

**Michigan Office of Administrative Hearings and Rules
Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

REQUEST FOR RULEMAKING (RFR)

1. Department:

Licensing and Regulatory Affairs

2. Bureau:

Bureau of Professional Licensing

3. Promulgation type:

Full Process

4. Title of proposed rule set:

Public Health Code – General Rules

5. Rule numbers or rule set range of numbers:

R 338.7001 - R 338.7005

6. Estimated time frame:

12 months

Name of person filling out RFR:

Dena Marks

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7. Describe the general purpose of these rules, including any problems the changes are intended to address.

The Public Health Code General Rules are applicable to all professionals regulated under Article 15 of the Public Health code.

The rule set establishes specific dates that a license or registration renewal period begins or ends for licensees and registrations regulated by the Public Health Code.

The renewal period for Genetic Counselors will be added to the rules. All rules will be reviewed and, if needed, revised for clarity.

8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).

The department has the authority to promulgate the rules.

A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).

MCL 333.16145, MCL 333.16194, MCL 333.16201, MCL 333.16221(e)(iv)(B), 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.

B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.

MCL 333.16194 requires the department to prescribe the expiration dates for licenses and registrations. The rules are not mandated by any constitutional provision.

9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.

The rules do not conflict with or duplicate similar rules or regulations adopted by the state or federal government.

10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?

No.

11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?

Yes.

12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?

Full Process

13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

The proposed rules do not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.

No.

15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.

The rules were last amended March 16, 2022.

Genetic Counselor licensure is required under MCL 333.17093. The renewal date for this profession is not currently included in the Public Health Code General Rules.

16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?

No.

17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.

No