executive Order No. 2019-6.