Michigan Office of Administrative Hearings and Rules

611 West Ottawa Street; 2nd Floor, Ottawa 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 an RFR with the Michigan Office of Administrative Hearings and Rules (MOAHR) before initiating any changes or additions to the rules. Please submit the RFR to MOAHR-Rules@michigan.gov.

1. Agency Information:

Agency name:	Department of Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Professional Licensing
Name, title, phone number, and e-mail of <u>person</u> completing this form:	Dena Marks Marksd1@michigan.gov 517-335-3679

2. Rule Set Information:

Title of proposed rule set:	Occupational Code Renewals	
Rule number(s) or range of numbers:	R 339.1001-339.1005	
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.

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

The Occupational Code Renewals rules establish the specific dates that a license or registration renewal period begins or ends for licenses regulated by the Occupational Code and issued by the Bureau of Professional Licensing. The revised rules will clarify the length of a license or registration cycle and update expiration and renewal date 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.

Rule promulgation is mandated by the following: MCL 339.202 requires the department to establish by rule the expiration date of a license or registration issued under the Occupational Code. MCL 339.205 requires the department to promulgate rules that are necessary and appropriate for the department to fulfill its role. The rules are not mandated by any constitutional provision. ERO 1991-9, MCL 338.3501; ERO 1996-2, MCL 445.2001; ERO 2003-1, MCL 445.2011, and ERO 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 rules do not conflict with or duplicate 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?

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 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.

No.

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by MOAHR ↓

Date RFR received:8-23-2019

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

MOAHR assigned rule set number:	**2019-085 LR**
Date of approval:	**8/29/19**

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

Date of disapproval:	
Explanation:	