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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Memorandum

VIA E-MAIL

DATE: January 22, 2021

TO: Representative Luke Meerman, Chairperson, JCAR
Senator Jon Bumstead, Alternate Chairperson, JCAR
Evan Keimach, Senate Majority Policy Office
Jimmy Biehl, House Republican Policy Office
Tim Reeves, Counsel, JCAR
Elizabeth Edberg, Counsel, JCAR

FROM: Marlon I. Brown, Director of Policy and Legislative Affairs

A handwritten signature in black ink, appearing to read "MB".

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for
Rule Set 2020-23 LR (Occupational Code – Disciplinary Rules)

Rules Primer

This rule set pertains to disciplinary matters for professions regulated under the Occupational Code by the Department of Licensing and Regulatory Affairs.

Summary of the Final Proposed Rule

The proposed rules clarify and amend a licensee's or registrant's duty to report changes to his or her name, postal address, and electronic mail address. Additionally, the proposed rules rescind provisions that are duplicative of statute. New provisions will be added to inform an unlicensed or unregistered individual that he or she must act in compliance with the Occupational Code, advise a respondent regarding the service of a complaint or notice of hearing, and advise a licensee or registrant that an investigation may include potential violations beyond those originally alleged. The proposed rules will also advise when a contested case begins and how pleadings should be filed after a complaint is issued.

Stakeholder Engagement

When drafting these rules, the Bureau of Professional Licensing staff met with staff from the Bureau of Corporations, Securities, and Commercial Licensing, the Bureau of Construction Codes, and the Michigan Office of Administrative Hearings and Rules.

Public Engagement and Public Hearing/Comment/Information

The public comment period for this rule set began on August 23, 2020 and ended on September 18, 2020, at 5:00 p.m. The notice of public comment period, in addition to being posted in various newspapers as required, was posted on the LARA website, and distributed via email listserv to all interested parties. The public hearing was held at 9:00 a.m. on September 18, 2020, and occurred virtually via Zoom, as permitted under Executive Order 2020-154. The Bureau did not receive any comments by mail or email during the public comment period. There were no comments made during the public hearing.

Modifications Made Due to Public Comment

No comments were received during the public hearing or submitted as written comments during the public comment period; therefore, no changes were made to the proposed rules.

Significant Issues Not Incorporated in the Final Proposed Rules

None.

cc/att: Orlene Hawks, Director, LARA
Kim Gaedeke, Chief Deputy Director, LARA
Adam Sandoval, Deputy Director, LARA
Courtney Pendleton, Deputy Director, LARA
Debra Gagliardi, BPL Bureau Director, LARA
Elizabeth Arasim, Regulatory Affairs Officer, LARA