

# Michigan Office of Administrative Hearings and Rules

611 West Ottawa Street; 2nd Floor, Ottawa Building

Lansing, MI 48933

Phone: (517) 335-8658 FAX: (517) 335-9512

## REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file an RFR with the Michigan Office of Administrative Hearings and Rules (MOAHR) before initiating any changes or additions to the rules. Please submit the RFR to [MOAHR-Rules@michigan.gov](mailto:MOAHR-Rules@michigan.gov).

### 1. Agency Information:

Agency name:	Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Professional Licensing
Name, title, phone number, and e-mail of <u>person completing this form</u> :	Weston J. MacIntosh Senior Policy Analyst (517) 241-9269 <a href="mailto:macintoshw1@michigan.gov">macintoshw1@michigan.gov</a>

### 2. Rule Set Information:

Title of proposed rule set:	Chiropractic – General Rules
Rule number(s) or range of numbers:	R 338.12001 – R 338.12054
Included in agency's annual regulatory plan as rule to be processed in current year?	No

### 3. Estimated timetable for completion, or statutory deadline, if applicable:

One year.
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### 4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

The general purpose of these rules is to provide educational, licensure, and continuing education requirements for this profession.  The proposed updates include typographical revisions, as well as substantive changes to continuing education requirements.
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### 5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

MCL 333.16145, MCL 333.16148, MCL 333.16423, and MCL 333.16431, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, MCL 445.2001, MCL 445.2011, and MCL 445.2030.
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### 6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

The proposed rules do not duplicate or conflict with other federal or state regulations.
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### 7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

No guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo covers the subject matter of the rules.
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**8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:**

Promulgation of the rules will take place under the full rule-making process.

**9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.**

No, the rules do not incorporate the recommendations of any Advisory Rules Committee formed by Executive Order 2011-5.

**10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.**

Yes, please see attached minutes from the May 23, 2019 board meeting.

**11. Reviewed by the following Departmental Regulatory Affairs Officer:**

Liz Arasim  
Department of Licensing and Regulatory Affairs

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↓ To be completed by MOAHR ↓

Date RFR received:8-21-2019

**Based on the information in this RFR, MOAHR concludes that there are sufficient policy and legal bases for approving the RFR.**

MOAHR assigned rule set number:	<b>2019-084 LR</b>
Date of approval:	<b>8/27/19</b>

**Based on the information in this RFR, MOAHR is not approving the RFR at this time.**

Date of disapproval:	
Explanation:	