

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:	Athletic Trainers – General Rules
Rule number(s) or range of numbers:	R 338.1301 – R 338.1378
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:**

One 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 Athletic Trainers General Rules pertain to the licensure, relicensure, and license renewal for athletic trainers. The current rules contain outdated and incomplete information which will be updated and amended.</p> <p>The rules will be revised to remove the definition of “emergency cardiac care” because it is not consistent with the statutory requirements for cardio pulmonary resuscitation (CPR) and automated external defibrillator (AED) training.</p> <p>The current rule on training for identifying victims of human trafficking will be revised to include the dates when the training is required for a current licensee applying for renewal and for an applicant for initial licensure.</p> <p>New rules will be added or current rules revised to clarify the first aid, CPR, and AED training necessary for licensure, licensure by endorsement, renewal, and relicensure. New rules will be added or current rules revised to clarify the first aid and CPR certification requirements for licensure, licensure by endorsement, renewal, and relicensure.</p> <p>A new rule will be added that will require an applicant trained outside of the United States to demonstrate a working knowledge of the English language by achieving a score of 80 or more on the Test of English as a Foreign Language Internet-Based Test.</p>
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The information in the current rule for accreditation standards is outdated. The information will be updated and the information reorganized and revised for clarity.

The information in the current rule related to relicensure will be reorganized for clarity.

The current rules approving first aid, CPE, and AED training and certification programs will be amended and additional programs will be added.

The rules regarding continuing education will be revised and the standard of the Board of Certification Inc., will be adopted by reference. Continuing Education activities will be revised.

The professional standards rule will be amended to add updated information.

**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, MCL 333.16148, MCL, 333.16178, MCL 333.16186, MCL 333.16204, MCL 333.16205, MCL 333.16215, MCL 333.17904, and MCL 333.17905 and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, MCL 445.2001, MCL 445.2011, and 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.**

Each state establishes its own requirements with respect to the licensing requirements of athletic trainers, so there is no federal rule or standard set by a national or state agency that the proposed rules can duplicate or be in conflict with.

**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, manual, handbook, instructional bulletin, form with instructions, or operational memo.

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

These rules will be promulgated using 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 any recommendation of any Advisory Rules Committee.

**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.**

The Michigan Board of Athletic Trainers voted to open the rules at the regularly scheduled board meeting on May 18, 2018.

**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:9-25-2018
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**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>2018-062 LR</b>
Date of approval:	<b>10/4/18</b>

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

Date of disapproval:	
Explanation:	