

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

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REQUEST FOR RULEMAKING (RFR)

1. Department:

Licensing and Regulatory Affairs

2. Bureau:

Bureau of Professional Licensing

3. Promulgation type:

Full Process

4. Title of proposed rule set:

Sanitarians Registration - General Rules

5. Rule numbers or rule set range of numbers:

R 338.3901 - R 338.3931

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 general purpose of these rules is to address educational and registration requirements.

The proposed changes include reorganization of the rules and substantive changes to amend the rules to:

- Clarify definitions and the meaning of terms used in the rules.
- Update environmental health baccalaureate programs accreditation standards.
- Update environmental health graduate programs accreditation standards.
- Update higher institution educational program regional accreditation standards.
- Move educational requirements from the definitions rule to an educational section and rule.
- Require applicants who are graduates of only regionally accredited programs to provide to the department an evaluation of their educational credentials by a credential evaluation organization.
- Revise the human trafficking rule to include a date of promulgation.
- Remove duplicative language from the former examination rule.
- Clarify and simplify registration by examination requirements, including the removal of departmental review of an alternative educational and training program.
- Add criteria related to good moral character and fingerprinting as conditions for re-registration of a sanitarian, as well as other relevant criteria, depending on the circumstances of the applicant.
- Add a rule that addresses the requirements for registration renewal.

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

The department director.

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

MCL 333.16145, MCL 333.16148, and MCL 333.18413, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, 2011-4, and 2009-10, MCL 338.3501, MCL 445.2001, MCL 445.2011, MCL 445.2030, and MCL 333.26364.

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

No.

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.

R 338.3910, the prohibited conduct rule, will be rescinded, as the conduct is already regulated by law elsewhere, namely MCL 333.16221 and MCL 333.18413.

The rest of the proposed rules do not duplicate or conflict with other federal or state regulations.

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

No guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo covers the subject matter of the rules.

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

Yes.

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 rules do not exceed other federal or state regulations.

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

No.

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.

The rules were last amended in 2016. There have been no technological factors, economic conditions, or other factors that would necessitate amendment of the rules.

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?

No.

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