

State Budget Office
Office of Regulatory Reinvention
111 S. Capitol Avenue; 8th Floor, Romney Building,
Lansing, MI 48933
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REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at orr@michigan.gov.

1. Agency Information

Agency name:	Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Community and Health Systems
Agency contact person name, e-mail, and phone:	Tammy Bagby, 517-335-4084 bagbyt@michigan.gov

2. Rule Set Information

Title of proposed rule set:	Licensing Rules for Child Care Centers
Rule number(s) or range of numbers:	R 400.8101-400.8840
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes

3. Estimated timetable for completion, or statutory deadline, if applicable:

End of 2018 to comply with federal requirements.
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4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

The proposed rules will revise the existing Licensing Rules for Child Care Centers with amendments, deletions, and additions deemed necessary to comply with changes in 1973 PA 116, as amended by Public Acts 256, 257, 258 and 259 of 2017. This will provide the latest standards to protect the health and safety of children in child care centers.
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5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

The proposed rules are being promulgated by authority conferred on the Director of the Department of Licensing and Regulatory Affairs by section 2 of 1973 PA 116, MCL 722.112, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2004-4, and 2015-1, MCL 330.3101, 445.2001, 445.2011, 400.226, and 400.227.

6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

The department is not currently aware of any state or federal rules or regulations that the proposed rules are in conflict with or duplicate.

7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

No.

8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:

The rules will be promulgated under the full rulemaking process.

9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.

No.

10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.

There is no applicable decision record.

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received:5-8-2018

Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2018-032 LR
Date of approval:	5/21/18

Based on the information in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	
Explanation:	