

Michigan Office of Administrative Hearings and Rules

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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:	Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Professional Licensing
Name, title, phone number, and e-mail of <u>person completing this form</u> :	Weston J. MacIntosh Senior Policy Analyst (517) 241-9269 macintoshw1@michigan.gov

2. Rule Set Information

Title of proposed rule set:	Genetic Counseling – General Rules
Rule number(s) or range of numbers:	R 338.2451 – R 338.2481
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:

One year.

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

<p>The general purpose of these rules is to provide licensure and continuing education requirements for this newly regulated profession required by 2018 PA 624, which took effect on March 28, 2019.</p> <p>The proposed new rules will add the following:</p> <ul style="list-style-type: none">- A minimum English language standard.- A rule that addresses telehealth.- Requirements about training standards for identifying victims of human trafficking.- Qualifications and requirements for the application for licensure as either a genetic counselor or for a temporary genetic counselor license.- Requirements and qualifying criteria for relicensure as either a genetic counselor or for a temporary genetic counselor license.- Qualifications and requirements for the renewal of a license.- Continuing education requirements.- A certification requirement.

- 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.**

MCL 333.16145, MCL 333.16148, MCL 333.16174, MCL 333.16204, MCL 333.16287, and MCL 333.17091, 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.

- 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 proposed rules do not duplicate or conflict with other federal or state regulations.

- 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:**

These rules will be promulgated under the full rule-making process.

- 9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.**

No.

- 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.**

Yes, please see attached minutes from the May 15, 2019 Board of Medicine meeting.

- 11. Reviewed by the following Departmental Regulatory Affairs Officer:**

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the MOAHR ↓

Date RFR received: 8-20-2019

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

MOAHR assigned rule set number:	2019-082 LR
Date of approval:	8/26/19

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

Date of disapproval:	
Explanation:	