

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Health and Human Services

**2. Bureau:**

Children's Services Agency

**3. Promulgation type:**

MCL 24.244 (1)

**4. Title of proposed rule set:**

Placement on Central Registry After Criminal Conviction

**5. Rule numbers or rule set range of numbers:**

R 400.201 - R 400.206

**6. Estimated time frame:**

3 months

**Name of person filling out RFR:**

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**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

These mandated proposed rules provide the process of collaboration with Michigan criminal courts to request placement of an individual and subsequent request for removal of an individual convicted of specific crimes against children to be placed or removed from the Michigan Department of Health and Human Services (MDHHS) Central Registry. These proposed rules will ensure individuals with contact with the child and whose actions are based upon crimes against children be added to the Central Registry upon the MDHHS' approval of the request. These mandated proposed rules provide the process of collaboration with Michigan criminal courts to request that individuals convicted of specific crimes against children be placed on the Michigan Department of Health and Human Services' (MDHHS) Central Registry and also provide the process for the subsequent request for removal of an individual from the Central Registry. Effective November 1, 2022, section 7j of the child protection law, MCL 722.627j, is amended to require DHHS to maintain a statewide, electronic case management system to carry out the intent of the child protection law, 1975 PA 238. The amended section 7j(3) requires that DHHS promulgate rules to regulate the referral process.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

Department Director.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

By authority conferred on the department of health and human services by section 7j of the child protection law, 1975 PA 238, MCL 722.627j.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

The rules are mandated under MCL 722.627j(3).

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rules do not conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

MDHHS is developing policy regarding the statutory and regulatory requirements.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

The rules are listed on MDHHS' annual regulatory plan.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

MCL 24.244 (1)

**A. Explain why the rules are being promulgated under 24.244.**

These rules are being promulgated under 44(1) because the rules are required to conform to a statutory amendment to section 7j of the child protection law, 1975 PA 238, which is effective on November 1, 2022.