

Michigan Office of Administrative Hearings and Rules

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

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Professional Licensing

Name of person completing this form:

Dena Marks

Phone number of person completing this form:

517-335-3679

E-mail of person completing this form:

MarksD1@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2021-37 LR

Title of proposed rule set:

Public Health Code - Disciplinary Rules

3. Purpose for the proposed rules and background:

The general purpose of these rules is to provide rules applicable to disciplinary matters for all professions regulated under the Public Health Code and licensed by the Bureau of Professional Licensing.

The proposed rules will revise and clarify current rules related to the disciplinary process.

4. Summary of proposed rules:

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The proposed revisions to the rules clarify the disciplinary action that the department may take based on conduct occurring before licensure, registration, relicensure, or reregistration; clarify the licensee's or registrant's continuing duty to report criminal convictions; clarify the licensee's or registrant's duties when applying for relicensure or reregistration; clarify the department's review process when determining if reasonable grounds for an investigation exist; clarify when an administrative complaint may be amended; add a rule concerning cease and desist orders; and, clarify the situations when a disciplinary subcommittee may rely on prior final orders when determining whether grounds for discipline exist.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

The Flint Journal, August 31, 2021
The Grand Rapids Press, August 31, 2021
The Mining Journal, September 1, 2021

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

9/15/2021

7. Date, time, and location of public hearing:

9/20/2021 01:00 PM at G. Mennen Williams Building Auditorium , 525 W. Ottawa Street, Lansing, Michigan

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1295>

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

Kimberly Catlin, Board support Technician, Boards and Committees Section, Bureau of Professional Licensing
Weston MacIntosh, Senior Policy Analyst, Boards and Committees Section, Bureau of Professional Licensing
Dena Marks, Senior Policy Analyst, Boards and Committees Section, Bureau of Professional Licensing
Kerry Przybylo, Manager, Boards and Committees Section, Bureau of Professional Licensing

10. Persons submitting comments of support:

Adam Carlson, Michigan Health & Hospital Association
Julie Novak, Michigan State Medical Society
Christopher S. Patterson, Fahey, Schultz, Burzych, and Rhodes

11. Persons submitting comments of opposition:

There were no persons submitting comments of overall opposition to the proposed rules, but comments were received that stated opposition or concern about the proposed revisions of certain rules.

12. Identify any changes made to the proposed rules based on comments received during the public comment period:

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	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for change	Rule number & citation changed
1	None.	None.		None.	None.

13.Date report completed:

10/25/2021