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STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING

- - -

PUBLIC HEARING

MONDAY, NOVEMBER 23, 2020

AT ABOUT 9:00 A.M.

- - -

HELD VIA ZOOM TELECONFERENCE

LANSING, MICHIGAN

- - -

- RE: Athletic Trainers - General Rules  
(MOAHR #2020-16 LR)
- Nursing Home Administrators - General Rules  
(MOAHR #2019-140 LR)
- Real Estate Appraisers - General Rules  
(MOAHR #2019-114 LR)
- Respiratory Care - General Rules  
(MOAHR #2020-17 LR)

- - -

HEARING FACILITATOR:

ANDRIA DITSCHMAN  
Bureau of Professional Licensing  
611 W. Ottawa Street  
Lansing, Michigan 48909

- ALSO PRESENT: Kerry Przybylo
- Weston McIntosh
- Kimmy Catlin

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I N D E X

Opening Statement - Andria Ditschman 3

- - -

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1                                   Lansing, Michigan

2                                   Monday, November 23, 2020

3                                   At about 9:00 a.m.

4                                   - - -

5                                   MS. DITSCHMAN: Hi. My name is Andria  
6                                   Ditschman and I am an analyst for the Bureau of  
7                                   Professional Licensing in the Department of Licensing and  
8                                   Regulatory Affairs, and I will be conducting the hearing  
9                                   today.

10                                   This is a public hearing on four proposed  
11                                   administrative rule sets entitled "Athletic Trainers -  
12                                   General Rules, Nursing Home Administrators - General  
13                                   Rules, Real Estate Appraisers - General Rules, and  
14                                   Respiratory Care - General Rules." We are conducting the  
15                                   hearing as required by the Administrative Procedures Act  
16                                   to allow the public to comment on the proposed changes to  
17                                   these rule sets. As with all other public hearings on  
18                                   draft rule sets, the only items discussed during the  
19                                   hearing will be the proposed changes to the rule sets.  
20                                   The hearing is not to cover questions or discussions on  
21                                   any other issues.

22                                   We're calling this hearing to order at  
23                                   9:00 a.m. on November 23, 2020, via Zoom to comply with  
24                                   statutorily required measures designed to help prevent  
25                                   the spread of Coronavirus Disease 2019, known as

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1 COVID-19. The notice of public hearing was published in  
2 three newspapers of general circulation: The Grand  
3 Rapids Press and the Flint Journal on September 5, 2020,  
4 and the Mining Journal on September 6, 2020, as well as  
5 the *Michigan Register*, Issue #16-2020, published on  
6 November 15, 2020.

7 All comments should relate directly to  
8 the proposed rules. If you have questions about the  
9 rules, you may place your comments on the record and the  
10 Department will review and consider them. If you have  
11 suggested changes to the proposed rules, please include  
12 the specific reasons why the changes would be in the  
13 public interest.

14 We will take comments on each rule set in  
15 the following order: Athletic Trainers - General Rules,  
16 Nursing Home Administrators - General Rules, Real Estate  
17 Appraisers - General Rules, and Respiratory Care -  
18 General Rules. The comments will be heard in the  
19 following manner:

20 For those using the Video Conference Portion, those  
21 not calling on the telephone, please use the "Raise Your  
22 Hand" feature in Zoom. I will call on individuals to  
23 speak, and they will be unmuted at that time.

24 Next, for participants that are available only by  
25 telephone, we will ask if you wish to make a comment

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1 after the video participants have finished.

2 If you have a comment but do not wish to speak,  
3 please note that the Department will also accept written  
4 statements emailed or postmarked to  
5 BPL-BoardSupport@Michigan.gov until 5:00 p.m. today.

6 Those making comments should clearly and  
7 slowly say and spell your name and advise if you are  
8 speaking on behalf of an organization. We will limit  
9 comments to three minutes per person. Please remember  
10 that only one person should speak at a time.

11 The other Department staff from the  
12 Bureau of Professional Licensing attending today are  
13 Kerry Przybylo, Weston McIntosh, and Kimmy Catlin.

14 So let's start with the Athletic Trainers  
15 - General Rules, and we're going to start with the video  
16 conference, those on video conference, so if you want to  
17 participate, if you could use your "Raise Your Hand"  
18 feature in the Zoom.

19 I'm not seeing any. Kerry, do you agree?

20 MS. PRZYBYLO: I thought I heard someone  
21 try to say something, so let's give it a second. And  
22 someone is trying to sign on, so let's just hold on just  
23 a minute. I'm almost done uploading the rules, I just  
24 need to upload the Real Estate Appraisers rules next.

25 MS. DITSCHMAN: Okay. So if you just  
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1 came on, we're starting with Athletic Trainers - General  
2 Rules. And if you are on Zoom and you wanted to make a  
3 comment on Athletic Trainers, if you would use the "Raise  
4 Your Hand" feature, and then we can call on you.

5 Okay. So if we're not on the Zoom, I  
6 don't see anyone calling by telephone.

7 MS. PRZYBYLO: No, I don't either.

8 MS. DITSCHMAN: Okay. So we will go to  
9 Nursing Home Administrators. Is there anyone on Zoom  
10 that wanted to comment on the Nursing Home Administrators  
11 - General Rules? If you did, you can use the "Raise Your  
12 Hand" feature.

13 I'm not seeing anyone.

14 Is there anyone that wanted to speak on  
15 the Real Estate Appraisers - General Rules? You'll want  
16 to use the "Raise Your Hand" feature.

17 And I'm not seeing anyone.

18 How about the Respiratory Care - General  
19 Rules, is there anyone that wanted to speak on the  
20 Respiratory Care - General Rules? Okay. So we have  
21 mc779694, do you want to go ahead, and state your name  
22 and who you represent. I think you're muted.

23 ALICIA WAFER: Am I - can you hear me  
24 now?

25 MS. DITSCHMAN: Yep, I can hear you now,  
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1 sure. Go ahead and state your name and who you  
2 represent, and then you can make your comment.

3 ALICIA WAFER: Thank you. I am Alicia  
4 Wafer, a Respiratory Therapist II Director at Henry Ford  
5 Hospital. My comment is related to a recent rule change  
6 for 2020 where if a therapist allows their license to  
7 lapse for greater than two years, they are being required  
8 to go back and take their boards again, which is not  
9 something that our national board requires if you have  
10 been grandfathered in, and so if you were a registered  
11 respiratory therapist before 20 -- 2004, you are  
12 grandfathered in to maintain your credentials. And with  
13 our time of unprecedented crisis right now, we need all  
14 hands on deck. We have one individual in particular  
15 who's been trying to get his licensed re-upped because he  
16 let it expire I believe in 2013, although he stayed on  
17 the periphery of the field, it would be awesome to be  
18 able to allow people like that to come in and help. So  
19 that's my request.

20 MS. DITSCHMAN: Thank you. Anyone  
21 else --

22 MS. PRZYBYLO: Alicia -- hold on.  
23 Alicia, could you please spell you name so that we can  
24 have it for our record when we make a summary of the  
25 comments?

1 ALICIA WAFER: Yes, ma'am. Alicia, A- as  
2 in apple, l- as in lollipop, c- as in cat, i- -- what the  
3 hell, I can't even spell my own name. A-l-i- as in  
4 India, c- as in cat, i- as in India, a- as in apple. And  
5 then Wafer like the cookie --

6 MS. PRZYBYLO: W-a-f-e-r?

7 ALICIA WAFER: Correct. Thank you so  
8 much.

9 MS. PRZYBYLO: Thank you.

10 MS. DITSCHMAN: Okay. Does anyone else  
11 want to speak on Respiratory Care - General Rules? Teena  
12 Culhane, do you want to go ahead?

13 TEENA CULHANE: Sure. Hi. Do you need  
14 me to spell that for you, whoever's taking notes?

15 MS. DITSCHMAN: Yes.

16 MS. PRZYBYLO: It's listed on the Zoom,  
17 so T- --

18 TEENA CULHANE: Oh, you have it. Okay.  
19 Gotcha.

20 MS. PRZYBYLO: So I think we're okay.  
21 Thank you.

22 TEENA CULHANE: Hi. Yes. I'm a  
23 respiratory therapist, and I noticed in these proposals  
24 there's a telehealth medicine component. I currently  
25 work in outpatient pulmonary rehab, and there is



1 currently no process for providing services to our  
2 patients in need via telehealth, and I was just  
3 interested in pursuing that further in terms of, you  
4 know, billing reimbursement in preparation for -- we had  
5 to close our program this past spring for five months,  
6 and I saw the telehealth component and wondering if there  
7 was an opportunity within that realm for our patients.

8 MS. DITSCHMAN: Okay. Thank you, Tina.

9 Anyone else that wanted to speak on  
10 Respiratory Care - General Rules, you want to use the  
11 "Raise Your Hand" feature.

12 Okay. So once again, is there anyone  
13 that wanted to speak on any of the rules that we missed,  
14 do you want to use the "Raise Your Hand"?

15 And I need, if you could, both of the  
16 people that spoke, if you want to put yourself back on  
17 mute. Thank you.

18 Okay. I'm not seeing anyone, so what we  
19 will do is take a recess for a few minutes, about 15  
20 minutes. So there's no other persons it looks like who  
21 wish to speak at this time, so we will take a recess  
22 until 9 -- why don't we do 9:30, and then we'll come  
23 back. Thank you.

24 MS. PRZYBYLO: In the meantime, if  
25 anybody decides they want to comment during this time,

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1 just raise your hand and we'll come back on the record.  
2 We just like to leave it open in case somebody -- we  
3 don't want to close the meeting in ten minutes, so we  
4 want to give some people some chances to say something in  
5 case anybody else signs on, or if you have something that  
6 you thought of that you'd like to say.

7 (Fifteen-minute recess.)

8 MS. DITSCHMAN: So it's 9:30, I'm going  
9 to go back on the record, and this is the hearing, public  
10 hearing for proposed rule sets for Athletic Trainers -  
11 General Rules, Nursing Home Administrators - General  
12 Rules, Real Estate Appraisers - General Rules, and  
13 Respiratory Care - General Rules. Do we have anyone else  
14 that's come on to Zoom or by phone that wanted to make a  
15 comment? If you came on by Zoom, if you want to use the  
16 "Raise Your Hand".

17 I don't see any phone calls.

18 Okay. So no other comments, I'm not  
19 seeing any other comments, so I will close the hearing.  
20 If there's no other comments, we'll declare the hearing  
21 is closed. The record will remain open until 5:00 p.m.  
22 for any other comments that you may wish to share about  
23 the proposed rules. And thank you for attending.

24 (Hearing concluded.)

25 - - -

1 STATE OF MICHIGAN )  
 )  
2 COUNTY OF MACOMB )

3 I, Lori Anne Penn, certify that this  
4 transcript consisting of 11 pages is a complete, true,  
5 and correct record of from the Zoom and audio files  
6 provided by the Bureau of Professional Licensing.

7 I further certify that I am not  
8 responsible for any copies of this transcript not made  
9 under my direction or control and bearing my original  
10 signature.

11 I also certify that I am not a relative  
12 or employee of or an attorney for a party; or a relative  
13 or employee of an attorney for a party; or financially  
14 interested in the action.

15  
16  
17 November 30, 2020  
Date

*Lori Anne Penn*

Lori Anne Penn, CSR-1315  
Notary Public, Macomb County, Michigan  
My Commission Expires June 15, 2025