

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Community and Health Systems

Name of person completing this form:

Tammy Bagby

Phone number of person completing this form:

517-243-9351

E-mail of person completing this form:

BagbyT@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2021-81 LR

Title of proposed rule set:

Nurse Aide, Trainer and Training Program Rules

3. Purpose for the proposed rules and background:

Note: The full title of this rule set is Nurse Aide, Nurse Aide Trainer, and Nurse Aide Training Program, Certificate of Registration and Permit Program. It has been abbreviated to Nurse Aide, Trainer and Training Program Rules to fit above title field.

This is a new rule set. Its purpose is to implement Part 219 of the Public Health Code, the Nurse Aide Training and Registration Program, MCL 333.21901 to 333.21925.

4. Summary of proposed rules:

The new proposed rule set establishes eligibility requirements to receive and renew a registration or permit, competency requirements, and examination requirements for registration. In addition, the proposed rules clarify conducting inspections of training programs, conducting investigations of nurse aides, training programs, and trainers, and enforcement action for noncompliance with these proposed rules and Part 219 of the Public Health Code (MCL 333.21907).

5. List names of newspapers in which the notice of public hearing was published and publication dates:

March 8, 2022, Marquette Mining Journal
March 9, 2022, Jackson Citizen Patriot
March 9, 2022, Grand Rapids Press

6. Date of publication of rules and notice of public hearing in Michigan Register:

3/15/2022

7. Date, time, and location of public hearing:

3/22/2022 09:00 AM at Williams Building, 1st Floor Auditorium , 525 West Ottawa Street, Lansing, MI 48933

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1339>

9. List of the name and title of agency representative(s) attending public hearing:

Tammy Bagby, Analyst, Bureau of Community and Health Systems (BCHS)
Heather Hosey, Director of Health Facility, Licensing, Permits and Support Division, BCHS
Jim Wiggins, Manager of Health Facility Profession & Nurse Aide Section (BCSH)

10. Persons submitting comments of support:

None

11. Persons submitting comments of opposition:

None

12. Persons submitting other comments:

Rich Farran, Health Care Association of Michigan
Dr. Amelia Kenyon, PES CNA Training
Deborah Brown, Macomb Community College
Mary Smyth, Washtenaw Community College
Susan Lytwyn, Health Care Pathways, LLC
Diane Cottle, Genanscot Services
Brenda Dalski, Kellogg Community College
Phyllis Helm, Bay Mills Community College

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

Agency Report to JCAR-Page 3

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1	Rich Farran, Health Care Association of Michigan		<p>Reference the written comments from Health Care Association of Michigan.</p> <p>Expand the restriction of 8 hours of self-study time under 400.335(d)(ii) to allow for the trainee to take full advantage of the remote/online offering.</p> <p>Michigan rules require 34 classroom hours – all 34 hours should be eligible through self-study time.</p>	<p>Hours of training revised to reduce specificity of categorical hours and allow more flexibility for classroom hours to be in person or virtual.</p>	<p>400.335 (d) 400.335 (d)(i) 400.335 (d) (ii)</p>

14.Date report completed:

5/18/2022