

State Budget Office  
**Office of Regulatory Reinvention**  
111 S. Capitol Avenue; 8th Floor, Romney 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 a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at [orr@michigan.gov](mailto:orr@michigan.gov).

### 1. Agency Information

Agency name:	Health and Human Services
Division/Bureau/Office:	Bureau of Epidemiology and Population Health
Agency contact person name, e-mail, and phone:	Sarah Lyon-Callo, <a href="mailto:lyoncallos@michigan.gov">lyoncallos@michigan.gov</a> , 517-284-4910

### 2. Rule Set Information

Title of proposed rule set:	REPORTING OF POISONINGS DUE TO THE USE OF PRESCRIPTION OR ILLICIT DRUGS
Rule number(s) or range of numbers:	New Rule Set- Mich Admin Code R 325.76 to R 325.100.
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes

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

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

With the dramatic increase in the rise of overdoses and deaths caused by prescription medications and illicit "street" drugs, tracking the information is difficult as there is no requirement that health professionals and health facilities report this information. Without the information, the State is unable to proportionately leverage resources to each county to combat the overdoses/death epidemic occurring in this State. See latest statistics provided by Sparrow Hospital at <a href="http://www.sparrow.org/upload/docs/2017%20Annual%20Report%20(1).pdf">http://www.sparrow.org/upload/docs/2017%20Annual%20Report%20(1).pdf</a>
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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.

By authority conferred on the department of health and human services by section 8 of 1978 PA 312; sections 2221, 2226, 2233, and 5111 of 1978 PA 368; and Executive Reorganization Order No. 2015-1, being MCL 325.78, MCL 333.2221, MCL 333.2226, MCL 333.2233, MCL 333.5111, and MCL 400.227.
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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 conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.
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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.

**8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:**

The rules will be promulgated under the full rulemaking 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.

**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.**

There is no applicable decision record for this rule request.

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

Mary E. Brennan

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↓ To be completed by the ORR ↓

Date RFR received: 10-29-2018

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

ORR assigned rule set number:	<b>2018-074 HS</b>
Date of approval:	<b>11/5/18</b>

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

Date of disapproval:	
Explanation:	