

**Michigan Office of Administrative Hearings and Rules**  
MOAHR-Rules@michigan.gov

**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:**

Andria Ditschman

**Phone number of person completing this form:**

517-290-3361

**E-mail of person completing this form:**

DitschmanA@michigan.gov

**Name of Department Regulatory Affairs Officer reviewing this form:**

Elizabeth Arasim

**2. Rule Set Information**

**MOAHR assigned rule set number:**

2020-70 LR

**Title of proposed rule set:**

Board of Nursing – General Rules

**3. Purpose for the proposed rules and background:**

The purpose of the Board of Nursing Rules is to regulate the prelicensure education, licensure, specialty certification, licensure renewal, relicensure, continuing education for licensed nurses, and the nursing professional fund scholarship program.

The proposed rules are intended to: address the requirements to take the NCLEX examination; clarify the nursing education program requirements; modify the nurse professional fund scholarship program requirements; clarify continuing education requirements; and address licensure requirements.

**4. Summary of proposed rules:**

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The proposed revisions to the rules will: establish that the National Council of State Boards of Nursing determines the NCLEX passing score; ensure consistency in the requirements for examination; offer alternative ways to sit for the NCLEX; provide additional entities that may provide certification of educational program substantial equivalency; eliminate time requirements related to sitting for the NCLEX; require an applicant to obtain a certification of skills competency before retaking the NCLEX if they have not passed it within a certain period of time; provide paths for licensure by endorsement for individuals licensed in another state, Canada, or having graduated from a program in Canada, or otherwise outside of the United States; clarify the requirements for continued program approval, program changes, faculty requirements, substitution of clinical hours, board evaluation of nursing education programs, and failure to comply with the rules; approve continued education that is offered or approved by the American Medical Association; and allow a student to receive a scholarship more than once from the Nursing Professional Fund Scholarship Program.

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

Marquette Mining Journal – December 10, 2021; Flint Journal – December 9, 2021; Grand Rapids Press – December 9, 2021

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

1/1/2022

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

1/5/2022 09:00 AM at Location: 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=198>

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

Kerry Przybylo, Manager; Andria Ditschman, Departmental Specialist; and LeAnn Payne, Board Support.

**10. Persons submitting comments of support:**

Allyson Bakewell, Director of Talent Acquisition, Ciena Healthcare (Ciena)

Richard Farran, V.P. of Government Services, Health Care Association of Michigan (HCAM)

Meriam Caboral-Stevens, PNAM CGFNS Removal Task Force, Philippine Nurses Association of Michigan (PNAM)

Eric Wallis, SVP Patient Care & System Chief Nursing Officer, Henry Ford Health System

**11. Persons submitting comments of opposition:**

There were no comments in opposition to the proposed rules.

**12. Persons submitting other comments:**

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Meriam Caboral-Stevens, PNAM CGFNS Removal Task Force, Philippine Nurses Association of Michigan (PNAM)

Adam Carlson, Senior V. P. Advocacy, Michigan Health & Hospital Association (MHA)

Stephanie Chang, State Senator, District 1, Minority Floor Leader; Paul Wojno, State Senator, District 9; Michael MacDonald, State Senator, District 10; Rosemary Bayer, State Senator, District 12; Erika Geiss, State Senator, District 6; Jim Ananich, State Senator, District 27; Wayne Schmidt, State Senator, District 37; and Sylvia Santana, State Senator, District 3

Richard Farran, V.P. of Government Services, Health Care Association of Michigan (HCAM)

Krista Jackson, MSN, RNC-OB, C-ONQS, C-EFM

Eric Wallis, SVP Patient Care & System Chief Nursing Officer, Henry Ford Health System

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

	<b>Name &amp; Organization</b>	<b>Comments made at public hearing</b>	<b>Written Comments</b>	<b>Agency Rationale for Rule Change and Description of Change(s) Made</b>	<b>Rule number &amp; citation changed</b>
1	Adam Carlson, Senior V. P. Advocacy, Michigan Health & Hospital Association (MHA)  Eric Wallis, SVP Patient Care & System Chief Nursing Officer, Henry Ford Health System		Requests that the rules allow applicants who have attended an educational program outside of the United States, and who have already passed the NCLEX in another jurisdiction, be able to apply for a license in Michigan.	It is the intent of the Board to allow individuals who have graduated from a substantially equivalent educational program located outside of the United States, and who have already passed the NCLEX exam, to be able to apply for licensure in Michigan.	338.10208(1)(c) 338.10212(1)(c)

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2	Eric Wallis, SVP Patient Care & System Chief Nursing Officer, Henry Ford Health System		Only six other states require that international nurses complete the CGFNS Certification Program, so expanding the options for professional nurses to include the CGFNS Credentials Evaluation Service or the Evaluation of Foreign Education Credential for Boards of Nursing from Josef Silny & Associates, Inc. International Educational Consultants (JS&A) brings Michigan into alignment with the vast majority of states that include other options in their licensing rules. The draft rules also expand these credentials evaluation flexibilities to internationally educated nurses who have passed the NCLEX-RN examination.	The Board agrees that expanding the options for nurses to include the CGFNS Credentials Evaluation Service provides for more flexibility to internationally educated nurses. For clarity, all references to the CGFNS "CES academic report" will be modified to the "CES professional report" as the "CES academic report" is for college placement, while the "CES professional report" is for licensing.	338.10204(2) (c)(i) 338.10204(3) 338.10208(1) (c)(i) 338.10208a (c)(ii) 338.10210(2) (c)(i) 338.10210(3) 338.10212(1) (c)(i) 338.10212a (c)(ii)
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14. Date report completed:

4/12/2022