

State Budget Office
Office of Regulatory Reinvention
 111 S. Capitol Avenue; 8th Floor, Romney Building
 Lansing, MI 48933
 Phone: (517) 335-8658 FAX: (517) 335-9512

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

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate the rules must complete and submit this form electronically to the Office of Regulatory Reinvention (ORR) at orr@michigan.gov.

1. Agency Information:

Agency name:	Department of Licensing and Regulatory Affairs		
Division/Bureau/Office:	Bureau of Professional Licensing		
Name, title, phone number, and e-mail of person completing this form:	Dena Marks, Board Analyst 517-335-3679 MarksD1@Michigan.gov		
Name of Departmental Regulatory Affairs Officer reviewing this form:	Liz Arasim, Department of Licensing and Regulatory Affairs		

2. Rule Set Information:

ORR assigned rule set number:	2018-106 LR
Title of proposed rule set:	Podiatric Medicine and Surgery – General Rules

3. Purpose for the proposed rules and background:

The existing rules regulate the licensure, renewals, and relicensure of podiatrists. The proposed rules reorganize the rule set into 5 parts for clarity. The proposed rules add a requirement that a foreign trained applicant must demonstrate that he or she has a working knowledge of the English language and a telehealth rule. Accreditation and examination information is updated, relicensure requirements are reorganized and updated, and continuing education (CE) requirements are updated and revised in the proposed rules.

4. Summary of proposed rules:

R 338.8101 In the proposed rule, definitions are amended for clarity and to improve understanding.

R. 338.8102 The proposed rule will provide the date by which an applicant for initial licensure or renewal must complete the training for identifying victims of human trafficking.

R 338.8102a This is a new proposed rule that will advise an applicant for licensure that he or she must demonstrate a working knowledge of the English language if the applicant’s educational or training program was taught outside the United States.

R 338.8103 The proposed rule will provide updated information regarding postgraduate training and correctly identify the examination components required for licensure.

R 338.8104 The proposed rule will revise examination requirements and identify the components of the examination that an applicant must pass. It will also identify the accepted passing score to help an applicant comply with all requirements for licensure.

R 338.8107 The proposed rule pertaining to licensure by endorsement will be amended for clarity and to aid an applicant in complying with all requirements.

R 338.8109 The proposed rule will amend examination information and identify the components required for licensure.

R 338.8110 The proposed rule will amend CE requirements and reorganize the information into a chart form to make it easier to use.

R 338.8111 The current rule pertains to relicensure after a lapse of 3 years or more. It will be rescinded because the information will be included in the chart in R 338.8110.

R 338.8113 The proposed rule will amend accreditation standards for clarity and to help an applicant comply with the educational and residency requirements.

R 338.8115 The current rule pertains to patient records. It will be rescinded as it duplicates MCL 333.16213 and is not needed.

R 338.8126 The proposed rule will amend CE information and add a subrule regarding the department's authority to audit a renewal applicant's CE credits.

R 338.8127 The proposed rule will revise and amend the required CE credits to include 3 hours of pain and symptom management, 1 hour of medical ethics, and 2 hours of controlled substances prescribing. Amendments will also be made regarding the information that a licensee must submit if audited.

R 338.8128 The current rule pertains to board approved CE. It will be revised for clarity and to aid in compliance.

R 338.8145 This is a new rule that will be added regarding telehealth. The rule is required by MCL 333.16287.

5. List names of newspapers in which the notice of public hearing was published and publication dates (attach copies of affidavits from each newspaper as proof of publication).

The Mining Journal, February 28, 2019
The Grand Rapids Press, February 28, 2019
The Flint Journal, February 28, 2019

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

Issue No. 04-2019, March 15, 2019

7. Time, date, location, and duration of public hearing:

March 25, 2019, 9:00 a.m., G. Mennen Williams Building Auditorium, 525 Ottawa Street, Lansing, Michigan

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit

analysis on its website:

http://dmbinternet.state.mi.us/DMB/ORRDocs/RIS/1885_2018-106LR_ris.pdf

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

Weston MacIntosh, Board Analyst
LeAnn Payne, Technician
Dena Marks, Board Analyst

10. Persons submitting comments of support:

None.

11. Persons submitting comments of opposition:

None.

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12. 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 Change	Rule Number & Citation Changed
1.					
2.					
3.					
4.					

13. Date report completed:

March 26, 2019

STATE OF MICHIGAN)
County of Kent
and County of Ottawa

ss

Haar Sutton

Being duly sworn deposes and say he/she is Principal Clerk of



THE GRAND RAPIDS PRESS
DAILY EDITION

a newspaper published and circulated in the County of Kent and the County of Ottawa and otherwise qualified according to Supreme Court Rule; and that the annexed notice, taken from said paper, has been duly published in said paper on the following day(day(s))

February 28 A.D. 20 *19*

Sworn to and subscribed before me this *28* day of *February* 20 *19*

Janice M. DeHany
JANICE M. DEHANY
NOTARY PUBLIC, STATE OF MI
COUNTY OF KENT
MY COMMISSION EXPIRES Oct 3, 2026
ACTING IN COUNTY OF *Kent*

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
NOTICE OF PUBLIC HEARING
March 25, 2019
9:00 a.m.
Location: C. Herbert Williams Building Auditorium
525 W. Ottawa Street, Lansing, Michigan

The hearing is held to receive public comments on the following administrative rules:

Marriage and Family Therapy - General Rules (ORR 2018049 UR)
Authority: MCL 333.16145; MCL 333.16148; MCL 333.16901; MCL 333.16902; MCL 333.16903; MCL 333.16904; MCL 338.9501; MCL 445.2001; MCL 445.2011; MCL 445.2030.
Overview: The proposed revisions to the rules amend the human trafficking rule to include a date of promulgation, update standards that are adopted by reference, update requirements pertaining to licensure, and add requirements for license renewal.

Optometry - General Rules (ORR 2018037 UR)
Authority: MCL 333.16145; MCL 333.16148; MCL 333.16174; MCL 333.16287; MCL 333.17431; MCL 338.3501; MCL 445.2001; MCL 445.2011; and MCL 445.2030.
Overview: The proposed revisions to the rules will revise definitions; add a new requiring optical and controlled substances awareness training; advise when an applicant for licensure or renewal must have completed the training for identifying victims of human trafficking; advise a foreign-trained applicant for licensure that he or she must demonstrate a working knowledge of the English language; update standards for optometric degree programs; add a telehealth services rule; update licensure examination information; revise and update licensure requirements; and revise and reorganize continuing education and license renewal requirements.

Pediatric Medicine and Surgery - General Rules (ORR 2018106 UR)
Authority: MCL 333.16145; MCL 333.16148; MCL 333.16174; MCL 333.16178; MCL 333.16182; MCL 333.16186; MCL 333.16284; MCL 333.16285; MCL 333.16287; MCL 333.16031; MCL 333.16033; MCL 338.3501; MCL 445.2001; MCL 445.2011; MCL 445.2030.
Overview: The proposed revisions to the rules will clarify definitions; add a new rule that will advise a foreign-trained applicant that he or she must demonstrate a working knowledge of the English language; advise when an applicant for licensure or renewal must have completed the training for identifying victims of human trafficking; revise and update examination, residency, and preceptorship requirements; amend required examination information; clarify licensed license rejections; revise continuing education requirements; update and clarify licensure information; amend the rule regarding educational and residency programs accreditation standards; and add a telehealth rule.

The rules will take effect immediately upon filing with the Secretary of State, unless specified otherwise in the rules. Comments on the proposed rules may be presented in person at the public hearing. Written comments will also be accepted from date of publication until 5:00 p.m. on **March 23, 2019**, at the following address or email address:

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing, Records and Commissions Section
P.O. Box 30670
Lansing, MI 48909-8170
Attention: Policy Analyst | Email: bls@socialsupport.michigan.gov

A copy of the proposed rules may be obtained by contacting Board Support at (517) 241-7500 or the email address noted above. Electronic copies also may be obtained at the following link:
<http://dmbinternet.state.mi.us/DMS/DTN/ORS/AdminCode.asp?AdminCode=Department&Dept=LR&Level=1-BureauofProfessionalLicensing>

The meeting site and parking are accessible to people with disabilities. Individuals attending the meeting are requested to refrain from using heavily scented personal care products. In order to enhance accessibility for everyone, people with disabilities requiring additional accommodations (such as materials in alternative format) in order to participate in the meeting should call (517) 241-7500.

RECEIVED
MAR 04 2019
LARA

The Mining Journal

Upper Michigan's Largest Daily Newspaper

249 W. Washington St., P.O. Box 430, Marquette, Michigan 49855. Phone (906)228-2500. Fax (906)228-3273.

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN

AFFIDAVIT OF PUBLICATION

For the County of **MARQUETTE**

In the matter of: Notice of Public Hearing
Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
Marriage and Family Therapy – General Rules
Optometry – General Rules
Podiatric Medicine and Surgery – General Rules

Size: 2 x 10

State of **MICHIGAN**, County of Marquette ss.

JAMES A. REEVS

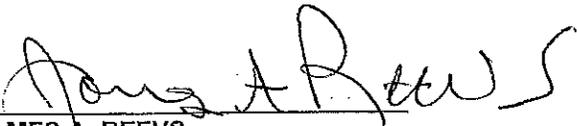
being duly sworn, says that he is.

PUBLISHER

of **THE MINING JOURNAL**

a newspaper published and circulated in said county and otherwise qualified according to Supreme Court Rule; that annexed hereto is a printed copy of a notice which was published in said newspaper on the following date, or dates, to-wit

February 28, 2019



JAMES A. REEVS

Subscribed and sworn to before me this 28th day of February 2019.



HOLLY GASMAN

Notary Public for **MARQUETTE** County, Michigan
Acting in the County of Marquette
My commission expires: May 25, 2025.

made from bovine cells that closely resembles the texture and flavor of its cow-borne counterpart.

For now, the tiny steaks are just 3 millimeters (a tenth of an inch) wide – roughly the size of a very thin strip of roast beef.

Each Israeli player has raised several million dollars in early investment, including from major food manufacturers such as U.S. giant Tyson Foods, Germany's PHW Group, and Israel's Strauss Group.

RD OF REVIEW IAL MEETING

ette County) Board of Review
ch 05, 2019 at the City Hall,
t Baraga Avenue, Marquette,

this meeting. This notice is
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an organizational meeting.
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D OF REVIEW TEST MEETINGS

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hear property tax assessment
times:

n 9:00 a.m. to 12:00 noon

1:00 p.m. to 4:00 p.m. and

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3 DISABLED EMPTION

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proof of eligibility.

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disabilities at the meeting/
to the City of Marquette.
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ven regarding any changes

00 West Baraga Avenue,
78

highlighted a series of frothy
bridal gowns. And the final
flourish was reserved for the

slit-skirt and short-shorts
with a sweater with a pair of
cats had youthful flair.

Department of Licensing and Regulatory Affairs Bureau of Professional Licensing NOTICE OF PUBLIC HEARING

March 25, 2019
9:00 a.m.

Location: G. Mennen Williams Building Auditorium
525 W. Ottawa Street, Lansing, Michigan

The hearing is held to receive public comments on the following administrative rules:

Marriage and Family Therapy – General Rules (ORR 2018-049 LR)

Authority: MCL 333.16145; MCL 333.16148; MCL 333.16901; MCL 333.16903; MCL 333.16909; MCL 333.16913; MCL 338.3501; MCL 445.2001; MCL 445.2011; MCL 445.2030.

Overview: The proposed revisions to the rules amend the human trafficking rule to include a date of promulgation, update standards that are adopted by reference, update requirements pertaining to relicensure, and add requirements for license renewal.

Optometry – General Rules (ORR 2018-037 LR)

Authority: MCL 333.16145, MCL 333.16148, MCL 333.16174, MCL 333.16287, MCL 333.17431, MCL 338.3501, MCL 445.2001, MCL 445.2011, and MCL 445.2030.

Overview: The proposed revisions to the rules will revise definitions; add a rule requiring opioid and controlled substances awareness training; advise when an applicant for licensure or renewal must have completed the training for identifying victims of human trafficking; advise a foreign-trained applicant for licensure that he or she must demonstrate of a working knowledge of the English language; update standards for optometric degree programs; add a telehealth services rule; update licensure examination information; revise and update relicensure requirements; and revise and reorganize continuing education and license renewal requirements.

Podiatric Medicine and Surgery – General Rules (ORR 2018-106 LR)

Authority: MCL 333.16145; MCL 333.16148; MCL 333.16174; MCL 333.16178; MCL 333.16182; MCL 333.16186; MCL 333.16204; MCL 333.16205; MCL 333.16287; MCL 333.18031; MCL 333.18033; MCL 338.3501; MCL 445.2001; MCL 445.2011; MCL 445.2030.

Overview: The proposed revisions to the rules will clarify definitions; add a new rule that will advise a foreign-trained applicant that he or she must demonstrate a working knowledge of the English language; advise when an applicant for licensure or renewal must have completed the training for identifying victims of human trafficking; revise and update examination, residency, and preceptorship requirements; amend required examination information; clarify limited license renewals; revise continuing education requirements; update and clarify relicensure information; amend the rule regarding educational and residency programs accreditation standards; and add a telehealth rule.

The rules will take effect immediately upon filing with the Secretary of State, unless specified otherwise in the rules. Comments on the proposed rules may be presented in person at the public hearing. Written comments will also be accepted from date of publication until 5:00 p.m. on March 25, 2019, at the following address or e-mail address:

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing – Boards and Committees Section
P.O. Box 30670
Lansing, MI 48909-8170
Attention: Policy Analyst
Email: BPL-BoardSupport@michigan.gov

A copy of the proposed rules may be obtained by contacting Board Support at (517) 241-7500 or the email address noted above. Electronic copies also may be obtained at the following link:

http://dmbinternet.state.mi.us/DMB/DTMBORR/AdminCode.aspx?AdminCode=Department&Dpt=LR&Level_1=Bureau+of+Professional+Licensing

The meeting site and parking are accessible to people with disabilities. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations (such as materials in alternative format) in order to participate in the meeting should call (517) 241-7500.

STATE OF MICHIGAN)
County of Genesee

ss Rhonda L. Walker

Being duly sworn deposes and say he/she is Principal Clerk of



THE FLINT JOURNAL
DAILY EDITION

RECEIVED
LARA

a newspaper published and circulated in the County of Genesee and otherwise qualified according to Supreme Court Rule; and that the annexed notice, taken from said paper, has been duly published in said paper on the following day(days)

February 28 A.D. 2019

Sworn to and subscribed before me this 28th day of February 2019

Janice M. Drogaf
JANICE M. DROGAF
NOTARY PUBLIC, STATE OF MI
COUNTY OF GEN
MY COMMISSION EXPIRES 04/15, 2020
ACTING IN COUNTY OF Genesee

**Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
NOTICE OF PUBLIC HEARING
March 25, 2019
9:00 a.m.**

Location: G. Harold Williams Building Auditorium
525 W. Ottawa Street, Lansing, Michigan

The hearing is held to receive public comments on the following administrative rules:

Marriage and Family Therapy - General Rules (ORR 2018-029 LR)
Authority: MCL 333.16145; MCL 333.16148; MCL 333.16501; MCL 333.16202; MCL 333.16206; MCL 333.16277; MCL 333.16287; MCL 333.16330; MCL 445.2001; MCL 445.2002; MCL 445.2003.

Optometry - General Rules (ORR 2018-037 LR)
Authority: MCL 333.16145; MCL 333.16148; MCL 333.16174; MCL 333.16287; MCL 333.17431; MCL 338.3501; MCL 445.2001; MCL 445.2011; and MCL 445.2030.

Pediatric Medicine and Surgery - General Rules (ORR 2018-106 LR)
Authority: MCL 333.16145; MCL 333.16148; MCL 333.16174; MCL 333.16178; MCL 333.16182; MCL 333.16186; MCL 333.16204; MCL 333.16205; MCL 333.16287; MCL 333.18031; MCL 333.18033; MCL 333.18035; MCL 333.18037; MCL 445.2001; MCL 445.2002; MCL 445.2003; and MCL 445.2030.

The rules will take effect immediately upon filing with the Secretary of State, unless specified otherwise in the rules. Comments on the proposed rules may be presented in person at the public hearing. Written comments will also be accepted from time of publication until 5:00 p.m. on March 25, 2019, at the following address or e-mail address:

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing—Boards and Committees Section
701, Box 30670
Lansing, MI 48909-0670
Attention: Policy Analysts; Email: RFLboardsupport@Michigan.gov

A copy of the proposed rules may be obtained by contacting Board Support at (517) 241-7500 or the email address listed above. Electronic copies also may be obtained at the following link:

https://databases.lis.state.mi.us/DMB/DIMBDRR/AdminCode.aspx?AdminCode=DepartmentADP%2BLevel_2%2BBoard%2BProfessional-Licensing

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