

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF PROFESSIONAL LICENSING

GENERAL RULES – PUBLIC HEALTH CODE

Filed with the Secretary of State on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16194, 16201, and 16221(e)(iv)(B) of **the public health code**, 1978 PA 368, MCL 333.16145, ~~MCL 333.16194, MCL 333.16201, and MCL 333.16221(e)(iv)(B)~~, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 333~~8~~.3501, ~~MCL 445.2001, MCL 445.2011, MCL 445.2025, and MCL 445.2030~~)

R 338.7001, R 338.7001a, and R338.7002 of the Michigan Administrative Code are amended and R 338.7002a and R 338.7002b are added to read as follows:

R 338.7001 Definitions.

Rule 1. As used in these rules:

(a) "Code" means **the public health code**, 1978 PA 368, MCL 333.1101 to 333.25211.

(b) "Department" means the department of licensing and regulatory affairs.

(c) **"Issue date" means the date that the initial license was granted to the licensee by the department.**

(d) **"Limitation" means a board action as defined in section 16106(4) of the code, MCL 333.16106(4).**

(~~ee~~) "Stark Law" means section 1877 of part d of title XVIII of the social security act, 42 U.S.~~code~~ USC 1395nn.

R 338.7001a Biennial **license and registration** renewal; ~~authorized boards; license renewal content~~ **expiration.**

Rule 1a. (1) ~~The license or registration renewals issued for the following professions are valid for a period of 2 years commencing on the following dates and shall be renewed every 2 years upon receipt of payment and compliance with renewal requirements, if appropriate:~~ **The following licenses and registrations expire biennially and must be renewed every 2 years on or before the date indicated:**

Acupuncture	10/1
Audiology	1/1
Chiropractic	12/1
Marriage and family therapy	2/1

Midwifery	Issue date
Nursing	Issue date
Nursing home administrators	11/1
Occupational therapy	6/1
Optometry	7/1 Issue date
Pharmacy	7/1 Issue date
Physical therapy	8/1
Physician's assistants	9/1 Issue date
Psychology	9/1
Respiratory care	1/1
Sanitarians	12/1
Speech-language pathology	10/1

(2) A license or registration having a limitation may be renewed for a term less than ~~the biennial cycle~~ **2 years**.

R 338.7002 Triennial license or registration renewal; authorized boards; license renewal content expiration.

Rule 2. (1) ~~The license renewals issued for the following professions are valid for a period of 3 years commencing on the following dates and shall be renewed every 3 years upon receipt of payment and compliance with renewal requirements, if appropriate: The following licenses and registrations expire triennially and must be renewed every 3 years on or before the date indicated:~~

Athletic trainer	10/1
Counseling	6/1
Dentistry	9/1 Issue date
Massage therapy	11/1
Medicine	2/1 Issue date
Osteopathic medicine and surgery	1/1 Issue date
Podiatric medicine and surgery	3/2 Issue date
Social work	5/1
Veterinary medicine	1/1 Issue date

(2) A license having a limitation may be renewed for a term less than ~~the triennial cycle~~ **3 years**.

R 338.7002a Quadrennial license renewal; expiration.

Rule 2a. (1) **The following license expires quadrennially and must be renewed every 4 years on or before the date indicated:**

Behavior Analysts	Issue date
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(2) A license having a limitation may be renewed for a term less than **4 years**.

R 338.7002b Minimum English language standard.

Rule 2b. (1) Pursuant to section 16174(1)(d) of the code, MCL 333.16174(1)(d), an applicant seeking initial licensure shall demonstrate a working knowledge of the English language if the applicant's educational or training program was taught outside the United States, unless exempted by subrule (3) of this rule.

(2) To demonstrate a working knowledge of the English language, an applicant shall submit proof that he or she has obtained a total score of not less than 80 on the Test of English as a Foreign Language Internet Based Test (TOEFL-IBT) administered by the Educational Testing Service.

(3) If an applicant's education or training program was taught in English within 1 or more of the following, he or she is exempted from the requirements of subrule (1) of this rule:

- (a) Canada, except Quebec.**
- (b) England.**
- (c) Ireland.**
- (d) New Zealand.**
- (e) Australia.**