

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

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Lansing, MI 48909  
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**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 -- Disciplinary Rules

**5. Rule numbers or rule set range of numbers:**

R 338.1601-338.1637

**6. Estimated time frame:**

12 months

**Name of person filling out RFR:**

Dena Marks

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**Phone number of person filling out RFR:**

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**Address of person filling out RFR:**

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

The general purpose of these rules is to provide rules applicable to disciplinary matters for all professions regulated under the Public Health Code.

The proposed updates will add new definitions, revise, reorganize, and clarify current rules, and rescind current rules that are duplicative of statute.

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

Department

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

MCL 24.233, MCL 333.16141, 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.**

The rules are not mandated by constitution or statute.

**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, compliance requirements, or other standards adopted at the state, regional, or federal level.

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

No guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda covers the subject matter of the rules.

**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 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.**

The rules do not incorporate the recommendations received from the public regarding any complaints or comments regarding the rules.

**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 rule set was last amended in 2015. No technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.

**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?**

There is no change or development that demonstrates that the rules are no longer needed.

**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