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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Memorandum

VIA E-MAIL

DATE: September 17, 2020

TO: Senator Peter Lucido, Chairperson, JCAR
Representative Matt Maddock, Alternate Chairperson, JCAR
Evan Keimach, Senate Majority Policy Office
Jimmy Biehl, House Republican Policy Office
Tim Reeves, Counsel, JCAR
Elizabeth Edberg, Counsel, JCAR

FROM: Marlon I. Brown, Director of Policy and Legislative Affairs *MB*

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set 2019-81 LR (Social Work – General Rules)

Rules Primer

The Social Work General Rules pertain to the licensure, relicensure, and license renewal for social workers and the registration, reregistration, and registration renewal for social service technicians. The rules also identify board approved courses and activities for the accumulation of continuing education credits.

Summary of the Final Proposed Rule

The rules will be amended to provide clarification on the education, experience, and training requirements. The rules are also being amended to fulfill a statutory requirement of promulgating a rule to address telehealth services.

The specific modifications to the existing rules include:

- Adding a provision regarding telehealth services.
- Adding requirements for relicensure of a bachelor's and master's social worker who holds a license in another state.
- Clarifying the requirements for registering a social service technician.

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- Clarifying the experience that must be accumulated for a limited license bachelor's social worker and a limited master's social worker to be fully licensed.
- Clarifying the limited license renewal restriction, the registration and licensure by endorsement requirements, and the continuing education requirements.
- Rescinding the provision requiring board approval of continuing education programs. Instead, the rules will identify approved programs in the acceptable continuing education section.

Stakeholder Engagement

When drafting these rules, the Michigan Social Work Board's rules subcommittee met in open workgroup meetings on June 24, 2019, August 27, 2019, October 29, 2019, November 26, 2019, and July 20, 2020. Public notice of the workgroup meetings was given for each of these meetings, and many were attended by licensees and staff from the National Association of Social Workers (NASW) Michigan Chapter. Licensees and NASW Michigan Chapter staff members offered suggestions and comments during the workgroup meetings. The subcommittee members asked questions regarding comments and suggestions, responded to questions presented, and adopted many suggested changes to the draft rules.

Public Engagement and Public Hearing/Comment/Information

The public comment period began on July 3, 2020, and ended July 16, 2020, at 5:00 p.m. The notice of public comment period, in addition to being posted in various newspapers as required, was posted on the LARA website, and distributed via email listserv to all interested parties. The public hearing was held at 1:00 p.m. on July 16, 2020, and occurred virtually via Zoom, as permitted under Executive Order 2020-132. Several comments were received by the department and comments were made at the public hearing by the following individuals:

- Duane Brejak, Michigan Chapter, National Association of Social Workers
- Colleen Crosey
- Emily Dixon, Spring Arbor University
- Karen Jill Farrell
- Catherine Macomber
- Kenneth Sherman
- Robin Simpson, Michigan CE Collaborative, Michigan Chapter, National Association of Social Workers
- Alia Wesala, University of Michigan

Modifications Made Due to Public Comment

The following changes were made to the draft rule in response to comments received during the public comment period or during the public hearing:

- Two commenters stated that they have received questions regarding the reference to a “supervisor” in the definition of “supervisory review.” In response, the rules committee recommended, and the board adopted, additional language to clarify that the supervisee’s Michigan-licensed social worker supervisor was intended.
- A commenter stated that the word “graduate” had caused confusion as used to describe the educational requirements in the limited license rules because students interpreted that as requiring them to participate in a graduation ceremony. In response, the rules committee recommended, and the board adopted, the use of the word “completed.”

Significant Issues Not Incorporated in the Final Proposed Rules

At the public hearing, a commenter asked if a rule should be added to require racial bias training. The department will include this requirement in the rule set entitled Public Health Code – General Rules, so it is unnecessary to include that requirement in this rule set. The department is currently meeting with stakeholders to develop this rule in accordance with Executive Directive 2020-07.

cc/att: Orlene Hawks, Director, LARA
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