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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 *MB*

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set 2020-08 LR (Acupuncture – General Rules)

Rules Primer

The current rules provide for acupuncture registration; however, statutory changes that became effective on March 4, 2020, provide for acupuncture licensure. MCL 333.16515 and MCL 333.16525 requires the promulgation of rules for licensure, and MCL 333.16517 requires the promulgation of rules pertaining to continuing education requirements for license renewal.

Summary of the Final Proposed Rule

The proposed rules are intended to accomplish the following:

- Add a provision regarding telehealth services, as required by MCL 333.16287.
- Adopt the standards of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM).
- Describe the requirements for licensure, limited licensure, licensure by endorsement, and relicensure.
- Describe the requirements for accumulating continuing education for license renewal and identify the approved continuing education provider.

Stakeholder Engagement

When drafting these rules, the Michigan Board of Acupuncture's rules subcommittee met in open workgroup meetings on April 23, 2020, June 9, 2020, and July 15, 2020. Public notice of the workgroup meetings was given for each of these meetings, and all were attended by members of the public, representatives of the Michigan Society of Acupuncturists, or both. Suggestions and comments were offered by the public and association attendees. The subcommittee members asked questions regarding the proffered comments and suggestions. Many of the recommended changes were ultimately adopted.

Public Engagement and Public Hearing/Comment/Information

The public comment period for this rule set began on September 9, 2020, and ended on September 25, 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 25, 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 and there were no comments made during the public hearing.

Modifications Made Due to Public Comment

There were no changes made to the proposed rules as no issues were raised during the public comment period.

Significant Issues Not Incorporated in the Final Proposed Rules

There were no significant issues raised during the workgroup meetings that were not addressed in the final proposed rules.

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