

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:	Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Professional Licensing
Agency contact person name, e-mail, and phone:	Dena Marks, Analyst <a href="mailto:MarksD1@michigan.gov">MarksD1@michigan.gov</a> 517-335-3679

### 2. Rule Set Information

Title of proposed rule set:	Nursing Home Administrators – General Rules
Rule number(s) or range of numbers:	R 339.14001- R 339.14045
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:

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

<p>The Nursing Home Administrators General Rules pertain to the licensure, relicensure, and renewal for nursing home administrators. The proposed rules will reorganize, update, and revise the current rules to comply with current statutory requirements and for clarity.</p> <p>The proposed rules will add a Part 2 for education to update and clarify current requirements. The proposed rules will update information regarding accreditation standards and the approved course of instruction and training for licensure.</p> <p>The proposed rules add a Part 3 for licensure. The proposed rules will relocate some rules for clarity, add rules to inform an applicant of current licensure requirements, and amend the examination requirements. The proposed rules will update the requirements for relicensure after lapse and for licensure by endorsement.</p> <p>The proposed rules will add a new Part 4 and will reorganize the continuing education requirements into this section. The proposed rules will rescind some rules for organization and clarity and will rescind some rules because they do not comply with statutory requirements. The proposed rules will add new board approved continuing education course requirements. The proposed rules will reorganize and update other continuing education requirements.</p>
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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(2); MCL 333.16148; MCL 333.16178; MCL 333.17309(5); Executive Reorganization Order No. 1991-9, MCL 338.3501; Executive Reorganization Order No. 1996-2, MCL 445.2001; Executive Reorganization Order No. 2003-1, MCL 445.2011; Executive Reorganization Order No. 2011-4, MCL 445.2030.

**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 rules or regulations adopted by the state or federal government.

**7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?**

The subject matter of the rules is not currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda.

**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.**

The proposed rules do not incorporate the recommendations of any Advisory Rules Committee formed pursuant to 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. The Michigan Board of Nursing Home Administrators voted to open the rules at the regularly scheduled board meeting on December 5, 2017.

**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 the ORR ↓

Date RFR received: 5-30-2018

**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>2018-040 LR</b>
Date of approval:	<b>6/8/18</b>

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

Date of disapproval:	
Explanation:	