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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

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DIRECTOR

Memorandum

VIA E-MAIL

DATE: July 10, 2020

TO: Senator Peter Lucido, Chairperson, JCAR
Representative Matt Maddock, 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 2019-135 LR (Public Health Code – General Rules)

Rules Primer

The Public Health Code General Rules establish specific dates that a license or registration renewal period begins and ends for professions regulated by Article 15 of the Public Health Code. Additionally, this rule set provides general rules applicable to those professions.

Summary of the Final Proposed Rule

The general purpose of the proposed rules is to update the license renewal dates for those professions that were recently transferred to a new licensing system. A new general rule, applicable to all professions, will be added to establish the minimum standard for determining if an applicant has a working knowledge of the English language.

Stakeholder Engagement

In developing the general rule for determining if an applicant has a working knowledge of the English language, LARA staff consulted with language-testing experts at

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Michigan Language Assessment. Previously, the testing requirement was contained in the individual rule sets for several professions. Those rules required that an applicant demonstrate English proficiency by achieving a certain result on the TOEFL-iBT. The language-testing experts at Michigan Language Assessment assisted the department in determining passing scores on tests that could be used as an alternative to the TOEFL-iBT. These additional options will ensure that public health is protected while providing applicants with more testing options to satisfy licensure or registration requirements.

Public Engagement and Public Hearing/Comment/Information

The comment period for this rule set began on May 5, 2020 and ended at 5:00 p.m. on May 22, 2020. 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 on May 22, 2020 and occurred virtually via Zoom as permitted under Executive Order 2020-48. There were no public comments received regarding these rules.

Modifications Made Due to Public Comment

No comments were received during the public hearing or submitted as written comments during the public comment period; therefore, no changes were made to the proposed rules.

Significant Issues Not Incorporated in the Final Proposed Rules

None.

cc/att: Orlene Hawks, Director, LARA
Kim Gaedeke, Chief Deputy Director, LARA
Adam Sandoval, Deputy Director, LARA
Debra Gagliardi, Director Bureau of Professional Licensing, LARA
Elizabeth Arasim, Regulatory Affairs Officer, LARA