

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:

2021-74 LR

Title of proposed rule set:

Public Health Code – General Rules

3. Purpose for the proposed rules and background:

The Public Health Code General Rules provides general rules applicable to all professionals regulated under Article 15 of the Public Health Code.

The rule set also establishes the specific dates that a license or registration renewal period begins or ends for licenses and registrations regulated by the Public Health Code.

The department is implementing a new licensing system and the renewal dates for some licenses and registrations have changed to the date that the initial license or registration was issued. The applicability of the implicit bias training rule will be clarified, and all rules will be reviewed and, if needed, revised for clarity.

4. Summary of proposed rules:

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Amendments will be made to the biennial and triennial license and registration renewal rules, and the date of renewal for occupational therapy, physical therapy, respiratory therapy, counseling, and social work will be changed to the date of the year when the licensee's initial license or the registrant's initial registration was issued. Amendments will be made to the rule providing the minimum English language standard to clarify that the International English Language Testing System Academic test and the Test of English as a Foreign Language Internet-Based Test must be taken within 2 years of the date of application for licensure or registration because test scores cannot be verified after 2 years. The rule pertaining to the Stark Law will be updated, and the rule pertaining to implicit bias training will be revised to clarify that it applies to all applicants, including those for relicensure or reregistration.

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

The Flint Journal, November 2, 2021
The Grand Rapids Press, November 2, 2021
The Mining Journal, November 5, 2021

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

11/15/2021

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

11/22/2021 09:00 AM at Ottawa Building, UL Conference Room C-4 , 611 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=1332>

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

Dena Marks, Senior Policy Analyst, Boards and Committees Section, Bureau of Professional Licensing

Kerry Przybylo, Manager, Boards and Committees Section, Bureau of Professional Licensing

Stephanie Wysack, Board support Technician, Boards and Committees Section, Bureau of Professional Licensing

10. Persons submitting comments of support:

None.

11. Persons submitting comments of opposition:

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James K. Cantwil, D.D.S. submitted comments opposing the current requirements of R 338.7004.

Susan Moon submitted comments opposing the current requirements of and proposed changes to R 338.7004.

Julie Novak, Michigan State Medical Society, submitted comments opposing the current requirements of R 338.7004.

Milan Sata, D.D.S. submitted comments opposing the current requirements of and proposed changes to R 338.7004.

Niman Shukairy, D.D.S. submitted comments opposing the current requirements of R 338.7004.

Kimberlydawn Wisdom, M.D., Henry Ford Health System, submitted comments opposing the current requirements of R 338.7004.

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	None.		None.	None.	None.

13. Date report completed:

12/14/2021