

**PART 4. STANDARDS OF CONDUCT**

**R 339.23401**

Source: 2006 AACS.

**R 339.23403 State licensed real estate appraiser; certified residential real estate appraiser; certified general real estate appraiser; authorized functions.**

Rule 403. (1) If a state licensed real estate appraiser is properly qualified to undertake an assignment, a state-licensed real estate appraiser may perform any of the following appraisal services:

- (a) Appraise properties that are not federally related transactions.
  - (b) Appraise 1 to 4-family residential properties, unless the transaction value is \$1,000,000.00 or more or the property is deemed to be complex and therefore required to be appraised by a certified residential or certified general real estate appraiser.
  - (c) Appraise nonresidential properties for federally related transactions and real estate related financial transactions where the transaction value is less than \$250,000.00.
  - (d) Assist a certified residential or certified general real estate appraiser in the development of an appraisal of a complex residential property or a nonresidential property that is the subject of a federally related transaction, as appropriate. The state licensed real estate appraiser shall not sign the report; however, the certified residential or certified general real estate appraiser shall acknowledge the specific contributions of the state-licensed real estate appraiser within the appraisal report.
- (2) A certified residential real estate appraiser, if properly qualified to undertake an assignment, may perform any of the following appraisal assignments:
- (a) Appraise properties that are not federally related transactions.
  - (b) Appraise 1 to 4-family residential properties without regard to complexity or value.
  - (c) Appraise nonresidential properties for federally related transactions and real estate related financial transactions where the transaction value is less than \$250,000.00.
  - (d) Assist a certified general real estate appraiser in the development of an appraisal of a nonresidential property that is the subject of a federally related transaction, as appropriate. The certified residential real estate appraiser shall not sign the report. However, the certified general real estate appraiser shall identify the specific contributions of the certified residential real estate appraiser within the appraisal report.
- (3) The licensee authorized to sign the report shall identify all participating licensees and their contributions to the report.

History: 1996 AACS; 2002 AACS; 2006 AACS; 2007 AACS; 2015 MR 5, Eff. March 11, 2015.

**R 339.23405**

Source: 2006 AACS.

**DEPARTMENT OF EDUCATION**  
**STATE BOARD OF EDUCATION**

**SCHOOL DISTRICT PUPIL ACCOUNTING FOR DISTRIBUTION OF STATE AID**

**R 340.1**

Source: 2008 AACS.

**R 340.2**

Source: 2008 AACS.

**R 340.3**

Source: 2008 AACS.

**R 340.4**

Source: 2008 AACS.

**R 340.5**

Source: 2008 AACS.

**R 340.6**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 2008 AACCS.

**R 340.7**

**Source:** 2008 AACCS.

**R 340.8**

**Source:** 1997 AACCS.

**R 340.10**

**Source:** 2008 AACCS.

**R 340.10a**

**Source:** 2008 AACCS.

**R 340.11**

**Source:** 2008 AACCS.

**R 340.12**

**Source:** 2008 AACCS.

**R 340.13**

**Source:** 2008 AACCS.

**R 340.14**

**Source:** 2008 AACCS.

**R 340.15**

**Source:** 2008 AACCS.

**R 340.16**

**Source:** 2008 AACCS.

**R 340.17**

**Source:** 2008 AACCS.

**R 340.18**

**Source:** 2008 AACCS.

**RELEASE OF CHILDREN FOR ATTENDING RELIGIOUS INSTRUCTION CLASSES**

**R 340.71**

**Source:** 1979 AC.

**R 340.72**

**Source:** 1979 AC.

**R 340.73**

**Source:** 1979 AC.

**R 340.74**

**Source:** 1979 AC.

**R 340.75**

**Source:** 1979 AC.

**INTERSCHOLASTIC ATHLETICS**

**Annual Administrative Code Supplement**  
2015 Edition

- R 340.81**  
Source: 1997 AACS.
- R 340.82**  
Source: 1997 AACS.
- R 340.83**  
Source: 1997 AACS.
- R 340.84**  
Source: 1997 AACS.
- R 340.85**  
Source: 1997 AACS.
- R 340.86**  
Source: 1997 AACS.
- R 340.87**  
Source: 1997 AACS.
- R 340.88**  
Source: 1997 AACS.
- R 340.89**  
Source: 1997 AACS.
- R 340.90**  
Source: 1997 AACS.
- R 340.91**  
Source: 1997 AACS.
- R 340.92**  
Source: 1997 AACS.
- R 340.101**  
Source: 1997 AACS.
- R 340.102**  
Source: 1997 AACS.
- R 340.103**  
Source: 1997 AACS.
- R 340.104**  
Source: 1997 AACS.
- R 340.105**  
Source: 1997 AACS.
- R 340.106**  
Source: 1997 AACS.
- R 340.107**  
Source: 1997 AACS.
- R 340.108**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 340.109**  
Source: 1997 AACS.
- R 340.110**  
Source: 1997 AACS.
- R 340.111**  
Source: 1997 AACS.
- R 340.112**  
Source: 1997 AACS.
- R 340.121**  
Source: 1997 AACS.
- R 340.122**  
Source: 1997 AACS.
- R 340.123**  
Source: 1997 AACS.
- R 340.124**  
Source: 1997 AACS.
- R 340.125**  
Source: 1997 AACS.
- R 340.126**  
Source: 1997 AACS.
- R 340.127**  
Source: 1997 AACS.
- R 340.128**  
Source: 1997 AACS.
- R 340.129**  
Source: 1997 AACS.
- R 340.130**  
Source: 1997 AACS.
- R 340.131**  
Source: 1997 AACS.
- R 340.132**  
Source: 1997 AACS.
- R 340.141**  
Source: 1997 AACS.
- R 340.142**  
Source: 1997 AACS.
- R 340.143**  
Source: 1997 AACS.
- R 340.144**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 340.145**  
Source: 1997 AACS.

**R 340.151**  
Source: 1997 AACS.

**R 340.152**  
Source: 1997 AACS.

**R 340.153**  
Source: 1997 AACS.

**R 340.154**  
Source: 1997 AACS.

**R 340.155**  
Source: 1997 AACS.

**R 340.161**  
Source: 1997 AACS.

**R 340.162**  
Source: 1997 AACS.

**R 340.163**  
Source: 1997 AACS.

**R 340.164**  
Source: 1997 AACS.

**WORK-CAMP PERMITS**

**R 340.181**  
Source: 1997 AACS.

**R 340.182**  
Source: 1997 AACS.

**R 340.183**  
Source: 1997 AACS.

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

**WORK PERMITS**

**R 340.186**  
Source: 1997 AACS.

**R 340.187**  
Source: 1997 AACS.

**STATE BOARD OF EDUCATION**

**DEMONSTRATION PROGRAM FOR OUT-OF-WORK SCHOOL DROPOUTS**

**R 340.201**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.202**  
Source: 1997 AACS.

**R 340.203**  
Source: 1997 AACS.

**R 340.204**  
Source: 1997 AACS.

**R 340.205**  
Source: 1997 AACS.

**R 340.206**  
Source: 1997 AACS.

**R 340.207**  
Source: 1997 AACS.

**R 340.208**  
Source: 1997 AACS.

**R 340.209**  
Source: 1997 AACS.

**R 340.210**  
Source: 1997 AACS.

**R 340.211**  
Source: 1997 AACS.

**R 340.212**  
Source: 1997 AACS.

**R 340.213**  
Source: 1997 AACS.

**R 340.214**  
Source: 1997 AACS.

**USE OF SCHOOL BUS FOR TRANSPORTATION OF SENIOR CITIZENS**

**R 340.231**  
Source: 1979 AC.

**R 340.232**  
Source: 1979 AC.

**R 340.233**  
Source: 1979 AC.

**R 340.234**  
Source: 1979 AC.

**R 340.235**  
Source: 1979 AC.

**R 340.236**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.237**  
Source: 1979 AC.

**R 340.238**  
Source: 1979 AC.

**FEES FOR TRANSPORTING PUPILS TO OR FROM NONMANDATORY AND NONCREDIT EVENTS**

**R 340.241**  
Source: 1979 AC.

**R 340.242**  
Source: 1979 AC.

**R 340.243**  
Source: 1979 AC.

**STATE AID FOR TRANSPORTATION OF SCHOOLCHILDREN**

**R 340.271**  
Source: 1997 AACS.

**R 340.272**  
Source: 1997 AACS.

**R 340.273**  
Source: 1997 AACS.

**R 340.274**  
Source: 1997 AACS.

**R 340.275**  
Source: 1997 AACS.

**R 340.276**  
Source: 1997 AACS.

**R 340.277**  
Source: 1997 AACS.

**R 340.278**  
Source: 1997 AACS.

**R 340.279**  
Source: 1997 AACS.

**TRANSPORTATION OF NONPUBLIC SCHOOLCHILDREN**

**R 340.281**  
Source: 2012 AACS.

**R 340.282**  
Source: 2012 AACS.

**AUXILIARY SERVICES FOR NONPUBLIC SCHOOLCHILDREN**

**R 340.291**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.292**  
Source: 1979 AC.

**R 340.293**  
Source: 1979 AC.

**R 340.294**  
Source: 1979 AC.

**R 340.295**  
  
Source: 1979 AC.

**DEPARTMENT OF TREASURY**  
**QUALIFICATION OF SCHOOL DISTRICT BONDS**

**R 340.301**  
Source: 1997 AACS.

**R 340.311**  
Source: 2008 AACS.

**R 340.351**  
Source: 1998-2000 AACS.

**R 340.352**  
Source: 1998-2000 AACS.

**R 340.353**  
Source: 1998-2000 AACS.

**R 340.354**  
Source: 1998-2000 AACS.

**R 340.355**  
Source: 1998-2000 AACS.

**DRIVER SAFETY SCHOOLS**

**R 340.431**  
Source: 1979 AC.

**R 340.432**  
Source: 1979 AC.

**R 340.433**  
Source: 1979 AC.

**R 340.434**  
Source: 1979 AC.

**R 340.435**  
Source: 1979 AC.

**R 340.436**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

**SOLICITORS FOR PRIVATE SCHOOLS**

**R 340.471**

Source: 2014 AACCS.

**R 340.472**

Source: 2014 AACCS.

**R 340.473**

Source: 2014 AACCS.

**R 340.474**

Source: 2014 AACCS.

**R 340.475**

Source: 2014 AACCS.

**R 340.476**

Source: 2014 AACCS.

**R 340.477**

Source: 2014 AACCS.

**R 340.478**

Source: 2014 AACCS.

**R 340.479**

Source: 2014 AACCS.

**MICHIGAN DEPARTMENT OF EDUCATION**

**OFFICE OF SCHOOL IMPROVEMENT**

**BOARDING SCHOOL LICENSES**

**R 340.481 Licenses.**

Rule 1. (1) Upon receipt of an application, the superintendent of public instruction may issue an annual license to operate a boarding school for a license year beginning September 1 of the year of application and ending August 31 of the following year.

(2) The superintendent of public instruction shall issue a regular license to a boarding school that meets all of the requirements for licensing. A newly licensed boarding school shall be issued a provisional license for its first school year. Thereafter, based upon an on-site review, the boarding school shall be issued either a regular or a conditional license.

(3) The superintendent of public instruction shall issue a conditional license when a currently licensed boarding school does not meet all of the requirements for a regular license.

(4) A boarding school shall not begin initial operation with a conditional license.

(5) The superintendent of public instruction shall not issue to a boarding school a second consecutive conditional license if the cause of the issuance of the first conditional license has not been rectified. A boarding school shall not be issued a third consecutive conditional license.

(6) The license issued shall be displayed in a conspicuous place in the boarding school.

History: 1979 AC; 2005 AACCS; 2015 MR 23, Eff. December 17, 2015.

**R 340.482**

Source: 2005 AACCS.

**R 340.483 Health standards and services; criminal history and records checks.**

Rule 3. As a requisite for licensing, a boarding school shall meet all the following requirements:

**Annual Administrative Code Supplement**  
**2015 Edition**

(a) Compliance with the standards of health established by the director of the department of health and human services for child care institutions in accordance with the requirements of 1973 PA 116, MCL 722.111 to 722.128, and with health regulations established by local government agencies having jurisdiction over the locale of the boarding school.

(b) Provision of medical or psychological services as may be needed by the enrolled students and as are normally provided for similar student bodies by public schools. However, a boarding school shall provide for, at all times, adequate emergency medical services.

(c) Upon an offer of initial employment to an individual for any position, submission to the department of state police of a request for a criminal history check and a criminal records check through the federal bureau of investigation in the same manner as required by sections 1230 and 1230a of 1976 PA 451, MCL 380.1230 and 380.1230a.

History: 1979 AC; 2005 AACCS; 2015 MR 23, Eff. December 17, 2015.

**R 340.484 Educational requirements.**

Rule 4. The educational program of a boarding school, as a requisite for licensing, shall meet 1 of the following requirements:

(a) A boarding school shall be fully accredited by a national association recognized by the department of education, including but not limited to, the following:

(i) North Central Association.

(ii) An accrediting organization that is a member of the commission on accreditation of the National Association of Independent Schools, including the Independent Schools Association of the Central States.

(b) A boarding school that is not fully accredited by a national association recognized by the department of education shall meet all of the following:

(i) The educational program of a boarding school shall be consistent with state standards for content, teaching, and learning. The appraisal of the educational program shall be made by professional staff members of the department of education or by other professional educators as the superintendent of public instruction may designate. Appraisal of the program shall include factors such as the broad curriculum goals, courses of study, course content, instructional materials, and library resources. In determining whether the program is consistent with state standards, recognition may be given to the special purpose, function, or objectives of the boarding school.

(ii) A boarding school shall provide a program for students with disabilities that meets the requirements of federal and state law.

(iii) A teacher in a boarding school shall be qualified to teach in the same manner as a teacher in a nonpublic day school. Other boarding school staff whose function is the determination or execution of educational policy shall meet such legal requirements as are required of similar personnel in a public school.

(iv) A boarding school shall provide a staff that is appropriate to the needs of the student body. The staff shall be of sufficient size to provide adequate supervision of the student body on a 24-hour-a-day basis.

(v) A boarding school shall maintain records of educational progress of its students as are normally provided by public schools. These records shall be maintained and retained as required by the retention schedule prescribed for like records in public schools. Disclosure of such records is subject to section 2165 of 1961 PA 236, MCL 600.2165. Upon dissolution of a boarding school, a copy of the pupil records shall be forwarded to the department of education.

History: 1979 AC; 2005 AACCS; 2015 MR 23, Eff. December 17, 2015.

**R 340.485 Physical facilities.**

Rule 5. The physical facilities of a boarding school, as a requisite for licensing, shall meet all the following requirements:

(a) Buildings used for any purpose shall be in compliance with the requirements of 1937 PA 306, MCL 388.851 to 388.855a, and 1972 PA 230, MCL 125.1501 to 125.1531.

(b) Cooking, eating, and food handling are subject to approval by the health agency having jurisdiction. Living-recreational areas, exclusive of sleeping quarters, shall be provided at approximately 30 square feet per student and shall be appropriately furnished. A single sleeping-living unit shall not have an occupancy of more than 4 children or contain less than 50 square feet per child.

(c) A boarding school shall provide for the isolation of children with infections or contagious diseases not requiring hospitalization.

History: 1979 AC; 2005 AACCS; 2015 MR 23, Eff. December 17, 2015.

**R 340.486 Initial license.**

Rule 6. Before accepting students for its initial enrollment, a boarding school shall apply for, and shall have received, a provisional license to operate a boarding school from the superintendent of public instruction in the following manner:

**Annual Administrative Code Supplement**  
**2015 Edition**

- (a) The application shall be submitted to the superintendent of public instruction on or before May 1 preceding the September enrollment date or at least 120 days before the enrollment date if it is other than a September date.
- (b) The following documents must accompany the application or be submitted at least 90 days before enrollment:
  - (i) A certificate of occupancy from the department of licensing and regulatory affairs for all buildings.
  - (ii) A report from the appropriate health department approving the facility for health and sanitation purposes.
  - (iii) A report of the educational programs to ensure consistency with state standards and benchmarks.
  - (iv) A personnel report indicating all personnel, their functions, and their qualifications.
- (c) A provisional license may be issued to a boarding school only if it meets all of the requirements for a regular license or can give evidence that it will meet all requirements for a regular license not later than 20 days before the proposed enrollment date

History: 1979 AC; 2005 AACCS; 2015 MR 23, Eff. December 17, 2015.

**R 340.487 Subsequent licenses.**

Rule 7. A licensed boarding school shall apply annually for a license in the following manner:

- (a) Not later than September 2 of the current license year, the department of education shall transmit to a licensed boarding school an application for the reissuance of a license.
- (b) Not later than October 15, the boarding school may submit the application for the reissuance of a license to the department of education. The application shall include a personnel report indicating the qualifications of each member of the teaching staff.
- (c) The boarding school may be asked to submit reports of periodic appraisals of its plant, facilities, program, and practices by appropriate educational, health, safety, and welfare agencies as requested by the superintendent of public instruction or his or her authorized representative. The department of education shall review the boarding school's programs to ensure consistency with state standards and benchmarks.
- (d) Not later than January 15, the superintendent of public instruction shall notify the boarding school of the class of license for which the school qualifies at that time. If a conditional license is indicated, the superintendent of public instruction shall specify the factors responsible for that class license.
- (e) The license for a boarding school shall be reissued not later than June 15 of each year. An applicant school receiving a January 15 notice of conditional license status may submit evidence to alter this status before June 15. If such evidence cannot be presented before June 15, the boarding school may request that its application for license be reexamined, but the corrective action required to remove the conditional status must be taken in the license year.
- (f) Not later than January 15 and on June 15, the superintendent of public instruction shall notify a licensed boarding school that its application for reissuance of its license under this rule is denied.

History: 1979 AC; 2005 AACCS; 2015 MR 23, Eff. December 17, 2015.

**R 340.488 Denial and suspension of licenses; closing of nonlicensed schools.**

Rule 8. (1) The superintendent of public instruction may deny an application for a license or an application for reissuance of a license under these rules or, for the reasons set forth in this rule, may suspend a license.

(2) If the superintendent of public instruction denies an application for a license or an application for reissuance of a license, he or she shall notify the school and shall order it to close and to cease operation beyond the existing license date. Upon receipt of such notification, a boarding school shall not continue its efforts to enroll students and a licensed school shall not continue the enrollment of students beyond the existing license date.

(3) A boarding school denied a license or reissuance of a license may request reexamination of its application by presenting evidence that it will meet regular licensing requirements at least 60 days before the beginning of its school year.

(4) An appeal of the order of denial shall be filed with the department of education. The superintendent of public instruction shall hear and determine the appeal

(5) The superintendent of public instruction may suspend the license of a boarding school at any time a condition develops that represents a serious and immediate threat to the health, safety, or welfare of the children attending the school. A notification to suspend a license shall be issued in writing by the superintendent of public instruction to the person responsible for conducting the boarding school, and the superintendent of public instruction shall order the school to close and to cease operation. The person responsible for conducting the boarding school shall have 24 hours from the time of the receipt of the notification to fulfill its requirements. The license may be reinstated upon receipt of written information by the superintendent of public instruction that the condition that caused the suspension of the license has been corrected.

History: 1979 AC; 2005 AACCS; 2015 MR 23, Eff. December 17, 2015.

**R 340.489 Recognition of civil rights.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 9. (1) A licensed boarding school shall comply with civil rights provisions of section 2 of article I and section 29 of article V of the state constitution of 1963 and with anti-discrimination laws of this state.

(2) A licensed boarding school shall not exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student or an individual enrolled as a student with respect to terms, conditions, advantages, facilities, benefits, privileges, or services because of his or her religion, race, color, or national origin.

(3) This rule does not prohibit a religious or denominational educational institution from limiting admission, or giving preference, to applicants of the same religion or denomination or from making a selection of applicants that is calculated by the institution to promote the religious principles for which it is established or maintained.

History: 1979 AC; 2015 MR 23, Eff. December 17, 2015.

**DEPARTMENT OF EDUCATION**  
**STATE BOARD OF EDUCATION**  
**PUBLIC SCHOOL DAY CARE PROGRAMS**

**R 340.491**

Source: 1997 AACS.

**R 340.492**

Source: 1997 AACS.

**R 340.493**

Source: 1997 AACS.

**R 340.494**

Source: 1997 AACS.

**TEACHERS OF EMOTIONALLY DISTURBED CHILDREN**

**R 340.541**

Source: 1997 AACS.

**R 340.542**

Source: 1997 AACS.

**REIMBURSEMENT UNDER NATIONAL SCHOOL LUNCH PROGRAM**

**R 340.601**

Source: 2011 AACS.

**R 340.602**

Source: 2011 AACS.

**R 340.603**

Source: 2011 AACS.

**R 340.604**

Source: 2011 AACS.

**R 340.605**

Source: 2011 AACS.

**PSYCHOLOGIST REGISTRATION**

**R 340.801**

Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.802**  
Source: 1997 AACS.

**R 340.803**  
Source: 1997 AACS.

**R 340.804**  
Source: 1997 AACS.

**R 340.805**  
Source: 1997 AACS.

**R 340.806**  
Source: 1997 AACS.

**R 340.807**  
Source: 1997 AACS.

**R 340.808**  
Source: 1997 AACS.

**FINANCIAL ACCOUNTING SYSTEMS FOR PUBLIC SCHOOLS**

**R 340.851**  
Source: 1979 AC.

**R 340.852**  
Source: 1979 AC.

**R 340.853**  
Source: 1979 AC.

**R 340.854**  
Source: 1979 AC.

**R 340.855**  
Source: 1979 AC.

**R 340.856**  
Source: 1979 AC.

**R 340.857**  
Source: 1979 AC.

**JUNIOR AND COMMUNITY COLLEGE CAPITAL OUTLAY MATCHING FUND**

**R 340.881**  
Source: 1997 AACS.

**R 340.882**  
Source: 1997 AACS.

**R 340.883**  
Source: 1997 AACS.

**R 340.884**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.885**  
Source: 1997 AACS.

**R 340.886**  
Source: 1997 AACS.

**R 340.887**  
Source: 1997 AACS.

**R 340.888**  
Source: 1997 AACS.

**R 340.889**  
Source: 1997 AACS.

**SCHOOL SOCIAL WORKER**

**R 340.1001**  
Source: 1979 AC.

**R 340.1002**  
Source: 1979 AC.

**R 340.1003**  
Source: 1979 AC.

**R 340.1004**  
Source: 1979 AC.

**R 340.1005**  
Source: 1979 AC.

**R 340.1006**  
Source: 1979 AC.

**R 340.1007**  
Source: 1979 AC.

**R 340.1008**  
Source: 1979 AC.

**R 340.1009**  
Source: 1979 AC.

**R 340.1010**  
Source: 1979 AC.

**R 340.1011**  
Source: 2011 AACS.

**R 340.1012**  
Source: 2011 AACS.

**R 340.1013**  
Source: 2011 AACS.

**R 340.1014**  
Source: 2011 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.1015**  
Source: 2011 AACCS.

**R 340.1016**  
Source: 2011 AACCS.

**R 340.1017**  
Source: 2011 AACCS.

**R 340.1018**  
Source: 1979 AC.

**PERSONALITY TESTS**

**R 340.1101**  
Source: 1979 AC.

**R 340.1102**  
Source: 1979 AC.

**R 340.1103**  
Source: 1979 AC.

**R 340.1104**  
Source: 1979 AC.

**R 340.1105**  
Source: 1979 AC.

**R 340.1106**  
Source: 1979 AC.

**R 340.1107**  
Source: 1979 AC.

**EDUCATION OF PREGNANT STUDENTS**

**R 340.1121**  
Source: 2013 AACCS.

**R 340.1122**  
Source: 2013 AACCS.

**R 340.1123**  
Source: 2013 AACCS.

**R 340.1124**  
Source: 2013 AACCS.

**SCHOOL PSYCHOLOGICAL SERVICES**

**R 340.1151**  
Source: 1997 AACCS.

**R 340.1152**  
Source: 1997 AACCS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.1153**  
Source: 1997 AACS.

**R 340.1154**  
Source: 1997 AACS.

**R 340.1155**  
Source: 1997 AACS.

**R 340.1156**  
Source: 1997 AACS.

**R 340.1157**  
Source: 1997 AACS.

**R 340.1158**  
Source: 1997 AACS.

**CERTIFICATION OF SCHOOL NURSES**

**R 340.1161**  
Source: 1979 AC.

**R 340.1162**  
Source: 1979 AC.

**R 340.1163**  
Source: 1979 AC.

**R 340.1164**  
Source: 1979 AC.

**R 340.1165**  
Source: 1979 AC.

**R 340.1166**  
Source: 1979 AC.

**R 340.1167**  
Source: 1979 AC.

**R 340.1168**  
Source: 1979 AC.

**R 340.1169**  
Source: 1979 AC.

**R 340.1170**  
Source: 1979 AC.

**SAFETY SPECIFICATIONS FOR SCHOOL BUSES**

**R 340.1201**  
Source: 1997 AACS.

**R 340.1202**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 340.1203**  
Source: 1997 AACS.

**R 340.1204**  
Source: 1997 AACS.

**R 340.1211**  
Source: 1997 AACS.

**R 340.1212**  
Source: 1997 AACS.

**R 340.1213**  
Source: 1997 AACS.

**R 340.1214**  
Source: 1997 AACS.

**R 340.1215**  
Source: 1997 AACS.

**R 340.1216**  
Source: 1997 AACS.

**R 340.1231**  
Source: 1997 AACS.

**R 340.1232**  
Source: 1997 AACS.

**USE OF SCHOOL BUSES BY UNITS OF GOVERNMENT**

**R 340.1251**  
Source: 2011 AACS.

**R 340.1252**  
Source: 2011 AACS.

**R 340.1253**  
Source: 2011 AACS.

**R 340.1254**  
Source: 2011 AACS.

**R 340.1255**  
Source: 2011 AACS.

**R 340.1256**  
Source: 2011 AACS.

**EYE PROTECTION DEVICES**

**R 340.1301**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.1302**  
Source: 1979 AC.

**R 340.1303**  
Source: 1979 AC.

**R 340.1304**  
Source: 1979 AC.

**R 340.1305**  
Source: 1979 AC.

**DECLARATORY RULING, PROMULGATION OF RULES,  
AND INFORMATION REQUESTS**

**R 340.1351**  
Source: 1981 AACS.

**R 340.1352**  
Source: 1981 AACS.

**R 340.1353**  
Source: 1981 AACS.

**R 340.1354**  
Source: 1981 AACS.

**R 340.1355**  
Source: 1995 AACS.

**SPECIAL EDUCATION PROGRAMS AND SERVICES**

**PART 1. GENERAL PROVISIONS**

**R 340.1701**  
Source: 2013 AACS

**R 340.1701a**  
Source: 2013 AACS.

**R 340.1701b**  
Source: 2010 AACS.

**R 340.1701c**  
Source: 2008 AACS.

**R 340.1702**  
Source: 2013 AACS.

**R 340.1703**  
Source: 2002 AACS.

**R 340.1704**  
Source: 2002 AACS.

**R 340.1705**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2010 AACS.

**R 340.1706**

Source: 2010 AACS.

**R 340.1707**

Source: 2010 AACS.

**R 340.1708**

Source: 2010 AACS.

**R 340.1709**

Source: 2010 AACS.

**R 340.1709a**

Source: 2010 AACS.

**R 340.1710**

Source: 2010 AACS.

**R 340.1711**

Source: 2010 AACS.

**R 340.1712**

Source: 1997 AACS.

**R 340.1713**

Source: 2010 AACS.

**R 340.1714**

Source: 2010 AACS.

**R 340.1715**

Source: 2010 AACS.

**R 340.1716**

Source: 2010 AACS.

**R 340.1717**

Source: 2004 AACS.

PART 2  
INITIAL EVALUATION, TIME LINES, INDIVIDUALIZED EDUCATION PROGRAM, DISTRICT  
RESPONSIBILITIES, AND DUE PROCESS PROCEDURES

**R 340.1721**

Source: 2013 AACS.

**R 340.1721a**

Source: 2011 AACS.

**R 340.1721b**

Source: 2013 AACS.

**R 340.1721c**

Source: 2011 AACS.

**R 340.1721d**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2011 AACS.

**R 340.1721e**

Source: 2013 AACS.

**R 340.1722**

Source: 2013 AACS.

**R 340.1722a**

Source: 2011 AACS.

**R 340.1722c**

Source: 2002 AACS.

**R 340.1722d**

Source: 2002 AACS.

**R 340.1722e**

Source: 2011 AACS.

**R 340.1722f**

Source: 2002 AACS.

**R 340.1723**

Source: 2002 AACS.

**R 340.1723a**

Source: 2002 AACS.

**R 340.1723b**

Source: 2002 AACS.

**R 340.1723c**

Source: 2008 AACS.

**R 340.1724**

Source: 2010 AACS.

**R 340.1724a**

Source: 2008 AACS.

**R 340.1724b**

Source: 2002 AACS.

**R 340.1724c**

Source: 2008 AACS.

**R 340.1724d**

Source: 2008 AACS.

**R 340.1724e**

Source: 2008 AACS.

**R 340.1724f**

Source: 2013 AACS.

**R 340.1724g**

Source: 2008 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.1724h**  
Source: 2008 AACS.

**R 340.1724i**  
Source: 2008 AACS.

**R 340.1725**  
Source: 2002 AACS.

**R 340.1725a**  
Source: 2002 AACS.

**R 340.1725b**  
Source: 2002 AACS.

**R 340.1725c**  
Source: 2002 AACS.

**R 340.1725d**  
Source: 2002 AACS.

**R 340.1725e**  
Source: 2002 AACS.

**R 340.1725f**  
Source: 2013 AACS.

**PART 3. ADMINISTRATION OF PROGRAMS AND SERVICES**

**R 340.1731**  
Source: 1997 AACS.

**R 340.1732**  
Source: 2013 AACS.

**R 340.1733**  
Source: 2010 AACS.

**R 340.1734**  
Source: 2013 AACS.

**R 340.1735**  
Source: 1997 AACS.

**R 340.1736**  
Source: 2002 AACS.

**R 340.1737**  
Source: 2002 AACS.

**R 340.1738**  
Source: 2013 AACS.

**R 340.1739**  
Source: 2002 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 340.1740**  
Source: 2002 AACS.
- R 340.1741**  
Source: 2002 AACS.
- R 340.1742**  
Source: 2002 AACS.
- R 340.1743**  
Source: 2002 AACS.
- R 340.1744**  
Source: 2002 AACS.
- R 340.1745**  
Source: 2002 AACS.
- R 340.1746**  
Source: 2005 AACS.
- R 340.1747**  
Source: 2002 AACS.
- R 340.1748**  
Source: 2013 AACS.
- R 340.1748a**  
Source: 2011 AACS.
- R 340.1749**  
Source: 2011 AACS.
- R 340.1749a**  
Source: 2013 AACS.
- R 340.1749b**  
Source: 2013 AACS.
- R 340.1749c**  
Source: 2002 AACS.
- R 340.1750**  
Source: 2002 AACS.
- R 340.1751**  
Source: 2002 AACS.
- R 340.1752**  
Source: 1997 AACS.
- R 340.1753**  
Source: 2002 AACS.
- R 340.1754**  
Source: 2013 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 340.1755**  
Source: 2013 AACS.

**R 340.1756**  
Source: 2005 AACS.

**R 340.1757**  
Source: 2005 AACS.

**R 340.1758**  
Source: 2013 AACS.

**PART 4. QUALIFICATIONS OF DIRECTORS AND SUPERVISORS**

**R 340.1771**  
Source: 2008 AACS.

**R 340.1772**  
Source: 2010 AACS.

**R 340.1773**  
Source: 2002 AACS.

**R 340.1774**  
Source: 2002 AACS.

**PART 5. QUALIFICATIONS OF TEACHERS AND OTHER PERSONNEL**

**R 340.1781**  
Source: 2013 AACS.

**R 340.1782**  
Source: 2005 AACS.

**R 340.1883 Rescinded.**  
History: 2005 AACS; 2010 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 340.1884 Rescinded.**  
History: 2005 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 340.1885 Rescinded.**  
History: 2005 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 340.1786**  
Source: 2005 AACS.

**R 340.1787**  
Source: 2005 AACS.

**R 340.1788**  
Source: 2005 AACS.

**R 340.1790**  
Source: 2013 AACS.

**R 340.1791**  
Source: 2002 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 340.1792**

Source: 2002 AACS.

**R 340.1793**

Source: 2002 AACS.

**R 340.1793a Interpreters for the deaf.**

Rule 93a. An interpreter for the deaf who provides services for students with disabilities in a local school district, an intermediate school district, the Michigan school for the deaf, or a public school academy as an employee or contractor shall satisfy the applicable credential requirements set forth in rules promulgated under the deaf persons' interpreters act, 1982 PA 204, MCL 393.501 to 393.509.

History: 2002 AACS; 2015 MR 18, Eff. Oct. 8, 2015.

**R 340.1794**

Source: 2002 AACS.

**R 340.1795**

Source: 2011 AACS.

**R 340.1796**

Source: 2013 AACS.

**R 340.1797**

Source: 2011 AACS.

**R 340.1798**

Source: 2013 AACS.

**R 340.1799**

Source: 2005 AACS.

**R 340.1799a**

Source: 2005 AACS.

**R 340.1799b**

Source: 2011 AACS.

**R 340.1799c**

Source: 2013 AACS.

**R 340.1799d**

Source: 2002 AACS.

**R 340.1799e**

Source: 2002 AACS.

**R 340.1799f**

Source: 2002 AACS.

**R 340.1799g**

Source: 2013 AACS.

**PART 6. FINANCING**

**R 340.1801**

Source: 2002 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.1802**  
Source: 2013 AACS.

**R 340.1803**  
Source: 2002 AACS.

**R 340.1805**  
Source: 2002 AACS.

**R 340.1806**  
Source: 2002 AACS.

**R 340.1808**  
Source: 2002 AACS.

**R 340.1809**  
Source: 2013 AACS.

**R 340.1810**  
Source: 2008 AACS.

**R 340.1811**  
Source: 2013 AACS.

**R 340.1812**  
Source: 2002 AACS.

**PART 7. DEVELOPMENT AND SUBMISSION OF INTERMEDIATE SCHOOL DISTRICTS' PLAN**

**R 340.1831**  
Source: 2013 AACS.

**R 340.1832**  
Source: 2008 AACS.

**R 340.1833**  
Source: 2002 AACS.

**R 340.1834**  
Source: 2002 AACS.

**R 340.1835**  
Source: 2002 AACS.

**R 340.1836**  
Source: 2002 AACS.

**R 340.1837**  
Source: 2008 AACS.

**R 340.1838**  
Source: 2002 AACS.

**R 340.1839**  
Source: 2013 AACS.

**PART 8. COMPLAINTS**

**R 340.1851**  
Source: 2013 AACS.

**R 340.1852**  
Source: 2009 AACS.

**R 340.1853**  
Source: 2009 AACS.

**R 340.1854**  
Source: 2009 AACS.

**R 340.1855**  
Source: 2009 AACS.

**PART 9. RECORDS AND CONFIDENTIALITY**

**R 340.1861**  
Source: 2008 AACS.

**PART 10.  
BIRTH TO THREE**

**R 340.1862**  
Source: 2013 AACS.

**R 340.1863**  
Source: 2002 AACS.

**R 340.1864**  
Source: 2002 AACS.

**R 340.1865**  
Source: 2002 AACS.

**R 340.1866**  
Source: 2002 AACS.

**R 340.1867**  
Source: 2002 AACS.

**R 340.1868**  
Source: 2002 AACS.

**R 340.1869**  
Source: 2002 AACS.

**R 340.1870**  
Source: 2002 AACS.

**R 340.1871**  
Source: 2002 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 340.1872**  
Source: 2002 AACS.

**R 340.1873**  
Source: 2002 AACS.

**DEPARTMENT OF LABOR AND ECONOMIC GROWTH**

**DUE PROCESS PROCEDURES FOR SPECIAL EDUCATION HEARINGS**

**R 340.1881**  
Source: 2006 AACS.

**R 340.1882**  
Source: 2006 AACS.

**R 340.1883**  
Source: 2005 AACS.

**R 340.1884**  
Source: 2005 AACS.

**R 340.1885**  
Source: 2005 AACS.

**HEARINGS**

**R 349.291**  
Source: 1979 AC.

**DEPARTMENT OF MANAGEMENT AND BUDGET**

**MICHIGAN INFORMATION NETWORK**

**REGIONAL EDUCATIONAL MEDIA CENTERS**

**R 380.1 Rescinded.**  
History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.2 Rescinded.**  
History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.3 Rescinded.**  
History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.4 Rescinded.**  
History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.5 Rescinded.**  
History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.6 Rescinded.**  
History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.7 Rescinded.**  
History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.8 Rescinded.**

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.9 Rescinded.**

History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**R 380.10 Rescinded.**

History: 1981 AACS; 2015 MR 19, Eff. Oct 1, 1994.

**DEPARTMENT OF EDUCATION**  
**STATE BOARD OF EDUCATION**  
**TRANSPORTATION OF HANDICAPPED PERSONS**

**R 380.51**

Source: 1997 AACS.

**R 380.52**

Source: 1997 AACS.

**R 380.53**

Source: 1997 AACS.

**R 380.54**

Source: 1997 AACS.

**R 380.55**

Source: 1997 AACS.

**R 380.56**

Source: 1997 AACS.

**R 380.57**

Source: 1997 AACS.

**R 380.58**

Source: 1997 AACS.

**R 380.59**

Source: 1997 AACS.

**R 380.60**

Source: 1997 AACS.

**R 380.61**

Source: 1997 AACS.

**ADMINISTRATOR CERTIFICATION CODE**

**PART 1. GENERAL PROVISIONS**

**R 380.101**

Source: 2012 AACS.

**R 380.102**

Source: 2012 AACS.

**R 380.102a**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2012 AACS.

**R 380.103**

Source: 2012 AACS.

**R 380.104**

Source: 2012 AACS.

**R 380.105**

Source: 2012 AACS.

**R 380.106**

Source: 2012 AACS.

**R 380.107**

Source: 2012 AACS.

**R 380.107a**

Source: 2012 AACS.

**R 380.108**

Source: 2008 AACS.

**R 380.109**

Source: 2012 AACS.

**R 380.110**

Source: 2008 AACS.

**R 380.111**

Source: 2012 AACS.

**R 380.111a**

Source: 2012 AACS.

**R 380.111b**

Source: 2012 AACS.

**R 380.112**

Source: 2008 AACS.

**R 380.113**

Source: 2008 AACS.

**PART 2. ADMINISTRATIVE HEARINGS**

**R 380.114**

Source: 2008 AACS.

**R 380.115**

Source: 2012 AACS.

**R 380.116**

Source: 2008 AACS.

**R 380.121**

Source: 2008 AACS.

**R 380.122**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 2008 AACS.

**R 380.123**

**Source:** 2008 AACS.

**R 380.124**

**Source:** 2008 AACS.

**R 380.125**

**Source:** 2008 AACS.

**R 380.126 Rescinded.**

History: 1988 AACS; 2008 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 380.127 Rescinded.**

History: 1988 AACS; 2008 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 380.128 Rescinded.**

History: 1988 AACS; 2008 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 380.129 Rescinded.**

History: 1988 AACS; 2008 AACS.; 2015 MR 1, Eff. Jan. 15, 2015.

**R 380.130**

**Source:** 2008 AACS.

**R 380.131**

**Source:** 2008 AACS.

**R 380.132 Rescinded.**

History: 1988 AACS; 2008 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 380.133 Rescinded.**

History: 1988 AACS; 2008 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 380.134 Rescinded.**

History: 1988 AACS; 2008 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 380.135**

**Source:** 2008 AACS.

**R 380.136**

**Source:** 2008 AACS.

**SCHOOL PSYCHOLOGIST CERTIFICATE**

**R 380.201**

**Source:** 1992 AACS.

**R 380.202**

**Source:** 1992 AACS.

**R 380.203**

**Source:** 2006 AACS.

**R 380.204**

**Source:** 2006 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 380.205**  
Source: 2006 AACS.

**R 380.206**  
Source: 2006 AACS.

**R 380.206a**  
Source: 2006 AACS.

**R 380.207**  
Source: 1992 AACS.

**R 380.208**  
Source: 2006 AACS.

**R 380.209**  
Source: 1992 AACS.

**R 380.210**  
Source: 1992 AACS.

**DEPARTMENT OF EDUCATION**  
**SUPERINTENDENT OF PUBLIC INSTRUCTION**  
**SCHOOL ADMINISTRATOR CONTINUING EDUCATION**

**R 380.1201**  
Source: 2008 AACS.

**DEPARTMENT OF TREASURY**  
**STATE TREASURER**  
**SCHOOL BOND QUALIFICATION, APPROVAL, AND LOAN RULES**  
**PART 1.GENERAL DEFINITIONS**

**R 388.1**  
Source: 2014 AACS.

**PART 2.SCHOOL BOND QUALIFICATION**

**R 388.2**  
Source: 2014 AACS.

**R 388.3**  
Source: 2014 AACS.

**R 388.4**  
Source: 2014 AACS.

**R 388.5**  
Source: 2014 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**PART 3.SCHOOL LOAN REVOLVING FUND LOANS**

**R 388.6**  
Source: 2014 AACCS.

**R 388.7**  
Source: 2014 AACCS.

**R 388.8**  
Source: 2014 AACCS.

**R 388.9**  
Source: 2014 AACCS.

**R 388.10**  
Source: 2014 AACCS.

**R 388.11**  
Source: 2014 AACCS.

**R 388.12**  
Source: 2014 AACCS.

**PART 4. NONCOMPLIANCE**

**R 388.13**  
Source: 2014 AACCS.

**PART 5.REFUNDING**

**R 388.14**  
Source: 2014 AACCS.

**R 388.15**  
Source: 2014 AACCS.

**PART 6.VARIABLE INTEREST RATE DEBT**

**R 388.16**  
Source: 2007 AACCS.

**PART 7. TIME COMPUTATION**

**R 388.17**  
Source: 2014 AACCS.

**PART 8. APPEALS**

**R 388.18**  
Source: 2014 AACCS.

**PART 9. ANNUAL COMPUTED MILLAGE WAIVER**

**R 388.19**  
Source: 2014 AACCS.

**PART 10. USE OF REMAINING PROCEEDS**

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 388.20**

**Source:** 2014 AACCS.

**PART 11. FINAL YEAR OF REPAYMENT**

**R 388.21**

**Source:** 2014 AACCS.

**PART 12. EXTENSION OF FINAL MANDATORY REPAYMENT DATE**

**R 388.22**

**Source:** 2014 AACCS.

**DEPARTMENT OF EDUCATION**

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

**POSTSECONDRARY DUAL ENROLLMENT CRITERIA FOR FIFTH-YEAR HIGH SCHOOL PUPILS**

**R 388.151 Applicability of rules.**

Rule 1. These rules establish criteria and procedures under which a fifth-year high school pupil may be eligible for enrollment in courses under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, and the career and technical preparation act, 2000 PA 258, MCL 388.1901 to 388.1913.

History: 2007 AACCS; MR 23, Eff. December 17, 2015.

**R 388.152 Definitions.**

Rule 2. As used in these rules:

(a) "Acts" means the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, and the career and technical preparation act, 2000 PA 258, MCL 388.1901 to 388.1913.

(b) "Early/middle college" means a public high school designed to allow a pupil to earn both a high school diploma and at least 1 of the following:

(i) An associate degree.

(ii) An industry-recognized technical certification.

(iii) Up to 60 transferable college credits.

(iv) The right to participate in a registered apprenticeship.

(c) "Fifth-year high school pupil" means a pupil who is enrolled in high school for more than 4 years but not more than 5 years as defined by MCL 388.513(2) or MCL 388.1903(2).

History: 2007 AACCS; MR 23, Eff. December 17, 2015.

**R 388.153 Eligible fifth-year high school pupils.**

Rule 3. (1) Subject to subrule (2) of this rule, a fifth-year high school pupil enrolled and in attendance at a school district, intermediate school district, public school academy, or state-approved nonpublic school, including a pupil enrolled and in attendance in an alternative education program operated by a school district, intermediate school, public school academy, or state-approved nonpublic school, may enroll in postsecondary dual enrollment courses under the acts if all of the following requirements are satisfied:

(a) The pupil has not met all of the requirements to be eligible to receive a high school diploma.

(b) The pupil is enrolled in not more than 2 postsecondary dual enrollment courses at 1 time and not more than a total of 4 postsecondary dual enrollment courses during the school year.

(c) The pupil is not a foreign exchange pupil enrolled under a cultural exchange program.

(d) The pupil has at least 1 parent or legal guardian who is a resident of this state.

(e) The pupil does not enroll in and receive tuition and fee support for more than 10 courses overall under the acts, including the courses taken when the pupil is a fifth-year high school pupil. This requirement does not apply if there is a written agreement between the pupil's school district, intermediate school district, public school academy, or state-approved nonpublic school and the eligible postsecondary institution to waive this limit.

**Annual Administrative Code Supplement**  
**2015 Edition**

(2) A fifth-year high school pupil enrolled and in attendance at an early/middle college may enroll in postsecondary dual enrollment courses under the acts if the pupil has not met all of the requirements to be eligible to receive a high school diploma.

History: 2007 AACS; MR 23, Eff. December 17, 2015.

**R 388.154 Procedures.**

Rule 4. To be eligible for postsecondary dual enrollment under these rules, a pupil shall have a plan on file at the school district, intermediate school district, public school academy, or state-approved nonpublic school to complete graduation requirements within the academic year, including postsecondary dual enrollment options. The plan shall be signed by the principal or designee, the parent or legal guardian, and the pupil. If the pupil is at least 18 years of age or is an emancipated minor, the pupil may act on his or her own behalf under this rule.

History: 2007 AACS; MR 23, Eff. December 17, 2015.

**R 388.155 Compliance; college level and career preparation course support in pupil's best interests.**

Rule 5. (1) Unless these rules provide otherwise for fifth-year high school pupils, the school district, intermediate school district, public school academy, or state-approved nonpublic school and the eligible postsecondary institution shall comply with all requirements in the acts.

(2) The acts and these rules do not prohibit a school district, intermediate school district, public school academy, or state-approved nonpublic school from supporting any pupil regardless of eligibility under the acts and these rules. A school district, intermediate school district, public school academy, or state-approved nonpublic school may elect to support college level courses or career preparation courses for any pupil if it is in the best interests of the pupil.

History: 2007 AACS; MR 23, Eff. December 17, 2015.

**STATE AID PROGRAMS FOR UNDERPRIVILEGED CHILDREN**

**R 388.201**

Source: 1997 AACS.

**R 388.202**

Source: 1997 AACS.

**R 388.203**

Source: 1997 AACS.

**R 388.204**

Source: 1997 AACS.

**R 388.205**

Source: 1997 AACS.

**STATE AID TO IMPROVE ACHIEVEMENT IN BASIC COGNITIVE SKILLS**

**R 388.221**

Source: 2008 AACS.

**R 388.222**

Source: 2008 AACS.

**R 388.223**

Source: 2008 AACS.

**R 388.224**

Source: 2008 AACS.

**R 388.225**

Source: 2008 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 388.226**  
Source: 2008 AACCS.

**R 388.227**  
Source: 1997 AACCS.

**R 388.228**  
Source: 2008 AACCS.

**R 388.229**  
Source: 2008 AACCS.

**R 388.230**  
Source: 2008 AACCS.

**R 388.231**  
Source: 2008 AACCS.

**R 388.234**  
Source: 1997 AACCS.

**TRANSCRIPTION OF EDUCATIONAL MATERIALS INTO BRAILLE**

**R 388.261**  
Source: 2008 AACCS.

**R 388.262**  
Source: 2008 AACCS.

**R 388.263**  
Source: 2008 AACCS.

**R 388.264**  
Source: 2008 AACCS.

**R 388.265**  
Source: 2008 AACCS.

**CRITICAL HEALTH PROBLEMS EDUCATION PROGRAM**

**R 388.271**  
Source: 2012 AACCS.

**R 388.272**  
Source: 2012 AACCS.

**R 388.273**  
Source: 2012 AACCS.

**R 388.274**  
Source: 2012 AACCS.

**R 388.275**  
Source: 2012 AACCS.

**GRANTS FOR COMMUNITY SCHOOL PROGRAM**

**Annual Administrative Code Supplement**  
2015 Edition

**R 388.281**  
Source: 1997 AACS.

**R 388.282**  
Source: 1997 AACS.

**R 388.283**  
Source: 1997 AACS.

**DRIVER EDUCATION**

**PART 1. GENERAL PROVISIONS**

**R 388.301**  
Source: 1979 AC.

**R 388.302**  
Source: 2011 AACS.

**R 388.303**  
Source: 2011 AACS.

**R 388.304**  
Source: 2011 AACS.

**R 388.304a**  
Source: 2011 AACS.

**R 388.305**  
Source: 2011 AACS.

**R 388.306**  
Source: 2011 AACS.

**R 388.306a**  
Source: 2011 AACS.

**R 388.306b**  
Source: 2011 AACS.

**R 388.307**  
Source: 2011 AACS.

**R 388.308**  
Source: 2011 AACS.

**R 388.309**  
Source: 2011 AACS.

**R 388.310**  
Source: 2011 AACS.

**R 388.311**  
Source: 2011 AACS.

**R 388.312**  
Source: 2011 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 388.313**  
Source: 2011 AACS.

**R 388.313a**  
Source: 2011 AACS.

**R 388.313b**  
Source: 2011 AACS.

**R 388.313c**  
Source: 2011 AACS.

**R 388.314**  
Source: 2011 AACS.

**R 388.314a**  
Source: 2011 AACS.

**R 388.314b**  
Source: 2011 AACS.

**R 388.314c**  
Source: 2011 AACS.

**R 388.314d**  
Source: 2011 AACS.

**R 388.314e**  
Source: 2011 AACS.

**R 388.315**  
Source: 2011 AACS.

**R 388.316**  
Source: 2011 AACS.

**R 388.317**  
Source: 2011 AACS.

**R 388.318**  
Source: 2011 AACS.

**R 388.319**  
Source: 2011 AACS.

**R 388.320**  
Source: 2011 AACS.

**PART 2. SCHOOL DISTRICT DRIVER EDUCATION**

**R 388.321**  
Source: 2011 AACS.

**R 388.322**  
Source: 2011 AACS.

**R 388.323**  
Source: 2011 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 388.324**  
Source: 2011 AACS.

**PART 3. DRIVER EDUCATION PROVIDED BY ORGANIZATIONS**

**R 388.331**  
Source: 2011 AACS.

**R 388.332**  
Source: 2011 AACS.

**R 388.333**  
Source: 2011 AACS.

**R 388.334**  
Source: 2011 AACS.

**R 388.335**  
Source: 2011 AACS.

**R 388.338**  
Source: 2011 AACS.

**R 388.339**  
Source: 1979 AC.

**DEPARTMENT OF STATE**  
**BUREAU OF DRIVER IMPROVEMENT**  
**DRIVER TRAINING SCHOOLS**

**R 388.351**  
Source: 2011 AACS.

**R 388.352**  
Source: 2011 AACS.

**R 388.353**  
Source: 2011 AACS.

**R 388.354**  
Source: 2011 AACS.

**R 388.355**  
Source: 2011 AACS.

**R 388.356**  
Source: 2011 AACS.

**R 388.357**  
Source: 2011 AACS.

**R 388.358**  
Source: 2011 AACS.

**R 388.359**  
Source: 2011 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 388.360**  
Source: 2011 AACS.

**R 388.361**  
Source: 2011 AACS.

**R 388.362**  
Source: 2011 AACS.

**DEPARTMENT OF EDUCATION**  
**STATE BOARD OF EDUCATION**  
**STATE AID FOR TRANSPORTATION OF SCHOOLCHILDREN**

**R 388.371**  
Source: 2012 AACS.

**R 388.372**  
Source: 2012 AACS.

**R 388.373**  
Source: 1997 AACS.

**R 388.374**  
Source: 2012 AACS.

**R 388.375**  
Source: 1997 AACS.

**R 388.376**  
Source: 1997 AACS.

**R 388.377**  
Source: 2012 AACS.

**R 388.378**  
Source: 1987 AACS.

**R 388.379**  
Source: 1987 AACS.

**R 388.380**  
Source: 1987 AACS.

**R 388.381**  
Source: 2012 AACS.

**R 388.382**  
Source: 2012 AACS.

**R 388.383**  
Source: 2012 AACS.

**R 388.384**  
Source: 1987 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 388.385**  
Source: 1997 AACS.

**R 388.386**  
Source: 2012 AACS.

**R 388.387**  
Source: 2012 AACS.

**R 388.388**  
Source: 2012 AACS.

**R 388.389**  
Source: 1997 AACS.

**STATE AID FOR MATHEMATICS PROGRAM FOR  
EDUCATIONALLY NEEDY CHILDREN**

**R 388.401**  
Source: 1997 AACS.

**R 388.402**  
Source: 1997 AACS.

**R 388.403**  
Source: 1997 AACS.

**R 388.404**  
Source: 1997 AACS.

**STATE AID FOR LEARNING DISABILITIES PROGRAMS**

**R 388.411**  
Source: 1997 AACS.

**R 388.412**  
Source: 1997 AACS.

**R 388.413**  
Source: 1997 AACS.

**R 388.414**  
Source: 1997 AACS.

**R 388.415**  
Source: 1997 AACS.

**R 388.416**  
Source: 1997 AACS.

**STATE AID FOR READING SUPPORT SERVICES**

**R 388.421**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 388.422**  
Source: 1997 AACS.

**R 388.423**  
Source: 1997 AACS.

**R 388.424**  
Source: 1997 AACS.

**R 388.425**  
Source: 1997 AACS.

**OFF-ROAD RECREATIONAL VEHICLE SAFETY EDUCATION**

**R 388.451**  
Source: 2005 AACS.

**R 388.452**  
Source: 2005 AACS.

**R 388.453**  
Source: 2005 AACS.

**R 388.454**  
Source: 2005 AACS.

**R 388.456**  
Source: 2005 AACS.

**R 388.457**  
Source: 2005 AACS.

**R 388.459**  
Source: 2005 AACS.

**R 388.460**  
Source: 2005 AACS.

**R 388.462**  
Source: 2005 AACS.

**R 388.463**  
Source: 2005 AACS.

**R 388.464**  
Source: 2005 AACS.

**R 388.465**  
Source: 2005 AACS.

**R 388.466**  
Source: 2005 AACS.

**R 388.467**  
Source: 2005 AACS.

**R 388.468**  
Source: 2005 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 388.469**  
Source: 2005 AACCS.

**R 388.475**  
Source: 2005 AACCS.

**R 388.476**  
Source: 2005 AACCS.

**R 388.477**  
Source: 2005 AACCS.

**R 388.478**  
Source: 2005 AACCS.

**STATE AID FOR PERFORMANCE CONTRACTS**

**R 388.551**  
Source: 1997 AACCS.

**R 388.552**  
Source: 1997 AACCS.

**R 388.553**  
Source: 1997 AACCS.

**R 388.554**  
Source: 1997 AACCS.

**R 388.555**  
Source: 1997 AACCS.

**R 388.556**  
Source: 1997 AACCS.

**R 388.557**  
Source: 1997 AACCS.

**NEIGHBORHOOD EDUCATION CENTERS**

**R 388.601**  
Source: 1997 AACCS.

**R 388.602**  
Source: 1997 AACCS.

**R 388.603**  
Source: 1997 AACCS.

**R 388.604**  
Source: 1997 AACCS.

**IDENTIFICATION OF STUDENTS ELIGIBLE FOR BILINGUAL EDUCATION FUNDING**

**R 388.701**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2011 AACCS.

**R 388.702**

Source: 2011 AACCS.

**R 388.703**

Source: 2011 AACCS.

**R 388.704**

Source: 2011 AACCS.

**R 388.705**

Source: 2011 AACCS.

**R 388.706**

Source: 2011 AACCS.

**R 388.707**

Source: 2011 AACCS.

**R 388.708**

Source: 2011 AACCS.

**R 388.709**

Source: 2011 AACCS.

**R 388.710**

Source: 2011 AACCS.

**R 388.711**

Source: 2011 AACCS.

**COMMUNITY AND JUNIOR COLLEGES FULL-TIME  
EQUATED ENROLLMENT FOR STATE AID**

**R 389.1**

Source: 1997 AACCS.

**R 389.2**

Source: 1997 AACCS.

**R 389.3**

Source: 1997 AACCS.

**R 389.4**

Source: 1997 AACCS.

**PROPRIETARY SCHOOL UNIT**

**PROPRIETARY SCHOOLS**

**R 390.561**

Source: 2014 AACCS.

**R 390.562**

Source: 2014 AACCS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.562a**  
Source: 2014 AACS.

**R 390.563**  
Source: 2014 AACS.

**R 390.564**  
Source: 2014 AACS.

**R 390.564a**  
Source: 2014 AACS.

**R 390.565**  
Source: 2014 AACS.

**R 390.566**  
Source: 1987 AACS.

**R 390.567**  
Source: 2014 AACS.

**R 390.568**  
Source: 1998-2000 AACS.

**R 390.569**  
Source: 2014 AACS.

**DEPARTMENT OF EDUCATION**  
**HEARINGS**

**R 390.621**

**DEPARTMENT OF TREASURY**  
**PROJECT COSTS**

**R 390.631**  
Source: 1997 AACS.

**PROJECT COSTS**

**R 390.641**  
Source: 1997 AACS.

**DEPARTMENT OF EDUCATION**  
**STATE BOARD OF EDUCATION**  
**TEACHERS' TENURE**

**R 390.661**  
Source: 2007 AACS.

**SOLICITORS OF PRIVATE TRADE SCHOOLS AND INSTITUTES**

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.671**  
Source: 2013 AACCS.

**SPECIAL EDUCATION SCHOLARSHIPS**

**R 390.801**  
Source: 1997 AACCS.

**R 390.802**  
Source: 1997 AACCS.

**R 390.803**  
Source: 1997 AACCS.

**R 390.804**  
Source: 1997 AACCS.

**R 390.805**  
Source: 1997 AACCS.

**R 390.806**  
Source: 1997 AACCS.

**R 390.807**  
Source: 1997 AACCS.

**R 390.808**  
Source: 1997 AACCS.

**R 390.809**  
Source: 1997 AACCS.

**R 390.810**  
Source: 1997 AACCS.

**R 390.811**  
Source: 1997 AACCS.

**R 390.812**  
Source: 1997 AACCS.

**R 390.813**  
Source: 1997 AACCS.

**R 390.814**  
Source: 1997 AACCS.

**GRANTS FOR SPECIAL EDUCATION TEACHERS**

**R 390.821**  
Source: 1997 AACCS.

**R 390.822**  
Source: 1997 AACCS.

**R 390.823**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 1997 AACS.

**R 390.824**

**Source:** 1997 AACS.

**R 390.825**

**Source:** 1997 AACS.

**DEPARTMENT OF TREASURY**  
**MICHIGAN HIGHER EDUCATION ASSISTANCE AUTHORITY**  
**TUITION GRANTS**

**R 390.831**

**Source:** 1985 AACS.

**R 390.832**

**Source:** 1979 AC.

**R 390.833**

**Source:** 1985 AACS.

**R 390.834**

**Source:** 1985 AACS.

**R 390.835**

**Source:** 1985 AACS.

**R 390.836**

**Source:** 1997 AACS.

**R 390.837**

**Source:** 1997 AACS.

**R 390.838**

**Source:** 1985 AACS.

**R 390.839**

**Source:** 1985 AACS.

**R 390.840**

**Source:** 1985 AACS.

**R 390.841**

**Source:** 1985 AACS.

**R 390.842**

**Source:** 1997 AACS.

**R 390.843**

**Source:** 1979 AC.

**R 390.844**

**Source:** 1979 AC.

**R 390.845**

**Source:** 1991 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.846**  
Source: 1985 AACCS.

**R 390.847**  
Source: 1979 AC.

**R 390.848**  
Source: 1991 AACCS.

**R 390.849**  
Source: 1979 AC.

**UNDERGRADUATE SCHOLARS AWARD PROGRAM**

**R 390.871**  
Source: 1997 AACCS.

**R 390.872**  
Source: 1997 AACCS.

**R 390.873**  
Source: 1997 AACCS.

**R 390.874**  
Source: 1997 AACCS.

**R 390.875**  
Source: 1997 AACCS.

**R 390.876**  
Source: 1997 AACCS.

**R 390.877**  
Source: 1997 AACCS.

**R 390.878**  
Source: 1997 AACCS.

**R 390.879**  
Source: 1997 AACCS.

**R 390.880**  
Source: 1997 AACCS.

**DEPARTMENT OF TREASURY**

**MICHIGAN HIGHER EDUCATION ASSISTANCE AUTHORITY**

**BUREAU OF STUDENT FINANCIAL ASSISTANCE**

**NURSING SCHOLARSHIP RULES**

**R 390.901**  
Source: 2004 AACCS.

**R 390.903**  
Source: 2004 AACCS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.905**  
Source: 2004 AACS.

**R 390.907**  
Source: 2004 AACS.

**R 390.909**  
Source: 2004 AACS.

**R 390.913**  
Source: 2004 AACS.

**R 390.915**  
Source: 2004 AACS.

**STATE COMPETITIVE SCHOLARSHIPS**

**R 390.921**  
Source: 1997 AACS.

**R 390.922**  
Source: 1997 AACS.

**R 390.923**  
Source: 1997 AACS.

**R 390.924**  
Source: 1997 AACS.

**R 390.925**  
Source: 1997 AACS.

**R 390.926**  
Source: 1997 AACS.

**R 390.927**  
Source: 1997 AACS.

**R 390.928**  
Source: 1997 AACS.

**R 390.929**  
Source: 1997 AACS.

**R 390.930**  
Source: 1997 AACS.

**R 390.931**  
Source: 1997 AACS.

**R 390.932**  
Source: 1997 AACS.

**R 390.933**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 390.934**  
Source: 1997 AACS.

**R 390.935**  
Source: 1997 AACS.

**R 390.936**  
Source: 1997 AACS.

**R 390.937**  
Source: 1997 AACS.

**R 390.938**  
Source: 1997 AACS.

**R 390.939**  
Source: 1997 AACS.

**R 390.940**  
Source: 1997 AACS.

**R 390.941**  
Source: 1997 AACS.

**R 390.942**  
Source: 1997 AACS.

**R 390.943**  
Source: 1997 AACS.

**DEPARTMENT OF EDUCATION**  
**HIGHER EDUCATION FACILITIES COMMISSION**  
**GRANTS FOR CONSTRUCTION OF UNDERGRADUATE ACADEMIC FACILITIES**

**R 390.961**  
Source: 1997 AACS.

**R 390.962**  
Source: 1997 AACS.

**R 390.963**  
Source: 1997 AACS.

**R 390.964**  
Source: 1997 AACS.

**R 390.965**  
Source: 1997 AACS.

**R 390.966**  
Source: 1997 AACS.

**R 390.967**  
Source: 1997 AACS.

**R 390.968**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.969**  
Source: 1997 AACCS.

**R 390.970**  
Source: 1997 AACCS.

**R 390.970**  
Source: 1997 AACCS.

**R 390.972**  
Source: 1997 AACCS.

**R 390.973**  
Source: 1997 AACCS.

**DEPARTMENT OF TREASURY**  
**HIGHER EDUCATION FACILITIES AUTHORITY**  
**EDUCATIONAL LOANS**

**R 390.981**  
Source: 2002 AACCS.

**R 390.982**  
Source: 2002 AACCS.

**R 390.983**  
Source: 2002 AACCS.

**R 390.984**  
Source: 2002 AACCS.

**R 390.985**  
Source: 2002 AACCS.

**R 390.986**  
Source: 2002 AACCS.

**R 390.987**  
Source: 1997 AACCS.

**R 390.988**  
Source: 1997 AACCS.

**DEPARTMENT OF EDUCATION**  
**STATE BOARD OF EDUCATION**  
**GRANTS FOR THE IMPROVEMENT OF UNDERGRADUATE**  
**INSTRUCTION EQUIPMENT**

**R 390.1001**  
Source: 1997 AACCS.

**R 390.1002**  
Source: 1997 AACCS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 390.1003**  
Source: 1997 AACS.

**R 390.1004**  
Source: 1997 AACS.

**R 390.1005**  
Source: 1997 AACS.

**R 390.1006**  
Source: 1997 AACS.

**R 390.1007**  
Source: 1997 AACS.

**R 390.1008**  
Source: 1997 AACS.

**R 390.1009**  
Source: 1997 AACS.

**R 390.1010**  
Source: 1997 AACS.

**R 390.1011**  
Source: 1997 AACS.

**R 390.1012**  
Source: 1997 AACS.

**R 390.1013**  
Source: 1997 AACS.

**GRANTS FOR STUDIES FOR EXTENDED SCHOOL YEAR**

**R 390.1051**  
Source: 1997 AACS.

**R 390.1052**  
Source: 1997 AACS.

**R 390.1053**  
Source: 1997 AACS.

**R 390.1054**  
Source: 1997 AACS.

**R 390.1055**  
Source: 1997 AACS.

**R 390.1056**  
Source: 1997 AACS.

**TEACHER CERTIFICATION CODE**

**PART 1. GENERAL PROVISIONS**

**R 390.1101**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2012 AACS.

**R 390.1105**

Source: 2012 AACS.

**R 390.1111**

Source: 2012 AACS.

**R 390.1115**

Source: 2012 AACS.

**R 390.1117**

Source: 2012 AACS.

**R 390.1118**

Source: 2012 AACS.

**PART 2. STATE PROVISIONAL AND INTERIM CERTIFICATES**

**R 390.1121**

Source: 2012 AACS.

**R 390.1122**

Source: 2012 AACS.

**R 390.1122a**

Source: 2012 AACS.

**R 390.1123**

Source: 2012 AACS.

**R 390.1124**

Source: 2012 AACS.

**R 390.1125**

Source: 2012 AACS.

**R 390.1126**

Source: 2012 AACS.

**R 390.1127**

Source: 2012 AACS.

**R 390.1128**

Source: 2012 AACS.

**R 390.1129**

Source: 2012 AACS.

**R 390.1129a**

Source: 2012 AACS.

**R 390.1129b**

Source: 2012 AACS.

**R 390.1130**

Source: 2012 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**PART 3. STATE PROFESSIONAL EDUCATION CERTIFICATES**

- R 390.1131**  
Source: 2012 AACS.
- R 390.1132**  
Source: 2012 AACS.
- R 390.1133**  
Source: 2006 AACS.
- R 390.1134**  
Source: 2012 AACS.
- R 390.1135**  
Source: 2012 AACS.
- R 390.1136**  
Source: 2006 AACS.
- R 390.1137**  
Source: 2012 AACS.
- R 390.1138**  
Source: 2012 AACS.

**PART 4. STATE SPECIAL PERMITS**

- R 390.1141**  
Source: 2012 AACS.
- R 390.1142**  
Source: 2012 AACS.
- R 390.1143**  
Source: 2012 AACS.
- R 390.1144**  
Source: 1989 AACS.
- R 390.1145**  
Source: 2012 AACS.
- R 390.1146**  
Source: 2012 AACS.
- R 390.1147**  
Source: 2012 AACS.

**PART 5. TEACHER PREPARATION INSTITUTIONS**

- R 390.1151**  
Source: 2012 AACS.
- R 390.1152**  
Source: 2012 AACS.
- R 390.1153**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2006 AACS.

**R 390.1154**

Source: 2012 AACS.

**R 390.1155**

Source: 2012 AACS.

**R 390.1156**

Source: 2012 AACS.

**R 390.1157**

Source: 2006 AACS.

**PART 6. OCCUPATIONAL ENDORSEMENT AND AUTHORIZATION**

**R 390.1161**

Source: 2012 AACS.

**R 390.1162**

Source: 2012 AACS.

**R 390.1163**

Source: 2012 AACS.

**R 390.1164**

Source: 2006 AACS.

**R 390.1164a**

Source: 2012 AACS.

**R 390.1165**

Source: 2012 AACS.

**R 390.1166**

Source: 2012 AACS.

**R 390.1167**

Source: 2012 AACS.

**PART 9. EFFECTIVE DATE AND RESCISSION**

**R 390.1198**

Source: 1979 AC.

**R 390.1199**

Source: 1979 AC.

**PART 10. ADMINISTRATIVE HEARINGS**

**R 390.1201**

Source: 2006 AACS.

**R 390.1202 Rescinded.**

History: 1979 AC; 2006 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1203**

Source: 2006 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 390.1204**

Source: 2006 AACS.

**R 390.1205**

Source: 2006 AACS.

**R 390.1206 Rescinded.**

History: 1979 AC; 2004 AACS; 2006 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1207 Rescinded.**

History: 1979 AC; 2006 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1208**

Source: 2006 AACS.

**R 390.1209 Rescinded.**

History: 1979 AC; 2006 AACS; ; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1210 Rescinded.**

History: 1979 AC; 2006 AACS; ; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1211**

Source: 2006 AACS.

**R 390.1212 Rescinded.**

History: 1979 AC; 2006 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1213 Rescinded.**

History: 1979 AC; 2006 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1214 Rescinded.**

History: 1979 AC; 2006 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**R 390.1215**

Source: 2006 AACS.

**R 390.1216**

Source: 2006 AACS.

**DEPARTMENT OF LABOR AND ECONOMIC GROWTH**

**STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES**

**ADMINISTRATIVE HEARINGS FOR THE SUSPENSION AND REVOCATION OF MICHIGAN TEACHING  
CERTIFICATES**

**R 390.1251 Rescinded.**

History: 2006 AACS; 2008 AACS; 2015 MR 1, Eff. Jan. 15, 2015.

**DEPARTMENT OF EDUCATION**

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

**CERTIFICATION AND LICENSURE OF SCHOOL COUNSELORS**

**R 390.1301**

Source: 2006 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.1302**  
Source: 2006 AACCS.

**R 390.1303**  
Source: 2006 AACCS.

**R 390.1303a**  
Source: 2006 AACCS.

**R 390.1304**  
Source: 2006 AACCS.

**R 390.1305**  
Source: 2006 AACCS.

**R 390.1306**  
Source: 2006 AACCS.

**R 390.1307**  
Source: 2006 AACCS.

**R 390.1308**  
Source: 2006 AACCS.

**DEPARTMENT OF TREASURY**  
**MICHIGAN HIGHER EDUCATION ASSISTANCE AUTHORITY**  
**GUARANTEED LOAN PROGRAM**  
**PART 1. GENERAL PROVISIONS**

**R 390.1401**  
Source: 1990 AACCS.

**R 390.1402**  
Source: 1990 AACCS.

**R 390.1403**  
Source: 1990 AACCS.

**R 390.1404**  
Source: 1990 AACCS.

**R 390.1405**  
Source: 1990 AACCS.

**R 390.1406**  
Source: 1997 AACCS.

**R 390.1407**  
Source: 1990 AACCS.

**R 390.1409**  
Source: 1990 AACCS.

**R 390.1411**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1990 AACS.

**R 390.1412**

Source: 1990 AACS.

**R 390.1413**

Source: 1990 AACS.

**R 390.1415**

Source: 1990 AACS.

**R 390.1417**

Source: 1990 AACS.

**R 390.1419**

Source: 1997 AACS.

**R 390.1421**

Source: 1990 AACS.

**R 390.1422**

Source: 1990 AACS.

**R 390.1423**

Source: 1997 AACS.

**R 390.1424**

Source: 1997 AACS.

**R 390.1425**

Source: 1997 AACS.

**R 390.1426**

Source: 1997 AACS.

**R 390.1427**

Source: 1997 AACS.

**R 390.1429**

Source: 1990 AACS.

**PART 2. LOAN PROVISIONS AND PROCEEDS**

**R 390.1431**

Source: 1990 AACS.

**R 390.1432**

Source: 1990 AACS.

**R 390.1433**

Source: 1990 AACS.

**R 390.1434**

Source: 1997 AACS.

**R 390.1435**

Source: 1997 AACS.

**R 390.1436**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1990 AACS.

**R 390.1437**

Source: 1990 AACS.

**R 390.1438**

Source: 1990 AACS.

**PART 3. INTEREST ON LOANS**

**R 390.1441**

Source: 1990 AACS.

**R 390.1442**

Source: 1990 AACS.

**R 390.1443**

Source: 1997 AACS.

**R 390.1445**

Source: 1997 AACS.

**PART 4. PAYMENTS, EXTENSIONS, AND DEFERMENTS**

**R 390.1451**

Source: 1990 AACS.

**R 390.1452**

Source: 1997 AACS.

**R 390.1453**

Source: 1997 AACS.

**R 390.1455**

Source: 1990 AACS.

**R 390.1456**

Source: 1990 AACS.

**R 390.1457**

Source: 1990 AACS.

**PART 5. DEFAULTED LOANS**

**R 390.1461**

Source: 1990 AACS.

**R 390.1462**

Source: 1997 AACS.

**R 390.1463**

Source: 1997 AACS.

**R 390.1464**

Source: 1997 AACS.

**R 390.1465**

Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.1466**  
Source: 1990 AACS.

**R 390.1467**  
Source: 1990 AACS.

**R 390.1468**  
Source: 1997 AACS.

**PART 6. FORBEARANCE**

**R 390.1471**  
Source: 1990 AACS.

**PART 7. LIMITATION, SUSPENSION, OR TERMINATION OF SCHOOL OR LENDER PARTICIPATION**

**R 390.1481**  
Source: 1990 AACS.

**R 390.1482**  
Source: 1990 AACS.

**R 390.1483**  
Source: 1990 AACS.

**R 390.1484**  
Source: 1990 AACS.

**R 390.1485**  
Source: 1990 AACS.

**R 390.1486**  
Source: 1990 AACS.

**R 390.1487**  
Source: 1990 AACS.

**R 390.1488**  
Source: 1990 AACS.

**R 390.1489**  
Source: 1990 AACS.

**R 390.1490**  
Source: 1990 AACS.

**R 390.1491**  
Source: 1990 AACS.

**LEGISLATIVE MERIT AWARD PROGRAM**

**R 390.1501**  
Source: 1979 AC.

**R 390.1502**  
Source: 1985 AACS.

**R 390.1503**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1979 AC.

**R 390.1504**

Source: 1979 AC.

**R 390.1505**

Source: 1979 AC.

**R 390.1506**

Source: 1985 AACCS.

**R 390.1507**

Source: 1979 AC.

**R 390.1508**

Source: 1979 AC.

**R 390.1509**

Source: 1979 AC.

**R 390.1510**

Source: 1979 AC.

**R 390.1511**

Source: 1985 AACCS.

**R 390.1512**

Source: 1979 AC.

**COMPETITIVE SCHOLARSHIP PROGRAM**

**R 390.1551**

Source: 1991 AACCS.

**R 390.1552**

Source: 1991 AACCS.

**R 390.1553**

Source: 1991 AACCS.

**R 390.1554**

Source: 1991 AACCS.

**R 390.1555**

Source: 1991 AACCS.

**R 390.1556**

Source: 1985 AACCS.

**R 390.1557**

Source: 1991 AACCS.

**R 390.1558**

Source: 1991 AACCS.

**R 390.1559**

Source: 1985 AACCS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 390.1560**  
Source: 1991 AACCS.

**R 390.1561**  
Source: 1980 AACCS.

**R 390.1562**  
Source: 1991 AACCS.

**R 390.1563**  
Source: 1997 AACCS.

**R 390.1563a**  
Source: 1985 AACCS.

**R 390.1564**  
Source: 1980 AACCS.

**R 390.1565**  
Source: 1991 AACCS.

**R 390.1566**  
Source: 1991 AACCS.

**R 390.1567**  
Source: 1991 AACCS.

**R 390.1568**  
Source: 1991 AACCS.

**R 390.1569**  
Source: 1991 AACCS.

**R 390.1570**  
Source: 1991 AACCS.

**R 390.1571**  
Source: 1991 AACCS.

**MICHIGAN HIGHER EDUCATION STUDENT LOAN AUTHORITY**  
**STATE DIRECT LOAN PROGRAM**

**R 390.1601**  
Source: 2007 AACCS.

**R 390.1602**  
Source: 2007 AACCS.

**R 390.1603**  
Source: 2007 AACCS.

**R 390.1604**  
Source: 2007 AACCS.

**R 390.1605**  
Source: 2007 AACCS.

**R 390.1606**

**Annual Administrative Code Supplement**  
**2015 Edition**

Source: 2007 AACCS.

**R 390.1607**

Source: 2007 AACCS.

**R 390.1608**

Source: 2007 AACCS.

**R 390.1609**

Source: 2007 AACCS.

**R 390.1610**

Source: 2007 AACCS.

**R 390.1611**

Source: 2007 AACCS.

**MICHIGAN ALTERNATIVE STUDENT LOAN PROGRAM**

**R 390.1621**

Source: 1998-2000 AACCS.

**R 390.1622**

Source: 1998-2000 AACCS.

**R 390.1623**

Source: 1998-2000 AACCS.

**R 390.1624**

Source: 1990 AACCS.

**R 390.1625**

Source: 1995 AACCS.

**R 390.1626**

Source: 1998-2000 AACCS.

**R 390.1627**

Source: 1997 AACCS.

**R 390.1628**

Source: 1995 AACCS.

**R 390.1629**

Source: 1998-2000 AACCS.

**R 390.1630**

Source: 1998-2000 AACCS.

**R 390.1631**

Source: 1998-2000 AACCS.

**R 390.1632**

Source: 1998-2000 AACCS.

**R 390.1633**

Source: 1998-2000 AACCS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 390.1634**  
Source: 1998-2000 AACCS.

**R 390.1635**  
Source: 1998-2000 AACCS.

**R 390.1636**  
Source: 1998-2000 AACCS.

**HIGHER EDUCATION ASSISTANCE AUTHORITY**  
**DIFFERENTIAL GRANT PROGRAM**

**R 390.1651**  
Source: 1985 AACCS.

**R 390.1652**  
Source: 1985 AACCS.

**R 390.1653**  
Source: 1985 AACCS.

**R 390.1654**  
Source: 1985 AACCS.

**R 390.1655**  
Source: 1985 AACCS.

**R 390.1656**  
Source: 1985 AACCS.

**R 390.1657**  
Source: 1985 AACCS.

**R 390.1658**  
Source: 1985 AACCS.

**R 390.1659**  
Source: 1985 AACCS.

**R 390.1660**  
Source: 1985 AACCS.

**R 390.1661**  
Source: 1985 AACCS.

**R 390.1662**  
Source: 1985 AACCS.

**R 390.1663**  
Source: 1985 AACCS.

**MICHIGAN WORK-STUDY UNDERGRADUATE PROGRAM**

**R 390.1701**  
Source: 1988 AACCS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 390.1702**  
Source: 1988 AACCS.

**R 390.1703**  
Source: 1988 AACCS.

**R 390.1704**  
Source: 1988 AACCS.

**R 390.1705**  
Source: 1988 AACCS.

**R 390.1706**  
Source: 1988 AACCS.

**R 390.1707**  
Source: 1988 AACCS.

**R 390.1708**  
Source: 1988 AACCS.

**R 390.1709**  
Source: 1988 AACCS.

**MICHIGAN EDUCATIONAL OPPORTUNITY GRANT PROGRAM**

**R 390.1721**  
Source: 1988 AACCS.

**R 390.1722**  
Source: 1988 AACCS.

**R 390.1723**  
Source: 1988 AACCS.

**R 390.1724**  
Source: 1988 AACCS.

**R 390.1725**  
Source: 1988 AACCS.

**R 390.1726**  
Source: 1988 AACCS.

**R 390.1727**  
Source: 1988 AACCS.

**R 390.1728**  
Source: 1988 AACCS.

**ADULT PART-TIME GRANT PROGRAM**

**R 390.1751**  
Source: 1988 AACCS.

**R 390.1752**  
Source: 1988 AACCS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 390.1753**  
Source: 1988 AACCS.

**R 390.1754**  
Source: 1988 AACCS.

**R 390.1755**  
Source: 1988 AACCS.

**R 390.1756**  
Source: 1988 AACCS.

**R 390.1757**  
Source: 1988 AACCS.

**R 390.1758**  
Source: 1988 AACCS.

**R 390.1759**  
Source: 1988 AACCS.

**MICHIGAN WORK-STUDY GRADUATE PROGRAM**

**R 390.1771**  
Source: 1988 AACCS.

**R 390.1772**  
Source: 1988 AACCS.

**R 390.1773**  
Source: 1988 AACCS.

**R 390.1774**  
Source: 1988 AACCS.

**R 390.1775**  
Source: 1988 AACCS.

**R 390.1776**  
Source: 1988 AACCS.

**R 390.1777**  
Source: 1988 AACCS.

**R 390.1778**  
Source: 1988 AACCS.

**R 390.1779**  
Source: 1988 AACCS.

**MICHIGAN EDUCATION TRUST**

**R 390.1801**  
Source: 2002 AACCS.

**R 390.1802**  
Source: 2008 AACCS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 390.1803**  
Source: 1992 AACS.
- R 390.1804**  
Source: 1992 AACS.
- R 390.1805**  
Source: 1997 AACS.
- R 390.1806**  
Source: 1992 AACS.
- R 390.1807**  
Source: 1992 AACS.
- R 390.1808**  
Source: 1992 AACS.
- R 390.1809**  
Source: 1992 AACS.
- R 390.1810**  
Source: 1992 AACS.
- R 390.1811**  
Source: 1992 AACS.
- R 390.1812**  
Source: 1992 AACS.
- R 390.1813**  
Source: 1992 AACS.
- R 390.1814**  
Source: 1993 AACS.
- R 390.1815**  
Source: 1993 AACS.
- R 390.1816**  
Source: 1992 AACS.
- R 390.1817**  
Source: 1992 AACS.
- R 390.1818**  
Source: 1992 AACS.
- R 390.1819**  
Source: 1992 AACS.
- R 390.1820**  
Source: 1992 AACS.
- R 390.1821**  
Source: 1998-2000 AACS.

**DEPARTMENT OF TREASURY**

**MICHIGAN HIGHER EDUCATION ASSISTANCE AUTHORITY**

**Annual Administrative Code Supplement**  
2015 Edition

**CHILDREN OF VETERANS TUITION GRANT PROGRAM**

- R 390.1901**  
Source: 2009 AACS.
- R 390.1902**  
Source: 2009 AACS.
- R 390.1903**  
Source: 2009 AACS.
- R 390.1904**  
Source: 2009 AACS.
- R 390.1905**  
Source: 2009 AACS.
- R 390.1906**  
Source: 2009 AACS.
- R 390.1907**  
Source: 2009 AACS.
- R 390.1908**  
Source: 2009 AACS.

**DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH**  
**COMMISSION FOR THE BLIND**  
**VENDING FACILITY PROGRAM**

- R 393.1**  
Source: 2004 AACS.
- R 393.2**  
Source: 2004 AACS.
- R 393.3**  
Source: 2004 AACS.
- R 393.4**  
Source: 2004 AACS.
- R 393.5**  
Source: 2004 AACS.
- R 393.6**  
Source: 2004 AACS.
- R 393.7**  
Source: 2004 AACS.
- R 393.8**  
Source: 2004 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 393.9**  
Source: 2004 AACS.

**R 393.10**  
Source: 2004 AACS.

**R 393.11**  
Source: 2004 AACS.

**R 393.12**  
Source: 2004 AACS.

**Rule 393.13**  
Source: 2004 AACS.

**R 393.14**  
Source: 2004 AACS.

**R 393.15**  
Source: 2004 AACS.

**R 393.16**  
Source: 2004 AACS.

**R 393.17**  
Source: 2004 AACS.

**R 393.18**  
Source: 2004 AACS.

**R 393.19**  
Source: 2004 AACS.

**R 393.20**  
Source: 2004 AACS.

**R 393.21**  
Source: 2004 AACS.

**R 393.22**  
Source: 2004 AACS.

**R 393.23**  
Source: 2004 AACS.

**R 393.24**  
Source: 2004 AACS.

**R 393.25**  
Source: 2004 AACS.

**R 393.26**  
Source: 2004 AACS.

**R 393.27**  
Source: 2004 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 393.28**  
Source: 2004 AACS.

**R 393.29**  
Source: 2004 AACS.

**R 393.30**  
Source: 2004 AACS.

**R 393.31**  
Source: 2004 AACS.

**R 393.32**  
Source: 2004 AACS.

**R 393.33**  
Source: 2004 AACS.

**R 393.34**  
Source: 2004 AACS.

**R 393.35**  
Source: 2004 AACS.

**R 393.36**  
Source: 2004 AACS.

**R 393.37**  
Source: 2004 AACS.

**R 393.38**  
Source: 2004 AACS.

**R 393.39**  
Source: 2004 AACS.

**R 393.40**  
Source: 2004 AACS.

**R 393.41**  
Source: 2004 AACS.

**R 393.42**  
Source: 2004 AACS.

**R 393.43**  
Source: 2004 AACS.

**R 394.44**  
Source: 2004 AACS.

**R 393.45**  
Source: 2004 AACS.

**R 393.46**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2004 AACS.

**R 393.47**

Source: 2004 AACS.

**R 393.48**

Source: 2004 AACS.

**R 393.49**

Source: 2004 AACS.

**R 393.50**

Source: 2004 AACS.

**R 393.51**

Source: 2004 AACS.

**R 393.52**

Source: 2004 AACS.

**R 393.53**

Source: 2004 AACS.

**R 393.54**

Source: 2004 AACS.

**R 393.55**

Source: 2004 AACS.

**R 393.56**

Source: 2004 AACS.

**R 393.101**

Source: 2004 AACS.

**R 393.102**

Source: 2004 AACS.

**R 393.103**

Source: 2004 AACS.

**R 393.104**

Source: 2004 AACS.

**R 393.105**

Source: 2004 AACS.

**R 393.106**

Source: 2004 AACS.

**R 393.107**

Source: 2004 AACS.

**R 393.108**

Source: 2004 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 393.109**  
Source: 2004 AACCS.

**R 393.110**  
Source: 2004 AACCS.

**R 393.111**  
Source: 2004 AACCS.

**R 393.112**  
Source: 2004 AACCS.

**R 393.113**  
Source: 2004 AACCS.

**R 393.199**  
Source: 1983 AACCS.

**CLIENT APPEAL PROCEDURES**

**R 393.201**  
Source: 1990 AACCS.

**R 393.202**  
Source: 1997 AACCS.

**R 393.203**  
Source: 1997 AACCS.

**R 393.204**  
Source: 1997 AACCS.

**MICHIGAN DEPARTMENT OF CIVIL RIGHTS**  
**DIVISION ON DEAF AND HARD OF HEARING**  
**QUALIFIED INTERPRETER – GENERAL RULES**

**PART 1. GENERAL PROVISIONS**

**R 393.5001**  
Source: 2014 AACCS.

**R 393.5003**  
Source: 2014 AACCS.

**R 393.5004**  
Source: 2014 AACCS.

**R 393.5005**  
Source: 2014 AACCS.

**PART 2. MINIMUM CREDENTIAL REQUIREMENTS AND LEVELS**

**Annual Administrative Code Supplement**  
2015 Edition

**R 393.5021**  
Source: 2014 AACS.

**R 393.5022**  
Source: 2014 AACS.

**R 393.5023**  
Source: 2014 AACS.

**R 393.5024**  
Source: 2014 AACS.

**R 393.5025**  
Source: 2014 AACS.

**R 393.5026**  
Source: 2014 AACS.

**R 393.5027**  
Source: 2014 AACS.

**R 393.5028**  
Source: 2014 AACS.

**R 393.5029**  
Source: 2014 AACS.

**PART 3. PROCEDURES FOR APPLICATION, CERTIFICATION, AND LISTING**

**R 393.5031**  
Source: 2014 AACS.

**R 393.5032**  
Source: 2014 AACS.

**R 393.5033**  
Source: 2014 AACS.

**PART 4. PROCEDURES FOR TESTING**

**R 393.5041**  
Source: 2014 AACS.

**R 393.5042**  
Source: 2014 AACS.

**R 393.5045**  
Source: 2014 AACS.

**PART 5. MINIMUM STANDARDS OF PRACTICE**

**Annual Administrative Code Supplement**  
2015 Edition

**R 393.5051**

Source: 2014 AACS.

**R 393.5052**

Source: 2014 AACS.

**R 393.5053**

Source: 2014 AACS.

**R 393.5054**

Source: 2014 AACS.

**R 393.5055**

Source: 2014 AACS.

**R 393.5056**

Source: 2014 AACS.

**R 393.5058**

Source: 2014 AACS.

**PART 6. GRIEVANCE AND COMPLAINT PROCEDURES**

**R 393.5061**

Source: 2014 AACS.

**R 393.5062**

Source: 2014 AACS.

**R 393.5063**

Source: 2014 AACS.

**R 393.5064**

Source: 2014 AACS.

**PART 7. PROCEDURES FOR REVOCATION, SUSPENSION, LIMITATION OF CERTIFICATION,  
REINSTATEMENT**

**R 393.5070**

Source: 2014 AACS.

**R 393.5072**

Source: 2014 AACS.

**R 393.5073**

Source: 2014 AACS.

**R 393.5074**

Source: 2014 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 393.5075**

Source: 2014 AACCS.

**R 393.5076**

Source: 2014 AACCS.

**R 393.5077**

Source: 2014 AACCS.

**PART 8. CONTINUING EDUCATION**

**R 393.5081**

Source: 2014 AACCS.

**R 393.5082**

Source: 2014 AACCS.

**R 393.5083**

Source: 2014 AACCS.

**R 393.5084**

Source: 2014 AACCS.

**R 393.5085**

Source: 2014 AACCS.

**R 393.5086**

Source: 2014 AACCS.

**PART 9. PROCEDURES FOR RENEWAL**

**R 393.5091**

Source: 2014 AACCS.

**R 393.5092**

Source: 2014 AACCS.

**R 393.5093**

Source: 2014 AACCS.

**R 393.5094**

Source: 2014 AACCS.

**R 393.5095**

Source: 2014 AACCS.

**MICHIGAN JOBS COMMISSION**

VOCATIONAL EDUCATION

VOCATIONAL REHABILITATION

PART 1. ELIGIBILITY FOR REHABILITATION SERVICE

**R 395.1 Rescinded.**

History: 1954 AC; 1979 AC; 1998-2000 AACS; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.2 Rescinded.**

History: 1954 AC; Rescinded 1954 ACS 24, Eff. Nov. 12, 1960.

**R 395.3 Rescinded.**

History: 1954 AC; 1979 AC; 2005 AACS; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.4 Rescinded.**

History: 1954 AC; 1979 AC; 2005 AACS; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.5 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.6 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.7 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.8 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.21 Rescinded.**

History: 1954 AC; 1979 AC; 1998-2000 AACS; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.22 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.23 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.24 Rescinded.**

History: 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.31 Rescinded.**

History: 1954 AC; 1979 AC; 2005 AACS; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.32 Rescinded.**

History: 1954 AC; 1979 AC; 2005 AACS; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.33 Rescinded.**

History: 1954 AC; 1979 AC; 2005 AACS; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.34 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.35 Rescinded.**

History: 1954 AC; 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 395.41 Rescinded.**

History: 1979 AC; 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.42 Rescinded.**

History: 1979 AC. 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.51 Definitions.**

Rule 1. As used in these rules:

- (a) "Clear and convincing evidence" means there is a high degree of certainty that the individual is incapable of benefiting from services in terms of an employment outcome.
- (b) "Client Assistance Program" or "CAP" means the mandated program authorized under the rehabilitation act of 1973, 29 U.S.C. 701, which provides individual and systemic advocacy services to all MRS applicants and eligible individuals including additional information, problem resolution assistance, and assistance with an appeal.
- (c) "Competitive integrated employment" means work that complies with the following:
  - (i) Is performed on a full-time or part-time basis, including self-employment, and for which an individual is compensated at a rate that includes all of the following:
    - (A) Is not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938, 29 U.S.C. 206(a)(1) or the rate required under the applicable state or local minimum wage law.
    - (B) Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills.
    - (C) In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills.
    - (D) Is eligible for the level of benefits provided to other employees.
  - (ii) Is at a location where the employee with a disability interacts for the purpose of performing the duties of the position with other persons, for example, customers and vendors, who are not individuals with disabilities. This requirement does not include supervisory personnel or individuals who are providing services to such employee to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with other persons.
  - (iii) Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.
- (d) "Comparable services and benefits" means services and benefits, not including awards and scholarships based on merit, that are provided or paid for, in whole, or in part, by other federal, state, or local public agencies, by health insurance, or by employee benefits that are available to the individual that the individual would otherwise receive from the designated state vocational rehabilitation agency.
- (e) "Cost of attendance" means the total amount it will cost a student to attend school in a year.
- (f) "Employment outcome" means entering or retaining full-time employment, or if appropriate, part-time competitive employment in the integrated labor market, supported-employment, or any other type of employment in an integrated setting, including self-employment, telecommuting, or business ownership, that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
- (g) "Individualized plan for employment" or "IPE" means a written document prepared on a form approved by MRS and developed to afford the individual meaningful opportunity to exercise informed choice in the selection of the following:
  - (i) Employment goal.
  - (ii) Specific vocational rehabilitation services required to achieve the employment goal.
  - (iii) Entities that will provide services.
  - (iv) Methods of service provision.
- (h) "Job in jeopardy" means an individual who is in danger of being terminated from his or her job due to disability-related factors.
- (i) "Michigan Rehabilitation Services or "MRS" means the part of a network of vocational rehabilitation programs across the United States authorized by the federal rehabilitation act of 1973, as amended, PL 105-220.
- (j) "Part-time employment" means employment that is permanently assigned to an employee that is less than 30 hours of work per week.
- (k) "Rehabilitation technology" means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of and address the barriers confronted by individuals with disabilities.

**Annual Administrative Code Supplement**  
**2015 Edition**

(l) “Seasonal employment” means employment as defined by the United States department of labor to be less than 5 months duration and is linked to seasonal or climatic conditions.

(m) “Substantial impediment to employment” means a physical or mental impairment that materially hinders an individual from preparing for, engaging in, or retaining employment consistent with the individual’s abilities and capabilities.

(n) “Substantial services” means services that are provided in the context of a counseling relationship and the individual’s informed choice, and that make a significant contribution to the individual’s employment outcome. Substantial services may be provided directly, purchased, or arranged.

(o) “Temporary employment” means employment for 180 days or less.

(p) “Underemployment” means employment in which there is a significant discrepancy between the individual’s demonstrated abilities and capabilities and the demands of the current job.

(q) “Unsteady employment” means employment that is seasonal, intermittent, temporary, permanently part-time, or subjects the individual to a pattern of layoffs or variations in the availability of work.

(r) “Vocational rehabilitation services” or “VRS” means those services available to assist the individual with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. Services provided shall be published in MRS policy and be made available to the public.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.52 Implementation of processes; policy.**

Rule 2. MRS shall publish and make available to the public procedures for the implementation of these rules.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.53 Purpose.**

Rule 3. (1) MRS shall assist eligible individuals with physical or mental disabilities to prepare for and achieve an employment outcome.

(2) The MRS process is based upon an Individualized Plan for Employment (IPE) which is oriented to an individual’s achievement of a vocational goal. Services provided must be essential to overcome the vocational impediment and must be provided at the least cost to meet the individual’s rehabilitation needs.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.54 General requirements.**

Rule 4. (1) MRS shall not discriminate on the basis of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs, or disability.

(2) MRS shall not impose duration of residence requirement as part of determining an individual’s eligibility for vocational rehabilitation services or that excludes from services under the IPE any individual who is legally present in this state.

(3) Throughout the individual’s rehabilitation program, every opportunity shall be provided to the individual to make informed choices regarding the rehabilitation process. MRS shall maintain documentation of opportunities for making informed choices the individual’s case record.

(4) MRS shall establish and maintain a case record for each individual and recipient of vocational rehabilitation services, which includes data necessary to comply with MRS and federal rehabilitation services administration requirements.

(5) MRS shall make administrative decisions about the district and office boundaries in which individuals are served. Individuals do not have a right to select the office or district in which they are served or the counselor who will serve them.

(6) Individuals are served in geographic MRS districts and offices according to their residence. Individuals who change their permanent residence may have the option to have their cases transferred, with supervisory approval, to the district or office to which they have moved.

(7) Individuals have the right to appeal the denial of a request to change counselors within an office.

(8) Case service expenditures, whether assessment or IPE services, require written authorization by MRS prior to or simultaneously with the initiation of the service. Retroactive authorizations are prohibited.

(9) Goods and services shall be provided subject to the statewide availability of funds. Goods and services shall be explored by the individual, with assistance from the MRS counselor, and the individual may be involved in the choice of who will provide goods and services.

(10) When appropriate, MRS counselors shall provide the referral necessary to support individuals with disabilities in securing needed services from other agencies and organizations.

(11) The MRS counselor shall inform each individual of the procedure for requesting a review or redetermination of an agency decision with which he or she disagrees, including how the individual may request a hearing and the availability of CAP.

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.55 Confidentiality.**

Rule 5. (1) MRS shall keep all personal information concerning individuals, including but not limited to, photographs and lists of names, confidential.

(2) MRS may release personal information only to individuals or entities directly connected with the administration of the vocational rehabilitation program and only to the extent permitted under federal regulations governing the vocational rehabilitation program. Information containing identifiable personal information shall not be shared with advisory or other bodies that do not have official responsibility for administration of the program.

(3) MRS shall release personal information only with the informed, written consent of the individual. MRS shall release personal information without informed, written consent of the individual as needed to protect the applicant from physical harm to self or others and in response to any of the following:

(a) Law enforcement, fraud, or abuse investigations.

(b) In response to a judicial order.

(c) When required by federal statute or regulation.

(d) For audit, research, or evaluation purposes as allowed under the federal regulations 34 CFR 361.38(d).

(e) In a suspected case of abuse, neglect, exploitation, or endangerment of the individual.

(4) Information obtained from another agency or organization shall be released only by, or under the conditions established by, the other agency/organization.

(5) When requested in writing by an individual, MRS shall make the information requested accessible to the individual and release the information to the individual or the individual's representative in a timely manner.

(6) Medical, psychological, and other information that may be potentially harmful to the individual shall not be directly released to the individual but shall be released instead to a third party chosen by the individual that may include any of the following:

(a) A qualified medical or mental health professional.

(b) Advocate.

(c) Family member.

(d) Legal guardian.

(7) MRS may release information to parents or legal guardians of individuals who are minors under the same conditions as it may be released directly to individuals.

(8) Release of information to an individual, agency, or organization other than those specified in these rules shall contain a statement precluding its further release.

(9) MRS counselors shall advise individuals and providers of information of the confidentiality and release restrictions in this rule through appropriate means of communication.

History: 2016 MR 24, Eff. Jan. 5, 2016

**R 395.56 Application for MRS services.**

Rule 6. To apply for MRS services, an individual, or his or her representative as appropriate, shall do all of the following:

Complete and sign an MRS application form or otherwise request services and provide the equivalent information.

Provide information necessary to determine eligibility and priority for services.

Be available to complete the assessment process.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.57 Eligibility criteria.**

Rule 7. (1) An individual is eligible for MRS services if, after an assessment has been conducted, MRS determines that the individual meets both of the following:

(a) Has a physical or mental impairment which, for the individual, constitutes or results in a substantial impediment to employment.

(b) Requires MRS to prepare for, secure, retain, advance in, or regain employment consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. For purposes of an assessment for determining eligibility and vocational rehabilitation needs under the act, an individual shall be presumed to have a goal of an employment outcome.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.58 Presumption of benefit.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 8. All individuals who apply for services, including individuals who have been determined to have a disability under social security disability insurance and supplemental security income, are presumed to be able to benefit in terms of an employment outcome from VRS unless found to be ineligible for services due to the severity of the disability by clear and convincing evidence.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.59 Eligibility determination.**

Rule 9. The responsibility for making an eligibility determination shall be made by a qualified vocational rehabilitation counselor employed by MRS and shall not be delegated to any other individual or agency.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.60 Time frame for eligibility determination.**

Rule 10. (1) MRS shall make an eligibility determination for MRS services no later than 60 days from the date of application unless the individual is notified in writing of either of the following:

(a) That the eligibility period is being extended because exceptional and unforeseen circumstances beyond control of the MRS counselor preclude the MRS counselor from completing the determination within the prescribed time frame, and the individual agrees that a specific extension of time is warranted.

(b) When extended assessment through an extended evaluation plan or trial work experiences are necessary to determine if the individual is capable of benefiting, in terms of an employment outcome, from vocational rehabilitation services.

(2) Extending the eligibility determination period as described in R 395.64 is not applicable to supplemental security income recipients or social security disability insurance beneficiaries seeking MRS services pursuant to the federal requirements under 34 CFR 361.42(a)3(B)(ii). The MRS counselor shall make an eligibility determination for recipients of social security disability benefits no later than 60 days from the date of application.

(3) The only exception to this federal requirement is when the case record is moved to Trial Work Experiences (TWE) or Extended Evaluation (EE) within 60 days of the date of application. Trial work or further evaluation under an extended evaluation plan is only done when the MRS counselor has serious doubt about the individual's ability to benefit from MRS services to achieve an employment outcome.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.61 Extended assessment; extended evaluation plan and trial work experiences.**

Rule 11. (1) Before an individual with a significant disability can be determined to be incapable of benefiting from services in terms of an employment outcome, MRS shall provide an extended assessment.

(2) The presumption of employability continues during the extended assessment and may be refuted only if MRS demonstrates by clear and convincing evidence that the individual cannot benefit from services in terms of an employment outcome.

(3) During the extended assessment, MRS shall explore the individual's abilities, capabilities, and capacity to perform in work situations in the most integrated settings through the use of trial work experiences with appropriate supports except under limited circumstances when an individual cannot or is not ready to take advantage of such experiences. These circumstances include individuals who are medically unstable and require treatment to achieve stability and individuals whose disabilities are not treatable, remediable, or who are near death.

(4) Trial work experiences shall be of sufficient variety and over a sufficient period of time, and with appropriate supports, so that a MRS counselor may determine the eligibility of the individual or to determine the existence of clear and convincing evidence that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the individual's disability.

(5) A MRS counselor shall develop a written extended assessment plan that includes identification of the services necessary to determine eligibility and the nature and scope of services required to achieve an employment outcome.

(6) An individual, or his or her representative, shall be a full and active participant in the development of his or her extended assessment plan and in the selection of services and service providers and shall sign and be provided a copy of the written document.

(7) A MRS counselor shall regularly and routinely evaluate progress toward achieving the assessment outcomes.

(8) A MRS counselor shall terminate the extended assessment at any time an eligibility determination can be made, or after 12 months, unless substantial need for additional time is documented.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.62 Presumption of eligibility for recipients of social security disability benefits.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 12. (1) All of the following apply to individuals who are recipients of social security disability benefits, based on a disability:

- (a) Considered to be an individual with a significant disability.
  - (b) Presumed to be eligible for vocational rehabilitation services, provided the individual intends to achieve an employment outcome consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, unless the vocational rehabilitation counselor can demonstrate, by clear and convincing evidence, that the individual is incapable of benefiting due to the severity of the disability of the individual.
  - (c) Once an individual has been informed of the employment nature of the program, the completion of a MRS application for services shall be considered as intent to achieve an employment outcome.
- (2) For an individual desiring to enter the workforce who are entitled to benefits under title II or XVI of the social security act, 42 U.S.C. 401 et seq, on the basis of a disability or blindness, the designated state unit shall provide to that individual general information on additional supports and assistance for individuals with disabilities desiring to enter the workforce, including assistance with benefits planning.
- (3) The MRS counselor shall make an eligibility determination for recipients of social security disability benefits no later than 60 days from the date of application unless the individual's ability to benefit is in question and the case is moved to extended assessment.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.63 Use of existing information.**

Rule 13. (1) To the maximum extent possible, the MRS counselor shall make an eligibility determination based on existing and current information, including any of the following:

- (a) Information available from other programs and providers.
  - (b) Schools.
  - (c) Social security administration.
  - (d) Information provided by the individual and the family.
- (2) To the maximum extent appropriate, the MRS counselor shall rely on information obtained from experiences in integrated employment settings in the community and in other integrated community settings.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.64 Ineligibility.**

Rule 14. (1) In all cases where the counselor determines that an individual does not meet the requirements for eligibility, the case record shall include a certification of ineligibility.

- (2) The certification shall be signed and dated by the counselor and include documentation of the reasons for the ineligibility determination.
- (3) Ineligibility decisions concerning the severity of a disability must be based on clear and convincing evidence that the individual is incapable of benefiting in terms of an employment outcome due to the severity of the individual's disability as of the date of the determination, and require the counselor to explore the individual's abilities, capabilities, and capacity to perform in work situations through the use of trial work experiences. The ineligibility determination shall be both of the following:
- (a) An individualized one, based on the available data, and shall not be based on assumptions about broad categories of disabilities.
  - (b) Made only after providing an opportunity for full consultation with the individual or, as appropriate, the individual's representative.
- (4) The individual, or as appropriate, the individual's representative, shall be informed in writing, supplemented as necessary by other appropriate modes of communication consistent with the informed choice of the individual, of the ineligibility determination, including the clear and convincing evidence that forms the basis for the determination of ineligibility, including both of the following:
- (a) The reasons for the determination.
  - (b) A description of the means by which the individual may express, and seek a remedy for, any dissatisfaction with the determination, including the procedures for review by an impartial hearing officer.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.65 Individuals employed at intake.**

Rule 15. (1) An individual with a disability who is employed may be eligible for MRS services if, as a result of his or her disability, his or her employment does any of the following:

- (a) Endangers the health and safety of the individual or others.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (b) Is in jeopardy.
  - (c) Is unsteady.
  - (d) Results in significant underemployment and needed services cannot be obtained from other agencies or resources.
  - (2) An individual who has access to resources from other agencies, but chooses not to use them, is generally not considered to require MRS services. The individual must meet all eligibility criteria to be determined eligible for MRS services.
  - (3) A job may be considered in jeopardy if the disability substantially hinders an individual's job retention, or an individual has confirmation of a restructuring of his or her position which, due to his or her disability, he or she would no longer be able to do, and requires VRS to retrain for a new position.
  - (4) When considering whether an individual requires job retention services, the MRS counselor shall seek objective verification, such as a statement from the current employer, a job analysis, or medical verification of a significant decline in functional capacity related to job function.
  - (5) Routine maintenance or replacement of personal medical or adaptive supplies and equipment are the responsibility of the employed individual and generally are not sufficient grounds for a finding of eligibility for MRS services.
- History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.66 Comprehensive assessment of rehabilitation needs.**

Rule 16. (1) A MRS counselor shall conduct a vocational needs assessment to determine the goals, nature, and scope of rehabilitation services to be included in the IPE.

- (2) The assessment described in this rule shall begin simultaneously with the assessment for eligibility and be carried out in integrated settings to the extent appropriate and consistent with the individual's informed choice.
- (3) The emphasis in the assessment shall be on using existing and current information to the maximum extent possible, and information provided by the individual and by the individual's family, as appropriate.
- (4) When current or existing information is not sufficient to assess vocational rehabilitation needs, a comprehensive assessment shall be provided which shall include all of the following concerning the individual:
  - (a) Strengths.
  - (b) Resources.
  - (c) Priorities.
  - (d) Concerns.
  - (e) Abilities.
  - (f) Capabilities.
  - (g) Rehabilitation needs, including the need for supported employment.
- (5) The individual shall be an active participant in the choice of assessments and providers.
- (6) The comprehensive assessment is limited to information that is necessary to identify the rehabilitation needs of the individual and to develop an IPE. To the degree needed, the comprehensive assessment shall include the following:
  - (a) An assessment of the individual's personality; career interests; interpersonal skills; intelligence and related functional capacities; educational achievements; work experience; vocational aptitudes; personal and social adjustment; employment opportunities available to the individual; medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors that affect the employment and rehabilitation needs of the individual.
  - (b) An appraisal of the individual's work behavior and services needed to acquire occupational skills, and to develop work attitudes, work habits, work tolerance, and social and behavioral patterns necessary for successful job performance, including the utilization of work in real job situations to assess and develop the capacities of the individual to perform adequately in the work environment.
  - (c) Where appropriate, the provision of rehabilitation technology services to assess and develop the capacities of the individual to perform in an integrated work environment.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.67 Individualized plan for employment (IPE).**

Rule 17 (1) The MRS counselor shall design the IPE to achieve an employment outcome of the individual, consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice of the individual.

- (2) The case record must support the selection of the vocational goal.
- (3) The IPE shall be signed by the individual or, as appropriate, the individual's representative and by a qualified MRS rehabilitation counselor. The IPE is not a legal contract between MRS and the individual.
- (4) Planning and approval of the IPE shall be conducted within the framework of a counseling relationship.

**Annual Administrative Code Supplement**  
**2015 Edition**

(5) MRS counselor approval of an IPE verifies that the IPE is consistent with MRS policies and guidelines, is complete, and is expected to lead to an employment outcome. MRS counselors shall provide a copy of the IPE, and any amendments, to the eligible individual.

(6) Vocational rehabilitation goods and services may only be provided in accordance with the IPE.

(7) MRS shall provide individuals with written notification of appeal rights, including the name and address of the person with whom an appeal may be filed, and the availability of the CAP during IPE development, and whenever MRS-authorized services are denied, reduced, suspended, or terminated.

(8) The MRS shall notify individuals in writing 10 working days before the termination, reduction, or suspension of a MRS authorized service.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.68 Standards for development; review.**

Rule 18. (1) The IPE shall be completed promptly by both the MRS counselor and the individual, but no more than 90 days following eligibility certification, unless the individual and MRS counselor require more time to arrive at an agreed upon IPE.

(2) The IPE will be reviewed at least annually by a qualified vocational rehabilitation counselor and the individual or, as appropriate, the individual's representative, to assess the individual's progress in achieving the identified employment outcome.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.69 IPE development extension.**

Rule 19. (1) If more than 90 days are required to develop the IPE, an IPE development extension shall be requested providing all of the following:

- (a) Reason for extension.
- (b) Activities or services planned to complete the IPE.
- (c) The agreed upon plan extension date.

(2) For students in the K-12 educational system who are eligible for MRS services, the IPE shall be developed and completed before the student leaves the school setting. An agreed upon delay in developing an IPE is not an option for eligible transition students if the delay in development extends beyond the student's exit from school.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.70 Options for developing IPE.**

Rule 20. (1) The MRS counselor shall provide the individual, or the individual's representative, information on the individual's options for developing an IPE.

(2) MRS shall not pay for an agency, or a representative, to develop an IPE.

(3) The options for developing all or part of the IPE include the following:

- (a) With assistance from a MRS vocational rehabilitation counselor, to the extent determined to be appropriate by the individual.
- (b) With technical assistance from the MRS program, or other representatives selected by the individual.
- (c) The individual alone without assistance.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.71 Required components of IPE.**

Rule 21. The IPE shall include the following:

(a) Specific vocational goal, which must be based on the assessment for determining vocational rehabilitation needs, including the individual's career interests, and must be in an integrated setting.

(b) A description of the specific vocational rehabilitation services that meet both of the following:

(i) Needed to achieve the vocational goal, including, as appropriate, the provision of assistive technology services and personal assistance services, including training in the management of such services.

(ii) Provided in the most integrated setting that is appropriate for the service involved, and is consistent with the informed choice of the individual.

(c) Timelines for the achievement of the employment outcome, and for the initiation of the services.

(d) A description of the entity chosen by the individual, or as appropriate, the individual's representative that will provide the vocational rehabilitation services and the methods used to procure such services.

(e) Description of the criteria to evaluate the progress towards achievement of the employment outcome.

(f) The terms and conditions of the IPE, including, as appropriate, information describing all of the following:

**Annual Administrative Code Supplement**  
**2015 Edition**

- (i) The responsibilities of MRS.
  - (ii) The responsibilities that the individual will assume in relation to the vocational goal.
  - (iii) The responsibility of the individual with regard to applying for and securing comparable benefits.
  - (g) For individuals for whom an employment outcome in a supported-employment setting has been determined to be appropriate, information identifying both of the following:
    - (i) The extended services needed by the individual after closure.
    - (ii) The source of extended services, or to the extent that the source of extended services cannot be identified at the time of the development of the IPE, a description of the basis for concluding that there is a reasonable expectation that such source will become available.
  - (h) As determined to be necessary, a statement of projected need for post-employment services.
  - (i) An assurance that the individual has been informed of his or her rights and the means by which the individual may express and seek remedy for any dissatisfaction, including the opportunity for a review of the rehabilitation determination, as described in R 395.83 to R 395.87 and assurance that the individual has been provided a detailed explanation of the availability of the resources within the CAP.
- History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.72 Participation; individuals with disabilities; cost of IPE services.**

Rule 22. (1) Individuals shall be encouraged to participate in the cost of the services listed in their IPE to the extent they are able to do so.

- (2) Financial participation in the cost of services is not required except in the areas of college and vocational training.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.73 Comparable benefits and services in the IPE.**

Rule 23. (1) If comparable services and benefits are available to the individual, the services and benefits must be utilized to meet, in whole or part, the cost of vocational rehabilitation services.

(2) If comparable services or benefits exist under any other program, but are not available to the individual at the time needed to satisfy the rehabilitation objectives in the individual's IPE, MRS shall provide vocational rehabilitation services until those comparable services and benefits become available.

(3) The utilization of comparable services and benefits do not apply in the following situations:

- (a) If the determination of the availability could delay or interrupt the progress of the individual toward achieving the employment outcome identified in the individualized plan for employment.
- (b) If the determination of the availability would delay the provision of vocational rehabilitation to any individual who is at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.
- (c) If an immediate job placement would be lost due to a delay in the provision of comparable benefits.
- (4) The following categories of service are exempt from a determination of the availability of comparable services and benefits:
  - (a) Assessment for determining eligibility, priority for services, and vocational rehabilitation needs.
  - (b) Vocational rehabilitation counseling, guidance, and referral services.
  - (c) Vocational and other training services, such as personal and vocational adjustment services, books, tools, and other training material not associated with training in an institute of higher education, that are defined as colleges and universities, community and junior colleges, vocational and technical schools or institutes, and hospital schools of nursing.
  - (d) Awards and scholarships based on merit.
  - (e) Rehabilitation technology services, including vehicle modifications.
  - (f) Placement services.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.74 Services; general.**

Rule 24. (1) The services MRS counselors may provide, arrange, or purchase for an individual with a disability include those services related to an IPE necessary to assist the individual in preparing for, securing, retaining, or regaining an employment outcome in an integrated setting that is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

(2) MRS services provided shall be published in MRS policy and be made available to the public.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.75 Post-secondary education and vocational training financial needs test.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 25. (1) College or vocational training may be provided as an IPE-related service when an individual requires new knowledge and skills to achieve an employment goal consistent with the individual's abilities, capabilities, and informed choice.

(2) Individuals shall make maximum effort to secure grant assistance in whole or in part from other sources to pay for post-secondary training. Counselors shall inform individuals considering post-secondary education that they must make timely annual application for post-secondary financial aid.

(3) MRS shall not provide financial assistance for any item covered in the cost of training attendance if the individual, or individual's family as applicable, fails to make maximum effort to apply for, or refuses to accept, federal, state, institutional, and other grants, need-based scholarships, or tuition waivers for which they may be eligible.

(4) Financial support for college or vocational training shall be consistent with MRS' policy of purchasing the service that meets the individual's vocational rehabilitation needs at least cost to MRS.

(5) MRS shall impose a financial needs test for the student's cost of attendance of training at a post-secondary educational institution. The financial needs test utilized shall be the federally established needs test using the Free Application for Federal Student Aid (FAFSA) or its equivalent, as required by the post-secondary institution, to determine student eligibility for state and federal financial aid.

(6) MRS shall not replace the expected family contribution, as determined by the post-secondary institution's financial aid officer using the federal student aid report, in contributing toward the individual's cost of attendance at a post-secondary institution.

(7) MRS shall not replace insurance benefits received, wholly or in part, as a settlement of liability for vocational rehabilitation services, in contributing toward the individual's cost of attendance at a post-secondary institution.

(8) MRS may provide maximum financial support toward an individual's cost of college or vocational training during the academic year of \$3,500.00 and \$1,200.00 for the summer semester. MRS may consider an exception to the maximum when other forms of student aid are excluded due to disability-related factors. MRS shall periodically adjust the maximum financial support figures in accordance with increases in the cost of living.

(9) Individuals who are eligible for social security benefits under Title II and Title XVI of the social security act shall be exempted from financial need test requirements.

(10) MRS customers attending Michigan Career and Technical Institute are exempt from financial need test requirements and financial aid limitations for the cost of attendance.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.76 Rates of payment.**

Rule 26. (1) The maximum rate of payment for services shall be the usual, customary and reasonable rate charged for the service not to exceed the rate charged by other public agencies.

(2) The service that will meet the individual's vocational rehabilitation need at the least cost to MRS shall be the service purchased.

(3) MRS shall not place an absolute and arbitrary dollar limit on specific service categories or on the total services provided to the individual.

(4) MRS is not responsible for the cost of out-of-state services in excess of the cost of in-state services if either service would meet the individual's vocational rehabilitation needs.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.77 Case closure prior to eligibility.**

Rule 27. The MRS counselor shall close an individual's case record under any of the following conditions:

(a) It is determined that the individual does not meet MRS eligibility criteria.

(b) The individual selects an extended sheltered employment outcome after being informed of the integrated employment purpose of the program.

(c) The individual declines to participate in or is unavailable during an extended period to complete an eligibility assessment, and MRS has made a reasonable number of attempts to contact the individual or, as appropriate, the individual's representative to encourage participation.

(d) The individual has chosen to assign his or her Ticket to Work to an alternative third party vocational rehabilitation service with which MRS does not have an Employment Network Agreement.

(e) The individual refuses services, is deceased, or is institutionalized.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.78 Case closure; severity of disability.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 28. (1) A MRS counselor shall not close a case due to the severity of the individual's disability except when on the basis of clear and convincing evidence, and after a period of extended assessment or rehabilitation services have been provided, MRS determines that an employment outcome cannot be achieved.

(2) The individual, or parent or guardian as appropriate, shall be provided an opportunity to discuss an ineligibility decision before the individual's case is closed due to ineligibility.

(3) A MRS counselor shall prepare a certificate of ineligibility signed and dated by the MRS counselor for case closures due to ineligibility.

(4) Before closing a case non-rehabilitated for reasons of ineligibility due to severity of disability, the MRS counselor shall ensure that as part of the test of clear and convincing evidence, accommodation services and assistive technology would not enable the individual to become employed.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.79 Rehabilitated case closure.**

Rule 29. An individual is determined to have achieved an employment outcome only if all the following requirements are met:

(a) The employment outcome is in an integrated setting.

(b) Substantial services under an IPE are provided and have contributed to the employment outcome.

(c) The employment outcome is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

(d) Employment reflects the employment outcome described in the IPE or IPE amendment and has been maintained for at least 90 days.

(e) The individual and MRS counselor consider the employment to be satisfactory and agree the individual is performing well on the job.

(f) At the time of closure there is an assessment of the need for post-employment services.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.80 Individual not rehabilitated; case closure.**

Rule 30. (1) The MRS counselor may close the case record of an individual as not rehabilitated.

(2) Reasons for closing a case not rehabilitated other than for ineligibility include any of the following:

(a) Inability to locate the individual or the individual has moved out of state.

(b) Individual working with another employment network.

(c) Death of the individual.

(d) Extended services were not available for the individual.

(e) The individual was placed in a non-integrated setting for a public or nonprofit organization under extended employment.

(f) The individual will be in a facility such as a hospital, nursing home, or treatment center for a considerable period of time.

(g) The individual has been incarcerated in a prison, jail, or other criminal correction facility.

(h) The individual does not require MRS to prepare for, enter into, engage in, or retain gainful employment consistent with his or her strengths, resources, priorities, concerns, abilities, capabilities, and informed choice.

(i) The individual is no longer interested in receiving services or further services, including an individual whose actions or non-actions make it impossible to begin or continue the vocational rehabilitation program.

(j) The individual has transferred to another agency.

(k) Transportation is not possible or available.

(l) The individual has committed an act of violence or threatened violence.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.81 Rehabilitation case closure; supported employment.**

Rule 31. (1) The MRS counselor shall close rehabilitated in supported employment under any of the following circumstances:

(a) The employment represents competitive employment in an integrated setting.

(b) The individual is working towards competitive employment and is in an integrated work setting.

(c) The individual is part of a work group of not more than 8 employees with disabilities and regularly interacts with individuals who do not have disabilities, including the general public, while performing job duties.

(2) There shall be confirmation of extended support services after case closure by the third party identified in the IPE before a case is closed in supported employment.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.82 Notice of case closure.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 32. (1) An individual whose case is closed for any reason, except for death or no known address, shall be notified in writing of his or her case closure. The case closure notice shall include all of the following:

- (a) The effective date of closure.
  - (b) A narrative description of the reason or reasons for closure.
  - (c) The right to appeal, including mediation, the closure decision.
  - (d) The process for seeking appeal and mediation, including the availability of the CAP to assist with an appeal.
- (2) An individual shall be provided an opportunity to discuss case closure prior to the closure decision.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.83 Post-employment services.**

Rule 33. (1) The MRS counselor shall conduct an assessment of the need for post-employment services prior to rehabilitated closure. An individual whose case have been closed rehabilitated shall be provided additional services if necessary to maintain, regain, or advance in his or her current employment.

(2) The need for post-employment services may arise either from an unexpected situation or be planned as part of the IPE or at case closure. An individual shall be encouraged to stay in touch with his or her MRS counselor following case closure to seek assistance if problems arise and employment is in jeopardy.

(3) Post-employment services are provided as an amendment to the IPE and generally are provided within approximately 12 months of case closure. In determining whether it is appropriate to provide a needed service in post-employment status, the MRS counselor shall determine whether the service or services are related to the original IPE and, therefore, is an appropriate amendment to it.

(4) Post-employment services shall be used to assist an individual in maintaining employment when a job is in jeopardy, or to regain employment when a new placement is needed due to job loss.

(5) The MRS counselor may provide services in post-employment status to assist an individual in advancing in his or her present career if extended training is not involved, and if the MRS counselor determines that the current job is no longer consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, and interests. Objective, performance-based data shall be obtained to assist the MRS counselor and individual in making this determination.

(6) The MRS counselor shall record in the case record changes in the individual's work situation such as employer name, wages, or hours worked.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.84 Review; hearing; costs.**

Rule 34. (1) Individuals or, if appropriate, their representatives, have the right to appeal any decision made by MRS personnel that affects the provision of VRS with which they are dissatisfied by requesting a hearing.

(2) Written notification of the right to appeal, including the name and address of the person with whom an appeal may be filed, and the availability of the CAP, shall be provided to individuals at the following stages:

- (a) At application.
- (b) Case closure.
- (c) When assigned an order of selection category.
- (d) When an IPE is developed.
- (e) Whenever an authorized service is reduced, suspended, or terminated.

(3) MRS shall provide any reasonable accommodations needed by an individual to participate in mediation and/or a hearing.

(4) Mediation and/or a hearing are provided at no cost to the individual.

(5) MRS is not responsible for any costs associated with the individual's representation at the mediation session or hearing or with any cost associated with the appearance of witnesses presented by the individual at the mediation session or hearing.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.85 Informal review.**

Rule 35. (1) Whenever possible, MRS shall attempt to resolve disagreements informally, prior to mediation or a hearing.

(2) An individual may request a meeting with the MRS counselor, the appropriate supervisor, and/or a CAP representative, if desired, to explore options for resolving disputes. An individual may request a meeting with the MRS counselor, the appropriate supervisor, and/or a CAP or individual's representative, if desired, to explore options for resolving disputes.

(3) An individual may request mediation or a hearing immediately without undergoing the informal review.

(4) The informal review may not be used to deny or delay the individual's right to pursue mediation or the hearing within the specified time period.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 395.86 Continuation of services pending completion of hearing.**

Rule 36. Assessment, plan development, or IPE-related services that have been initiated shall not be suspended, reduced, or terminated pending mediation or the hearing decision unless the applicant or eligible individual or his or her representative so requests or there is evidence that the services have been obtained through misrepresentation, fraud, collusion, or criminal conduct on the part of the applicant, eligible individual, or his or her representative.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.87 Mediation.**

Rule 37. (1) Mediation is a voluntary process conducted by a qualified and impartial mediator. At any point during the mediation process, either party, or the mediator, may elect to terminate the mediation.

(2) An individual may request mediation after his or her request for a hearing is received.

(3) MRS shall send the request for mediation to the hearings coordinator. The hearings coordinator will assign, on a random basis, a qualified impartial mediator. The hearings coordinator must schedule mediation in a timely manner.

(4) Mediation will be held in a location that is convenient to the parties in the dispute.

(5) An individual appealing MRS decisions has the right to submit evidence or relevant information and present witnesses to support his or her position at mediation.

(6) An agreement reached in the mediation process shall be set forth in a written mediation agreement and must be signed by both parties.

(7) Discussions that occur during the mediation process are confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding.

(8) Either party may enter the written signed mediation agreement as evidence in a subsequent hearing or civil proceeding.

(9) The individual may be represented at the mediation or hearing, including but not limited to, representation by the CAP.

(10) The mediation process may not be used to deny or delay the individual's right to pursue a hearing within the specified time period.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**R 395.88 Hearing.**

Rule 38. (1) An individual who is dissatisfied with any determination made by MRS concerning the provision of VRS may seek a redetermination of agency action before an impartial hearing officer.

(2) The individual must submit a written appeal within 30 calendar days of the agency notice regarding its determination or decision.

(3) Agency notice regarding the provision or denial of a service is not required to be in writing, unless it is a suspension, reduction, or termination of authorized services in an IPE.

(4) Individuals will be notified in writing 10 working days before the termination, reduction, or suspension of authorized services being provided under an IPE.

(5) If no request for hearing is made within 30 calendar days, the agency decision is considered final.

(6) The request for hearing shall be in writing, and shall describe the decision being appealed. MRS shall accommodate an individual's disability and offer assistance, if appropriate, in the appeal process. The request for hearing shall be sent to the director of MRS who shall immediately forward the request to the hearings coordinator.

(7) The hearings coordinator shall forward the request for hearing to the Michigan Administrative Hearing System (MAHS) to be scheduled for a hearing with a qualified impartial hearing officer.

(8) The hearing shall be held within 60 calendar days of receipt of the request for hearing.

(9) The individual may waive the 60-day time frame to hold the hearing if both parties agree to an extension of time in writing.

(10) A hearing may be dismissed by MAHS if the individual or his or her representative does either of the following:

(a) Withdraws the hearing request in writing.

(b) Fails to appear at the hearing without good cause.

(11) The hearing shall be conducted by MAHS and shall include an opportunity for the individual or the individual's representative to present witnesses and relevant evidence.

(12) The hearing officer shall issue a full written report of the findings and grounds for the decision within 30 days of the completion of the hearing.

(13) The hearing officer's decision is final unless either party commences a civil action.

(14) Any party that disagrees with the final decision of the hearing officer has the right to file a civil action challenging the decision of the hearing officer. The action may be brought in any state court of competent jurisdiction or in a district court of the United States of competent jurisdiction without regard to the amount in controversy.

History: 2016 MR 24, Eff. Jan. 5, 2016.

**Annual Administrative Code Supplement  
2015 Edition**

**DEPARTMENT OF EDUCATION  
STATE BOARD OF EDUCATION**

**REIMBURSED PROGRAMS OF VOCATIONAL-TECHNICAL EDUCATION**

**R 395.231**  
Source: 2010 AACS.

**R 395.232**  
Source: 2010 AACS.

**R 395.236**  
Source: 2010 AACS.

**PART 2. STATE-APPROVED CAREER AND TECHNICAL  
EDUCATION PROGRAMS**

**R 395.241**  
Source: 2010 AACS.

**R 395.242**  
Source: 2010 AACS.

**R 395.243**  
Source: 2010 AACS.

**R 395.244**  
Source: 2010 AACS.

**R 395.251**  
Source: 2010 AACS.

**R 395.252**  
Source: 2010 AACS.

**R 395.253**  
Source: 2010 AACS.

**R 395.254**  
Source: 2010 AACS.

**R 395.261**  
Source: 2010 AACS.

**R 395.262**  
Source: 2010 AACS.

**R 395.271**  
Source: 2010 AACS.

**R 395.272**  
Source: 2010 AACS.

**PART 3. FINANCIAL COMPLIANCE**

**R 395.281**  
Source: 2010 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 395.282**  
Source: 2010 AACS.
- R 395.283**  
Source: 2010 AACS.
- R 395.284**  
Source: 2010 AACS.
- R 395.285**  
Source: 2010 AACS.
- R 395.286**  
Source: 2010 AACS.
- R 395.291**  
Source: 1979 AC.
- R 395.296**  
Source: 2010 AACS.
- R 395.301**  
Source: 2010 AACS.
- R 395.311**  
Source: 2010 AACS.
- R 395.312**  
Source: 2010 AACS.
- R 395.321**  
Source: 2010 AACS.
- R 395.322**  
Source: 2010 AACS.
- R 395.323**  
Source: 2010 AACS.
- R 395.331**  
Source: 2010 AACS.
- R 395.332**  
Source: 2010 AACS.
- R 395.333**  
Source: 1979 AC.
- R 395.334**  
Source: 2010 AACS.
- R 395.335**  
Source: 2010 AACS.
- R 395.341**  
Source: 2010 AACS.
- R 395.351**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2010 AACCS.

**R 395.352**

Source: 2010 AACCS.

**R 395.355**

Source: 2010 AACCS.

**R 395.361**

Source: 2010 AACCS.

**R 395.362**

Source: 2010 AACCS.

**PART 4. REIMBURSEMENT FOR CAREER AND TECHNICAL EDUCATION  
ON AN ADDED COST BASIS**

**R 395.371**

Source: 2010 AACCS.

**R 395.372**

Source: 2010 AACCS.

**R 395.373**

Source: 2010 AACCS.

**R 395.374**

Source: 2010 AACCS.

**R 395.375**

Source: 2010 AACCS.

**R 395.376**

Source: 2010 AACCS.

**DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES**

**LIBRARY OF MICHIGAN**

**STATE AID RULES**

**PART 1. GENERAL PROVISIONS**

**R 397.01**

Source: 2009 AACCS.

**R 397.02**

Source: 2009 AACCS.

**R 397.03**

Source: 2009 AACCS.

**R 397.04**

Source: 2009 AACCS.

**R 397.05**

Source: 2009 AACCS.

**Annual Administrative Code Supplement**  
2015 Edition

**PART 2. APPLICATION FOR STATE AID**

**R 397.21**  
Source: 2009 AACS.

**R 397.22**  
Source: 2009 AACS.

**PART 3. GENERAL REQUIREMENTS FOR PUBLIC LIBRARIES**

**R 397.31**  
Source: 2009 AACS.

**PART 4. PUBLIC LIBRARY REQUIREMENTS BASED ON CLASS SIZE**

**R 397.41**  
Source: 2009 AACS.

**R 397.42**  
Source: 2009 AACS.

**R 397.43**  
Source: 2009 AACS.

**R 397.44**  
Source: 2009 AACS.

**R 397.45**  
Source: 2009 AACS.

**R 397.46**  
Source: 2009 AACS.

**PART 5. SCHOOL PUBLIC LIBRARY REQUIREMENTS**

**R 397.51**  
Source: 2009 AACS.

**PART 6. COOPERATIVE LIBRARY REQUIREMENTS**

**R 397.61**  
Source: 2009 AACS.

**R 397.62**  
Source: 2009 AACS.

**PART 7. APPLICATION FOR PROFESSIONAL CERTIFICATION**

**R 397.71**  
Source: 2009 AACS.

**R 397.72**  
Source: 2009 AACS.

**PART 8. PROFESSIONAL CERTIFICATION**

**R 397.81**  
Source: 2009 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 397.82**  
Source: 2009 AACS.

**R 397.83**  
Source: 2009 AACS.

**R 397.84**  
Source: 2009 AACS.

**R 397.85**  
Source: 2009 AACS.

**PART 9. WAIVER AND APPEAL**

**R 397.91**  
Source: 2009 AACS.

**R 397.92**  
Source: 2009 AACS.

**DEPARTMENT OF STATE**  
**MICHIGAN HISTORY DIVISION**  
**SITE PROTECTION**

**R 399.101**  
Source: 1983 AACS.

**R 399.102**  
Source: 1983 AACS.

**DEPARTMENT OF HUMAN SERVICES**  
**JUVENILE JUSTICE PROGRAMS**

**INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN**

**R 400.10 Definitions.**

Rule 1. (a) "Child" means a person who, by reason of minority, is legally subject to parental, guardianship, or similar control.

(b) "Department" means the Michigan department of human services.

(c) "Foster Care", for purposes of these rules only and defined by Regulation Three of the Interstate Compact on the Placement of Children, means placement of a child which includes 24-hour a day care provided by the child's parent or parents by reason of a court-ordered placement or 24-hour substitute care for children placed away from their parents or guardians and for whom the state agency has placement and care responsibility. This includes, but is not limited to the following:

- (i) Placements in foster family homes.
- (ii) Foster homes of relatives.
- (iii) Group homes.
- (iv) Emergency shelters.
- (v) Residential facilities.
- (vi) Child care institutions.
- (vii) Pre-adoptive homes.

A child is in foster care regardless of any of the following:

**Annual Administrative Code Supplement**  
**2015 Edition**

- (i) The foster care facility is licensed and payments are made by the state or local agency for the care of the child.
- (ii) Whether adoption subsidy payments are being made prior to the finalization of an adoption.
- (iii) Whether there is federal matching of any payments that are made.
- (d) "Interstate Compact on the Placement of Children" or "ICPC" means the compact between states and parties pursuant to statute that ensures protection and services to children who are placed across state lines.
- (e) "Parent" means a biological, adoptive parent, or legal guardian as determined by applicable state law and is responsible for the care, custody, and control of a child or upon whom there is legal duty for such care.
- (f) "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution, but does not include any institution caring for the mentally ill, mentally defective, or epileptic, or any institution primarily educational in character, and any hospital or other medical facility.
- (g) "Receiving state" means the state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.
- (h) "Sending agency" means a party state, or officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency, or other entity that sends, brings, or causes to be sent or brought any child to another party state.
- (i) "State compact administrator" means an officer in the department who is appointed by the executive head of each jurisdiction and who acts as general coordinator of activities under this compact in the officer's jurisdiction to carry out more effectively the terms and provisions of this compact.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.11 Implementation of processes; policy.**

Rule 2. Procedures for the implementation of these rules as required by the ICPC shall be published in this state's ICPC policies and made available to the public.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.11a Scope and Purpose.**

Rule 3. (1) The purpose of these rules is to provide, at the request of a sending agency, a home study and placement decision by a receiving state for the proposed placement of a child with a proposed caregiver who falls into either of the following categories of placement:

- (a) For public adoption.
  - (b) Foster care and/or with parents or relatives.
- (2) The ICPC regulations are promulgated by the Association of Administrators of the Interstate Compact on the Placement of Children by authority of the ICPC Compact.

History: 2015 MR 9, Eff. June 8, 2015.

Editor's Note: An obvious error in R 400.11a was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2015 MR 8. The memorandum requesting the correction was published in *Michigan Register*, 2015 MR 9.

**R 400.12 Applicability; authority of court; delegation.**

Rule 4. (1) Placement decisions apply to cases involving children who are under the jurisdiction of a court for abuse or neglect as a result of action taken by a child welfare agency.

(2) The court may determine supervision, custody, and placement of the child or may delegate authority to the child welfare agency if the child is being considered for placement in another state.

History: 2015 MR 9, Eff. June 8, 2015.

Editor's Note: An obvious error in R 400.12 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2015 MR 8. The memorandum requesting the correction was published in *Michigan Register*, 2015 MR 9.

**R 400.13 ICPC placement protection status.**

Rule 5. ICPC placement protection continues under either of the following conditions:

- (a) The child has not yet been placed and there is consideration of a placement resource.
- (b) When requesting a new home study on the current approved placement resource. This may include an upgrade from unlicensed relative to a licensed foster home or to adoption home placement category.

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.14 Child placed without ICPC approval; violation; receiving state options.**

Rule 6. (1) When a child has been placed in a receiving state prior to ICPC approval, the case is considered a violation of ICPC and the placement is made with the sending agency bearing full liability and responsibility for the safety of the child.

(2) The receiving state may request immediate removal of the child until the receiving state has made a decision under the ICPC.

(3) The receiving state may proceed, but is not required to proceed, with the home study/ICPC decision process as long as the child is placed in violation of the ICPC.

(4) The receiving state may choose to open the case for ICPC courtesy supervision.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.15 Placements not subject to ICPC protection.**

Rule 7. (1) ICPC protection does not apply under the following conditions:

(a) When the court places the child with a parent from whom the child was not removed, and the court does the following:

(i) Has no evidence that the parent is unfit.

(ii) Does not seek any evidence from the receiving state that the parent is either fit or unfit.

(iii) Relinquishes jurisdiction over the child immediately upon placement with the parent.

The receiving state shall have no responsibility for supervision or monitoring for the court having made the placement.

(b) When a sending court/agency seeks an independent (not ICPC-related) courtesy check for placement with a parent from whom the child was not removed.

(2) The responsibility for credentials and quality of the courtesy check rests directly with the sending court/agency and the person or party in the receiving state who agrees to conduct the courtesy check without invoking the protection of the ICPC home study process.

(ii) The requirement in subrule (2) of this rule does not prohibit a sending state from requesting an ICPC.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.16 Returning child to sending agency; denial of placement.**

Rule 8. (1) If the child is already residing in the receiving state with the proposed caregiver at the time the ICPC denies the placement, the receiving state compact administrator may request the sending agency to arrange for the return of the child as soon as possible or propose an alternative placement in the receiving state.

(2) Alternative placement resource shall be approved by the receiving state before placement is made.

(3) Return of the child shall occur within 5 business days from the date of the notice for removal unless otherwise agreed upon between the sending agency and receiving state ICPC offices.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.17 Request to return child to sending agency; previously approved or alternative placement.**

Rule 9. (1) Following approval and placement of the child, if the receiving state compact administrator determines that the placement no longer meets the individual needs of the child, including the child's safety, permanency, health, well-being, and mental, emotional, and physical development, the receiving state compact administrator may request the sending agency arrange for the return of the child as soon as possible or propose an alternative placement in the receiving state.

(2) Alternative placement resource shall be approved by the receiving state before placement is made.

(3) Return of the child shall occur within five (5) business days from the date of notice for removal unless otherwise agreed upon between the sending agency and receiving state ICPC offices.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.18 Withdrawing request for request for removal.**

Rule 10. The receiving state request for removal may be withdrawn if the sending agency arranges services to resolve the reason for the requested removal and the receiving and sending state compact administrators mutually agree to the plan.

History: 2015 MR 9, Eff. June 8, 2015.

**DEPARTMENT OF COMMUNITY HEALTH**

**MEDICAL SERVICES ADMINISTRATION**

**Annual Administrative Code Supplement**  
2015 Edition

**STATE VENDOR PARTICIPATION IN MEDICAL COSTS**

**R 400.24**  
Source: 1979 AC.

**R 400.25**  
Source: 1979 AC.

**R 400.26**  
Source: 1979 AC.

**PART 2. INTERCOUNTY DISPUTES**

**R 400.31**  
Source: 1997 AACS.

**R 400.32**  
Source: 1997 AACS.

**R 400.33**  
Source: 1997 AACS.

**R 400.34**  
Source: 1997 AACS.

**R 400.35**  
Source: 1997 AACS.

**R 400.36**  
Source: 1997 AACS.

**R 400.37**  
Source: 1997 AACS.

**R 400.38**  
Source: 1997 AACS.

**CONSUMER AND INDUSTRY SERVICES**

**BUREAU OF REGULATORY SERVICE**

**DIVISION OF CHILD WELFARE LICENSING**

**R 400.51**  
Source: 1979 AC.

**R 400.52**  
Source: 1979 AC.

**R 400.53**  
Source: 1979 AC.

**R 400.54**  
Source: 1979 AC.

**R 400.55**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.56**  
Source: 1979 AC.

**R 400.57**  
Source: 1979 AC.

**R 400.58**  
Source: 1979 AC.

**DAY CARE CENTERS AND NURSERY SCHOOLS**

**R 400.120**  
Source: 1997 AACS.

**R 400.121**  
Source: 1997 AACS.

**R 400.122**  
Source: 1997 AACS.

**R 400.123**  
Source: 1997 AACS.

**R 400.124**  
Source: 1997 AACS.

**R 400.125**  
Source: 1997 AACS.

**R 400.126**  
Source: 1997 AACS.

**R 400.127**  
Source: 1998-2000 AACS.

**R 400.128**  
Source: 1998-2000 AACS.

**FOSTER HOMES FOR CHILDREN**

**R 400.191**  
Source: 1998-2000 AACS.

**R 400.192**  
Source: 1998-2000 AACS.

**R 400.193**  
Source: 1998-2000 AACS.

**R 400.194**  
Source: 1998-2000 AACS.

**R 499.195**  
Source: 1998-2000 AACS.

**DEPARTMENT OF ATTORNEY GENERAL**

**CONSUMER PROTECTION AND CHARITABLE TRUSTS DIVISION**

**SOLICITING AGENCIES**

**Annual Administrative Code Supplement  
2015 Edition**

**R 400.241**  
Source: 1979 AC.

**R 400.242**  
Source: 1979 AC.

**R 400.243**  
Source: 1979 AC.

**R 400.244**  
Source: 1979 AC.

**R 400.245**  
Source: 1979 AC.

**R 400.245a**  
Source: 1979 AC.

**DEPARTMENT OF SOCIAL SERVICES**

**GENERAL RULES**

**PART 4. DIVISION OF SERVICES FOR THE BLIND**

**VOCATIONAL REHABILITATION**

**R 400.251**  
Source: 1979 AC.

**R 400.252**  
Source: 1979 AC.

**R 400.253**  
Source: 1979 AC.

**R 400.254**  
Source: 1979 AC.

**DEPARTMENT OF SOCIAL SERVICES**

**GENERAL RULES**

**PART 5. STATE JUVENILE WARDS**

**BOYS' TRAINING SCHOOL**

**R 400.321**  
Source: 2012 AACS.

**R 400.331**  
Source: 2012 AACS.

**R 400.332**  
Source: 2012 AACS.

**R 400.341**  
Source: 2012 AACS.

**R 400.343**

**Annual Administrative Code Supplement**  
**2015 Edition**

Source: 2012 AACS.

**R 400.344**

Source: 2012 AACS.

**R 400.345**

Source: 2012 AACS.

**R 400.346**

Source: 2012 AACS.

**R 400.347**

Source: 2012 AACS.

**R 400.348**

Source: 2012 AACS.

**R 400.349**

Source: 2012 AACS.

**R 400.361**

Source: 2012 AACS.

**R 400.362**

Source: 2012 AACS.

**R 400.371**

Source: 2012 AACS.

**DEPARTMENT OF HUMAN SERVICES**

**GENERAL RULES**

**PART 7. PROTECTION OF CHILDREN**

**INTERSTATE PLACEMENTS**

**R 400.400**

Source: 2013 AACS.

**INTERCOUNTRY PLACEMENTS**

**R 400.410**

Source: 2013 AACS.

**R 400.411**

Source: 2013 AACS.

**DEPARTMENT OF COMMUNITY HEALTH**

**MEDICAL SERVICES ADMINISTRATION**

**MEDICAL ASSISTANCE FOR THE AGED**

**R 400.501**

Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.502**  
Source: 1979 AC.

**R 400.503**  
Source: 1979 AC.

**R 400.504**  
Source: 1979 AC.

**R 400.505**  
Source: 1979 AC.

**R 400.506**  
Source: 1979 AC.

**R 400.507**  
Source: 1979 AC.

**R 400.508**  
Source: 1979 AC.

**R 400.509**  
Source: 1979 AC.

**R 400.510**  
Source: 1979 AC.

**R 400.511**  
Source: 1979 AC.

**R 400.512**  
Source: 1979 AC.

**R 400.513**  
Source: 1979 AC.

**R 400.514**  
Source: 1979 AC.

**R 400.515**  
Source: 1979 AC.

**PART 9. HEARINGS, APPEALS, AND DECLARATORY RULINGS**

**R 400.901 Rescinded.**  
History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.902 Rescinded.**  
History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.903 Rescinded.**  
History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.904**  
Source: 1998-2000 AACS.

**R 400.905 Rescinded.**  
History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.906 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.907 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.908 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.909 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.910 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.911 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.912 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.913 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.914 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.915 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.916 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.917 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.918 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.919 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.920 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.921 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.922 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.941 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.951**

**Source:** 1985 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**OFFICE OF ADULT AND FAMILY COMMUNITY SERVICES**  
**ADULT HOME HELP SERVICES PAYMENTS**

**R 400.1101**  
Source: 1980 AACS.

**R 400.1102**  
Source: 1980 AACS.

**R 400.1103**  
Source: 1980 AACS.

**R 400.1104**  
Source: 1980 AACS.

**R 400.1105**  
Source: 1980 AACS.

**R 400.1106**  
Source: 1980 AACS.

**R 400.1107**  
Source: 1980 AACS.

**FAMILY SERVICES ADMINISTRATION**  
**INTENTIONAL PROGRAM VIOLATIONS**

**R 400.1121**  
Source: 1998-2000 AACS.

**BUREAU OF REGULATORY SERVICES**  
**GOOD MORAL CHARACTER**

**R 400.1151**  
Source: 1988 AACS.

**R 400.1152**  
Source: 1988 AACS.

**R 400.1153**  
Source: 1988 AACS.

**ADULT FOSTER CARE LICENSING DIVISION**  
**ADULT FOSTER CARE FAMILY HOMES**

**R 400.1401**  
Source: 1984 AACS.

**R 400.1402**  
Source: 1984 AACS.

**R 400.1403**  
Source: 1984 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.1404**  
Source: 1984 AACS.
- R 400.1405**  
Source: 1984 AACS.
- R 400.1406**  
Source: 1984 AACS.
- R 400.1407**  
Source: 1984 AACS.
- R 400.1408**  
Source: 1984 AACS.
- R 400.1409**  
Source: 1984 AACS.
- R 400.1410**  
Source: 1984 AACS.
- R 400.1411**  
Source: 1984 AACS.
- R 400.1412**  
Source: 1984 AACS.
- R 400.1413**  
Source: 1984 AACS.
- R 400.1414**  
Source: 1984 AACS.
- R 400.1415**  
Source: 1984 AACS.
- R 400.1416**  
Source: 1984 AACS.
- R 400.1417**  
Source: 1984 AACS.
- R 400.1418**  
Source: 1984 AACS.
- R 400.1419**  
Source: 1984 AACS.
- R 400.1420**  
Source: 1984 AACS.
- R 400.1421**  
Source: 1984 AACS.
- R 400.1422**  
Source: 1984 AACS.
- R 400.1423**  
Source: 1984 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

- R 400.1424**  
Source: 1984 AACS.
- R 400.1425**  
Source: 1984 AACS.
- R 400.1426**  
Source: 1984 AACS.
- R 400.1427**  
Source: 1984 AACS.
- R 400.1428**  
Source: 1984 AACS.
- R 400.1429**  
Source: 1984 AACS.
- R 400.1430**  
Source: 1984 AACS.
- R 400.1431**  
Source: 1984 AACS.
- R 400.1432**  
Source: 1984 AACS.
- R 400.1433**  
Source: 1984 AACS.
- R 400.1434**  
Source: 1984 AACS.
- R 400.1435**  
Source: 1984 AACS.
- R 400.1436**  
Source: 1984 AACS.
- R 400.1437**  
Source: 1984 AACS.
- R 400.1438**  
Source: 1984 AACS.
- R 400.1439**  
Source: 1984 AACS.
- R 400.1440**  
Source: 1984 AACS.
- R 400.1441**  
Source: 1984 AACS.
- R 400.1442**  
Source: 1984 AACS.

**FAMILY AND GROUP DAY CARE HOMES**

**Annual Administrative Code Supplement**  
2015 Edition

**PART 1. GENERAL PROVISIONS**

- R 400.1801**  
Source: 2005 AACS.
- R 400.1802**  
Source: 2005 AACS.
- R 400.1803**  
Source: 2005 AACS.
- R 400.1804**  
Source: 2005 AACS.
- R 400.1805**  
Source: 2005 AACS.
- R 400.1806**  
Source: 2005 AACS.
- R 400.1807**  
Source: 2005 AACS.
- R 400.1808**  
Source: 2005 AACS.
- R 400.1809**  
Source: 2005 AACS.
- R 400.1810**  
Source: 2005 AACS.
- R 400.1811**  
Source: 2005 AACS.
- R 400.1812**  
Source: 2005 AACS.
- R 400.1813**  
Source: 2005 AACS.
- R 400.1814**  
Source: 2005 AACS.
- R 400.1815**  
Source: 2005 AACS.
- R 400.1816**  
Source: 2005 AACS.
- R 400.1817**  
Source: 2005 AACS.
- R 400.1818**  
Source: 2005 AACS.
- R 400.1821**  
Source: 2005 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.1822**  
Source: 2005 AACS.

**R 400.1831**  
Source: 2005 AACS.

**R 400.1832**  
Source: 2005 AACS.

**R 400.1833**  
Source: 2005 AACS.

**R 400.1834**  
Source: 2005 AACS.

**R 400.1835**  
Source: 2005 AACS.

**R 400.1841**  
Source: 2005 AACS.

**R 400.1842**  
Source: 2005 AACS.

**R 400.1851**  
Source: 2005 AACS.

**R 400.1901**  
Source: 2009 AACS.

**R 400.1902**  
Source: 2009 AACS.

**R 400.1903**  
Source: 2009 AACS.

**R 400.1904**  
Source: 2009 AACS.

**R 400.1905**  
Source: 2009 AACS.

**R 400.1906**  
Source: 2005 AACS.

**R 400.1907**  
Source: 2009 AACS.

**R 400.1908**  
Source: 2005 AACS.

**R 400.1909**  
Source: 2005 AACS.

**R 400.1910**  
Source: 2005 AACS.

**R 400.1911**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2005 AACS.

**R 400.1912**

Source: 2005 AACS.

**R 400.1913**

Source: 2005 AACS.

**R 400.1914**

Source: 2009 AACS.

**R 400.1915**

Source: 2009 AACS.

**R 400.1916**

Source: 2009 AACS.

**R 400.1917**

Source: 2009 AACS.

**R 400.1918**

Source: 2005 AACS.

**R 400.1919**

Source: 2005 AACS.

**R 400.1920**

Source: 2005 AACS.

**R 400.1921**

Source: 2009 AACS.

**R 400.1922**

Source: 2005 AACS.

**R 400.1923**

Source: 2005 AACS.

**R 400.1924**

Source: 2005 AACS.

**R 400.1931**

Source: 2009 AACS.

**R 400.1932**

Source: 2009 AACS.

**R 400.1933**

Source: 2005 AACS.

**R 400.1934**

Source: 2009 AACS.

**R 400.1935**

Source: 2005 AACS.

**R 400.1936**

Source: 2005 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.1941**  
Source: 2009 AACS.
- R 400.1942**  
Source: 2009 AACS.
- R 400.1943**  
Source: 2009 AACS.
- R 400.1944**  
Source: 2009 AACS.
- R 400.1945**  
Source: 2005 AACS.
- R 400.1951**  
Source: 2009 AACS.
- R 400.1952**  
Source: 2009 AACS.
- R 400.1961**  
Source: 2005 AACS.
- R 400.1962**  
Source: 2005 AACS.
- R 400.1963**  
Source: 2005 AACS.

**OFFICE OF CHILDREN AND YOUTH SERVICES**  
**CHILD CARE FUND**

**PART 1. GENERAL PROVISIONS**

- R 400.2001**  
Source: 1987 AACS.
- R 400.2002**  
Source: 1987 AACS.
- R 400.2003**  
Source: 1987 AACS.
- R 400.2004**  
Source: 1987 AACS.
- R 400.2005**  
Source: 1987 AACS.
- R 400.2006**  
Source: 1987 AACS.
- R 400.2007**  
Source: 1987 AACS.
- R 400.2008**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1987 AACS.

**R 400.2009**

Source: 1987 AACS.

**R 400.2010**

Source: 1987 AACS.

**R 400.2011**

Source: 1987 AACS.

**PART 2. ELIGIBLE EXPENDITURE CLASSIFICATIONS**

**R 400.2021**

Source: 1987 AACS.

**R 400.2022**

Source: 1987 AACS.

**R 400.2023**

Source: 1987 AACS.

**R 400.2024**

Source: 1987 AACS.

**R 400.2025**

Source: 1987 AACS.

**R 400.2026**

Source: 1987 AACS.

**R 400.2027**

Source: 1987 AACS.

**R 400.2028**

Source: 1987 AACS.

**PART 3. ACCOUNTING**

**R 400.2031**

Source: 1987 AACS.

**PART 4. REPORTING**

**R 400.2041**

Source: 1987 AACS.

**R 400.2042**

Source: 1987 AACS.

**R 400.2043**

Source: 1987 AACS.

**R 400.2044**

Source: 1987 AACS.

**R 400.2045**

Source: 1987 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.2046**  
Source: 1987 AACS.

**R 400.2047**  
Source: 1987 AACS.

**R 400.2048**  
Source: 1987 AACS.

**R 400.2049**  
Source: 1987 AACS.

**ADULT FOSTER CARE LICENSING DIVISION**

**ADULT FOSTER CARE FACILITIES**

**PART 1. GENERAL PROVISIONS**

**R 400.2101**  
Source: 1997 AACS.

**R 400.2102**  
Source: 1997 AACS.

**R 400.2103**  
Source: 1997 AACS.

**R 400.2104**  
Source: 1997 AACS.

**R 400.2105**  
Source: 1997 AACS.

**R 400.2106**  
Source: 1997 AACS.

**R 400.2111**  
Source: 1997 AACS.

**R 400.2112**  
Source: 1997 AACS.

**R 400.2113**  
Source: 1997 AACS.

**R 400.2114**  
Source: 1997 AACS.

**R 400.2115**  
Source: 1997 AACS.

**R 400.2116**  
Source: 1997 AACS.

**R 400.2117**  
Source: 1997 AACS.

**R 400.2118**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1997 AACS.

**R 400.2119**

Source: 1997 AACS.

**R 400.2120**

Source: 1997 AACS.

**R 400.2121**

Source: 1997 AACS.

**R 400.2122**

Source: 1997 AACS.

**PART 2. FAMILY HOMES, FIRE SAFETY**

**R 400.2201**

Source: 1984 AACS.

**R 400.2202**

Source: 1997 AACS.

**R 400.2203**

Source: 1997 AACS.

**R 400.2204**

Source: 1997 AACS.

**R 400.2205**

Source: 1997 AACS.

**R 400.2206**

Source: 1997 AACS.

**R 400.2207**

Source: 1997 AACS.

**R 400.2208**

Source: 1997 AACS.

**R 400.2209**

Source: 1997 AACS.

**R 400.2210**

Source: 1997 AACS.

**R 400.2211**

Source: 1997 AACS.

**R 400.2212**

Source: 1997 AACS.

**R 400.2213**

Source: 1997 AACS.

**R 400.2214**

Source: 1997 AACS.

**R 400.2215**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1997 AACS.

**R 400.2216**

Source: 1997 AACS.

**R 400.2217**

Source: 1997 AACS.

**R 400.2218**

Source: 1997 AACS.

**R 400.2219**

Source: 1997 AACS.

**R 400.2220**

Source: 1997 AACS.

**R 400.2221**

Source: 1997 AACS.

**R 400.2222**

Source: 1997 AACS.

**R 400.2223**

Source: 1997 AACS.

**R 400.2224**

Source: 1997 AACS.

**R 400.2231**

Source: 1984 AACS.

**R 400.2232**

Source: 1997 AACS.

**R 400.2233**

Source: 1984 AACS.

**R 400.2234**

Source: 1997 AACS.

**R 400.2241**

Source: 1997 AACS.

**R 400.2242**

Source: 1984 AACS.

**R 400.2243**

Source: 1984 AACS.

**R 400.2244**

Source: 1979 AC.

**R 400.2245**

Source: 1979 AC.

**R 400.2246**

Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.2247**  
Source: 1979 AC.
- R 400.2248**  
Source: 1997 AACS.
- R 400.2249**  
Source: 1997 AACS.
- R 400.2250**  
Source: 1997 AACS.
- R 400.2251**  
Source: 1997 AACS.
- R 400.2252**  
Source: 1997 AACS.
- R 400.2253**  
Source: 1997 AACS.
- R 400.2254**  
Source: 1997 AACS.
- R 400.2255**  
Source: 1997 AACS.
- R 400.2256**  
Source: 1997 AACS.
- R 400.2257**  
Source: 1997 AACS.
- R 400.2261**  
Source: 1979 AC.
- R 400.2271**  
Source: 1997 AACS.
- R 400.2272**  
Source: 1997 AACS.
- R 400.2273**  
Source: 1997 AACS.
- R 400.2274**  
Source: 1997 AACS.
- R 400.2275**  
Source: 1997 AACS.

**PART 3. GROUP HOMES**

- R 400.2301**  
Source: 1997 AACS.
- R 400.2302**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.2303**  
Source: 1997 AACS.

**R 400.2304**  
Source: 1997 AACS.

**R 400.2305**  
Source: 1997 AACS.

**R 400.2306**  
Source: 1997 AACS.

**R 400.2307**  
Source: 1997 AACS.

**R 400.2302**  
Source: 1997 AACS.

**R 400.2303**  
Source: 1997 AACS.

**R 400.2304**  
Source: 1997 AACS.

**R 400.2305**  
Source: 1997 AACS.

**R 400.2306**  
Source: 1997 AACS.

**R 400.2307**  
Source: 1997 AACS.

**R 400.2308**  
Source: 1997 AACS.

**R 400.2309**  
Source: 1997 AACS.

**R 400.2310**  
Source: 1997 AACS.

**R 400.2311**  
Source: 1997 AACS.

**R 400.2312**  
Source: 1997 AACS.

**R 400.2313**  
Source: 1997 AACS.

**R 400.2314**  
Source: 1997 AACS.

**R 400.2315**  
Source: 1997 AACS.

**R 400.2316**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.2317**  
Source: 1997 AACS.

**R 400.2318**  
Source: 1997 AACS.

**R 400.2319**  
Source: 1997 AACS.

**R 400.2320**  
Source: 1997 AACS.

**R 400.2321**  
Source: 1997 AACS.

**R 400.2322**  
Source: 1997 AACS.

**R 400.2323**  
Source: 1997 AACS.

**R 400.2324**  
Source: 1997 AACS.

**R 400.2331**  
Source: 1997 AACS.

**R 400.2332**  
Source: 1997 AACS.

**R 400.2333**  
Source: 1997 AACS.

**R 400.2334**  
Source: 1997 AACS.

**R 400.2341**  
Source: 1997 AACS.

**R 400.2342**  
Source: 1997 AACS.

**R 400.2343**  
Source: 1997 AACS.

**R 400.2344**  
Source: 1997 AACS.

**R 400.2345**  
Source: 1997 AACS.

**R 400.2346**  
Source: 1997 AACS.

**R 400.2347**  
Source: 1997 AACS.

**R 400.2348**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.2349**  
Source: 1997 AACS.

**R 400.2350**  
Source: 1997 AACS.

**R 400.2351**  
Source: 1997 AACS.

**R 400.2352**  
Source: 1997 AACS.

**R 400.2353**  
Source: 1997 AACS.

**R 400.2354**  
Source: 1997 AACS.

**R 400.2355**  
Source: 1997 AACS.

**R 400.2356**  
Source: 1997 AACS.

**R 400.2357**  
Source: 1997 AACS.

**R 400.2361**  
Source: 1997 AACS.

**R 400.2371**  
Source: 1997 AACS.

**R 400.2372**  
Source: 1997 AACS.

**R 400.2373**  
Source: 1997 AACS.

**R 400.2374**  
Source: 1997 AACS.

**R 400.2375**  
Source: 1997 AACS.

**R 400.2376**  
Source: 1982 AACS.

**DEPARTMENT OF SOCIAL SERVICES**  
**ADULT FOSTER CARE LICENSING DIVISION**  
**ADULT FOSTER CARE FACILITIES**  
**PART 4. CONGREGATE FACILITIES**

**R 400.2401**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.2402**  
Source: 1979 AC.
- R 400.2403**  
Source: 1979 AC.
- R 400.2404**  
Source: 1979 AC.
- R 400.2405**  
Source: 1979 AC.
- R 400.2406**  
Source: 1979 AC.
- R 400.2407**  
Source: 1979 AC.
- R 400.2411**  
Source: 1979 AC.
- R 400.2412**  
Source: 1979 AC.
- R 400.2413**  
Source: 1979 AC.
- R 400.2414**  
Source: 1979 AC.
- R 400.2415**  
Source: 1979 AC.
- R 400.2416**  
Source: 1979 AC.
- R 400.2417**  
Source: 1979 AC.
- R 400.2418**  
Source: 1979 AC.
- R 400.2421**  
Source: 1979 AC.
- R 400.2422**  
Source: 1979 AC.
- R 400.2423**  
Source: 1979 AC.
- R 400.2424**  
Source: 1979 AC.
- R 400.2431**  
Source: 1979 AC.
- R 400.2432**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
**2015 Edition**

- R 400.2433**  
Source: 1979 AC.
- R 400.2434**  
Source: 1979 AC.
- R 400.2447**  
Source: 1979 AC.
- R 400.2448**  
Source: 1979 AC.
- R 400.2451**  
Source: 1979 AC.
- R 400.2452**  
Source: 1979 AC.
- R 400.2453**  
Source: 1979 AC.
- R 400.2454**  
Source: 1979 AC.
- R 400.2455**  
Source: 1979 AC.
- R 400.2456**  
Source: 1979 AC.
- R 400.2457**  
Source: 1979 AC.
- R 400.2461**  
Source: 1979 AC.
- R 400.2471**  
Source: 1979 AC.
- R 400.2472**  
Source: 1979 AC.
- R 400.2473**  
Source: 1979 AC.
- R 400.2474**  
Source: 1979 AC.
- R 400.2475**  
Source: 1979 AC.

**DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH**

**BUREAU OF REGULATORY SERVICES**

**ADULT FOSTER CARE FACILITIES**

**PART 5. FIRE SAFETY; CONGREGATE FACILITIES**

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.2501**  
Source: 1998-2000 AACS.

**R 400.2502**  
Source: 1998-2000 AACS.

**R 400.2503**  
Source: 1998-2000 AACS.

**R 400.2504**  
Source: 1998-2000 AACS.

**R 400.2505**  
Source: 1998-2000 AACS.

**R 400.2506**  
Source: 1998-2000 AACS.

**R 400.2507**  
Source: 1998-2000 AACS.

**R 400.2508**  
Source: 1998-2000 AACS.

**R 400.2509**  
Source: 1998-2000 AACS.

**R 400.2510**  
Source: 1998-2000 AACS.

**R 400.2511**  
Source: 1998-2000 AACS.

**R 400.2512**  
Source: 1998-2000 AACS.

**R 400.2513**  
Source: 1998-2000 AACS.

**R 400.2514**  
Source: 1998-2000 AACS.

**R 400.2515**  
Source: 1998-2000 AACS.

**R 400.2516**  
Source: 1998-2000 AACS.

**R 400.2517**  
Source: 1998-2000 AACS.

**R 400.2518**  
Source: 1998-2000 AACS.

**R 400.2519**  
Source: 1998-2000 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.2520**  
Source: 1998-2000 AACS.
- R 400.2521**  
Source: 1998-2000 AACS.
- R 400.2531**  
Source: 1998-2000 AACS.
- R 400.2532**  
Source: 1998-2000 AACS.
- R 400.2533**  
Source: 1998-2000 AACS.
- R 400.2534**  
Source: 1998-2000 AACS.
- R 400.2535**  
Source: 1998-2000 AACS.
- R 400.2536**  
Source: 1998-2000 AACS.
- R 400.2537**  
Source: 1998-2000 AACS.
- R 400.2538**  
Source: 1998-2000 AACS.
- R 400.2539**  
Source: 1998-2000 AACS.
- R 400.2540**  
Source: 1998-2000 AACS.
- R 400.2541**  
Source: 1998-2000 AACS.
- R 400.2542**  
Source: 1998-2000 AACS.
- R 400.2543**  
Source: 1998-2000 AACS.
- R 400.2544**  
Source: 1998-2000 AACS.
- R 400.2545**  
Source: 1998-2000 AACS.
- R 400.2551**  
Source: 1998-2000 AACS.
- R 400.2552**  
Source: 1998-2000 AACS.
- R 400.2553**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 1998-2000 AACS.

**R 400.2554**

**Source:** 1998-2000 AACS.

**R 400.2555**

**Source:** 1998-2000 AACS.

**R 400.2556**

**Source:** 1998-2000 AACS.

**R 400.2557**

**Source:** 1998-2000 AACS.

**R 400.2558**

**Source:** 1998-2000 AACS.

**R 400.2559**

**Source:** 1998-2000 AACS.

**R 400.2560**

**Source:** 1998-2000 AACS.

**R 400.2561**

**Source:** 1998-2000 AACS.

**R 400.2562**

**Source:** 1998-2000 AACS.

**R 400.2563**

**Source:** 1998-2000 AACS.

**R 400.2564**

**Source:** 1998-2000 AACS.

**R 400.2565**

**Source:** 1998-2000 AACS.

**R 400.2566**

**Source:** 1998-2000 AACS.

**R 400.2567**

**Source:** 1998-2000 AACS.

**FAMILY SERVICES ADMINISTRATION**  
**FOOD STAMP PROGRAM**

**R 400.3001**

**Source:** 2014 AACS.

**R 400.3002**

**Source:** 2012 AACS.

**R 400.3003**

**Source:** 2012 AACS.

**R 400.3004**

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.3005**  
Source: 2014 AACS.

**R 400.3006**  
Source: 1997 AACS.

**R 400.3007**  
Source: 2012 AACS.

**R 400.3008**  
Source: 2012 AACS.

**R 400.3009**  
Source: 2014 AACS.

**R 400.3010**  
Source: 2014 AACS.

**R 400.3011**  
Source: 2014 AACS.

**R 400.3012**  
Source: 2012 AACS.

**R 400.3013**  
Source: 2012 AACS.

**R 400.3014**  
Source: 1997 AACS.

**R 400.3015**  
Source: 2014 AACS.

**FAMILY INDEPENDENCE PROGRAM**

**R 400.3101**  
Source: 2014 AACS.

**R 400.3102**  
Source: 2014 AACS.

**R 400.3103**  
Source: 2014 AACS.

**R 400.3104**  
Source: 2014 AACS.

**R 400.3105**  
Source: 2014 AACS.

**R 400.3106**  
Source: 2014 AACS.

**R 400.3107**  
Source: 2014 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.3108**  
Source: 2014 AACS.

**R 400.3109**  
Source: 2014 AACS.

**R 400.3110**  
Source: 2014 AACS.

**R 400.3111**  
Source: 2014 AACS.

**R 400.3112**  
Source: 1997 AACS.

**R 400.3113**  
Source: 2014 AACS.

**R 400.3114**  
Source: 1997 AACS.

**R 400.3115**  
Source: 2014 AACS.

**R 400.3116**  
Source: 2014 AACS.

**R 400.3117**  
Source: 1997 AACS.

**R 400.3118**  
Source: 1997 AACS.

**R 400.3119**  
Source: 1997 AACS.

**R 400.3120**  
Source: 1997 AACS.

**R 400.3121**  
Source: 1997 AACS.

**R 400.3122**  
Source: 1997 AACS.

**R 400.3123**  
Source: 2014 AACS.

**R 400.3124**  
Source: 2014 AACS.

**R 400.3125**  
Source: 2014 AACS.

**R 400.3126**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.3127**

**Source:** 2014 AACS.

**R 400.3128**

**Source:** 1997 AACS.

**R 400.3129**

**Source:** 2014 AACS.

**R 400.3130**

**Source:** 2014 AACS.

**R 400.3131**

**Source:** 2014 AACS.

**FAMILY INDEPENDENCE AGENCY**

**FAMILY SERVICES ADMINISTRATION**

**STATE DISABILITY ASSISTANCE PROGRAM**

**R 400.3151 Definitions.**

Rule 1. As used in these rules:

(a) "Administrative hearing" means the impartial review by an administrative law judge of a department decision that a client believes is illegal or unsatisfactory. Both the client and the department may present evidence in support of their respective positions.

(b) "Administrative recoupment" means a process by which a group's benefits are reduced to make payments on an overissuance.

(c) "Agency errors" means overissuances caused from incorrect actions by the department.

(d) "Application" means a signed and dated statement on a form prescribed by the department that a person wishes to receive state disability assistance.

(e) "Application filing date" means the date an application with minimum required information is received by the department.

(f) "Authorized representative" means a person who is not less than 18 years of age and who applies for assistance on behalf of a client or otherwise acts on a client's behalf, or both. The person may be, but is not limited to, a guardian, spouse, or relative outside the group.

(g) "Available date" means the date an assistance benefit was issued.

(h) "Client" means a person applying for, currently receiving program benefits, inquiring about benefits, or is part of the program group.

(i) "Client error" means the department has taken all actions required under normal processing procedures but the client has given incorrect or incomplete information or failed to meet other requirements which impact the amount of program benefits and the error has not been determined as intentional. An overissuance that results from department action being discontinued due to a client's administrative hearing request is client error if a client withdraws his or her request, fails to show for the administrative hearing, or the department's action is upheld at the hearing.

(j) "Collateral contact" means contact with an information source other than the client through written correspondence, a telephone interview, or an in-person interview.

(k) "Crediting" means returning the warrant amount to treasury.

(l) "Department" means the Michigan department of human services.

(m) "Disqualification" means a department penalty action for a person who is ineligible for program benefits because an eligibility factor has not been met or because the person refuses or fails to cooperate in meeting an eligibility factor.

(n) "Domiciliary care" means a type of care given to residents in a special living arrangement whose principal need is supervision and who are generally able to perform the basic activities of daily living, such as eating, bathing, and dressing.

(o) "Group" means the state disability assistance group.

(p) "Head of household" means the person who is customarily responsible for the verbal and written communication between the eligible group and the department and in whose name program benefits are generated and received.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (q) "Institution" means an establishment that furnishes food, shelter, and some treatment or services to more than 3 people who are unrelated to the proprietor.
- (r) "Intentional program violation" means an action that occurs when a client or authorized representative intentionally withholds or misrepresents information for the purpose of obtaining benefits for which he or she would not otherwise be eligible. An overissuance becomes an intentional program violation if a client or client's authorized representative is found to be responsible for an intentional program violation by a court, or as a result of an administrative hearing, or has signed a disqualification agreement.
- (s) "Mandatory vrending" means an agency payment of assistance amounts, without client request, directly to the client's landlord, mortgage holder, or land contract holder and to the providers of the client's home heating and electricity services.
- (t) "Monthly payment amount" means the amount of assistance paid to a group after deductions for vrending and any department recoupment.
- (u) "Overissuance" means that a group receives more benefits than it is eligible to receive.
- (v) "Overissuance period" means the time period during which the overissuance occurred.
- (w) "Overissuance type" means the reason an overissuance occurred. Types of overissuances are agency error, client error, and client intentional program violation.
- (x) "Pay period" means the first through the fifteenth of the month or the sixteenth through the end of the month.
- (y) "Personal care" means assistance that is provided to a person who needs help in performing personal daily activities, such as cooking, eating, grooming, shopping, and taking medication.
- (z) "Potential benefits" means any of the following benefits:
- (i) Retirement, survivors, and disability insurance.
  - (ii) Worker's compensation benefits.
  - (iii) Veterans administration benefits.
  - (iv) Railroad retirement benefits.
  - (v) Pension payments.
  - (vi) Disability or retirement benefits.
  - (vii) Earned but unpaid wages.
  - (viii) Strike pay.
  - (ix) Vacation pay.
  - (x) Supplemental security income.
  - (xi) Family independence program benefits.
  - (xii) Other than state-funded, needs-based programs, any other financial benefits for which potential eligibility exists and which may reduce the state disability assistance program benefit.
- (aa) "Program group" means those persons living together whose income and assets must be counted in determining eligibility for state disability assistance.
- (bb) "Provider" means a person or agency that furnishes services to a client.
- (cc) "Reapplication" means an application for state disability assistance after a previous case has been closed.
- (dd) "Recoupment" means the process by which the department recovers an overissuance of program benefits.
- (ee) "Redetermination" means a review of continuing eligibility for state disability assistance.
- (ff) "Redirecting" means routing a warrant to a different address.
- (gg) "Reinstatement" means restoring a closed assistance case to active status without a new application/redetermination form.
- (hh) "Repayment" means an action by a client to pay back benefits received.
- (ii) "Restricted payments" means mandatory payment made to a person other than the client in the form of vendor payments or third-party payments due to a third-party resource disqualification or money mismanagement.
- (jj) "Returned warrants" means uncashed warrants received by the local department office or treasury.
- (kk) "Special living arrangement" means any of the following:
- (A) An adult foster care facility.
  - (B) A county infirmary.
  - (C) A substance abuse treatment center.
  - (D) A home for the aged.
  - (E) A long-term care facility.
  - (F) A hospital.
- (ll) "State disability assistance group" means the members of a program group who receive state disability assistance.
- (mm) "Stop payment" means a department directive to treasury to not honor a warrant.
- (nn) "Third-party payments" mean an agency payment of a client's entire assistance benefit, without client request, to an agency or person outside the eligible group for management of the assistance on behalf of the group.

**Annual Administrative Code Supplement**  
**2015 Edition**

(oo) "Third-party resource" means a person, entity, or program that is, or might be, liable to pay all or part of a group member's medical expenses.

(pp) "Treasury" means the Michigan department of treasury.

(qq) "Underissuance" means that a group receives less cash assistance than it is eligible to receive.

(rr) "Verification" means documentation or action taken that provides evidence establishing the accuracy of a client's verbal or written statements.

(ss) "Voluntary vendoring" means a payment system whereby, at the group's request, the department sends part of the group's cash assistance directly to the provider for payment of the group's shelter, heat, or electricity.

(tt) "Warrant date" means the date shown on a warrant. For regular client and vendor warrants, the warrant date is the expected date of delivery. For replacement warrants, the warrant date is the date the warrant was mailed.

History: 1998-2000 AACCS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3152**

Source: 1998-2000 AACCS.

**R 400.3153**

Source: 1998-2000 AACCS.

**R 400.3154**

Source: 1998-2000 AACCS.

**R 400.3155 Applications for assistance.**

Rule 5. (1) Any person, regardless of age, may apply for assistance for himself or herself. With the group's permission, a person who is more than 18 years of age may be authorized to represent, and apply on behalf of, the group.

(2) An applicant may submit an application in person, by mail, telephone, or electronically. The department must receive the original, signed application before benefits are approved.

(3) A person shall complete a department application form when first applying for assistance benefits and when eligibility is redetermined.

(4) If an application contains the minimum information established by the department, including the signature of the client or authorized representative, then the department shall accept and register the application as soon as it is filed.

(5) Upon receipt of an incomplete application, department staff shall give or send a client an appropriate form that identifies the information needed to render the application complete and shall specify a due date by which the information must be provided. Eligibility shall be denied, or an ongoing assistance case shall be terminated, if an application remains incomplete. An incomplete application is valid through the last day of the month after the month of denial or termination and may be updated during that period.

(6) As part of the application and redetermination process, the department may conduct an official, confidential interview with a client, another responsible applicant group member, or an authorized representative. An interview shall be conducted in a department local office during normal weekday office hours. The department may conduct an interview in the group's home if the client is physically unable to come to the office and if the group has no one else to help or to come to the office on its behalf.

History: 1998-2000 AACCS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3156 Verification of eligibility factors.**

Rule 6. (1) A group shall provide the department with verification of the factors that affect the initial and continued eligibility of the group or its individual members in the state disability assistance program, including information obtained by data exchanges.

(2) The department shall provide a client with a written notice of the factors that must be verified and the due date for submitting verification to the local office of the department.

(3) Department staff may visit a group's home to verify eligibility information or to conduct other department business. A group shall cooperate with department home visits.

History: 1998-2000 AACCS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3157 Determination of eligibility and assistance amount.**

Rule 7. The department shall determine the eligibility of each person in a program group and the amount of assistance for which the group qualifies.

History: 1998-2000 AACCS; 2015 MR 6, Eff. March 24, 2015.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.3158 Beginning of assistance benefits.**

Rule 8. The department shall begin assistance benefits not earlier than the half-month pay period after the pay period that includes the application filing date and not later than the pay period in which the application becomes 30 calendar days old, if the group is eligible for that pay period. If the application becomes 30 calendar days old and the group has not met eligibility requirements, the department shall begin assistance benefits for the pay period in which all eligibility requirements are met.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3159 Client responsibility to cooperate with department; effect of failure to cooperate.**

Rule 9. (1) A client shall cooperate with department staff in determining initial and ongoing eligibility and benefit levels. Cooperation includes all of the following:

- (a) Answering completely and truthfully all questions on department forms and during interviews.
- (b) Taking all actions within the client's ability to verify factors concerning the client's eligibility.
- (c) Cooperating with department staff during quality control reviews.
- (d) Reporting accurate information that potentially affects eligibility or benefit amount within 10 calendar days after the information is known to the client.

(2) Failure to cooperate with the department in any matter of eligibility will result in denial of the assistance application or case closure, member disqualification, or benefit level reduction.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3160 Eligibility; citizenship and alien status.**

Rule 10. (1) To be eligible for assistance benefits, a person shall be either of the following:

- (a) A citizen of the United States.
- (b) An alien qualified to receive supplemental security income as provided under title IV, section 402 of Public Law 104-193, 8 U.S.C. §1612.

(2) An alien who is qualified as specified in subrule (1)(b) of this rule shall verify the qualification. An alien who is unable to provide verification or who refuses to cooperate with the department in obtaining verification is ineligible for assistance benefits.

(3) Subrule (1)(b) of this rule notwithstanding, a refugee or asylee who loses eligibility for the federal supplemental security income program by virtue of exceeding the maximum time limit for eligibility as delineated in Public Law 104-193 and who otherwise meets the eligibility criteria for the state disability assistance program shall be eligible to receive benefits under the state disability assistance program.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3161 Mandatory vendoring or third-party payments.**

Rule 11. (1) If the department determines that a grantee's negligence has resulted in the mismanagement of funds and has endangered the health or safety of a group member, then, subject to subrule (2) of this rule, the department shall initiate mandatory vendoring or third-party payments.

(2) The department's decision to initiate third-party payments or mandatory vendoring shall be based on the seriousness of the client endangerment, the availability of a competent third-party payee, and the qualification of shelter providers.

(3) Mandatory vendoring shall be limited to the monthly combined shelter, heat, and utility expenses. A client shall receive a minimum \$2.00 monthly payment amount after vendoring and other required deductions from the payment standard.

(4) A group in restricted payment status has the right to department review of the need to continue mandatory vendoring or third-party payments at least once every 6 months.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3162 Voluntary vendoring.**

Rule 12. (1) A group may request voluntary vendoring at any time by completing a department vendor payment form.

(2) As part of a voluntary vendoring request, a group that has heat and electricity obligations shall request vendor payments for both services unless vendoring both would leave a monthly payment amount of less than \$2.00. The department or a utility company shall establish vendored amounts for heat and electricity based on the assistance payment standard.

(3) A group may specify any monthly shelter amount that is not less than \$2.00 to be vendored if vendoring would leave a monthly payment amount of at least \$2.00.

**Annual Administrative Code Supplement**  
**2015 Edition**

(4) The department shall cease voluntary vendor payments as soon as administratively feasible when requested in writing by a client.

(5) The department shall not authorize voluntary vendor payments for rent under any of the following circumstances:

(a) The local housing authority notifies the department that the dwelling fails to meet the housing code or that the landlord has failed to cooperate with housing code policies and procedures. In this situation, the department shall discontinue ongoing vendoring within 5 workdays if administratively feasible.

(b) The landlord has not cooperated with the department or a utility company in the installation of energy conservation measures that were determined necessary to reduce energy consumption. In this situation, the department shall discontinue ongoing vendoring within 5 workdays if administratively feasible.

(c) Title to the rental property reverts to this state or local municipality for nonpayment of property taxes.

History: 1998-2000 AACs; 2015 MR 6, Eff. March 24, 2015.

**R 400.3163 Special living arrangements.**

Rule 13. (1) A client who resides in an adult foster care facility, county infirmary, or home for the aged may be eligible for a client incidental allowance and for provider payment.

(2) A client who resides in a substance abuse treatment center, long-term care facility, or hospital may be eligible for a client incidental allowance, but is not eligible for provider payment.

(3) A special living arrangement facility must be licensed in order to receive payment.

(4) The department must determine a client's level of care to be either domiciliary care or personal care before provider payment may be authorized.

(5) Provider payment for a special living arrangement may begin up to 10 calendar days before the application filing date for an eligible client who was residing in a facility 10 days before the date of application.

(6) Subject to subrule (5) of this rule, per diem provider payment eligibility begins the day an eligible client enters a special living arrangement facility and ends the day the client becomes ineligible for assistance or the day before the date of discharge, whichever is earlier.

(7) If a client's failure to report timely, complete, and accurate information results in an overpayment for special living arrangement care, then the department shall recover the amount overpaid from the client.

(8) If a provider of special living arrangement care is overpaid as a result of incorrect provider billing or level of care authorization, then the department shall recover the amount overpaid from the provider.

History: 1998-2000 AACs; 2015 MR 6, Eff. March 24, 2015.

**R 400.3164 Changes in group's circumstances.**

Rule 14. (1) A group shall report a change in circumstance within 10 days of the change.

(2) The department shall act on changes that continue for at least 1 month beyond the month in which the change was reported.

(3) A group member addition or change in income that results in a benefit increase must affect the benefit level for the month after the month the change occurred, if the addition or change is timely reported. If a group member addition or change in income that results in a benefit increase is reported late, then the effective month of the increase is the month after the month the change is reported and verified.

(4) A change other than the changes specified in subrule (3) of this rule must affect the first full benefit month that begins not later than 10 days after the change is reported.

The department may affect the first full benefit month that begins earlier than 10 days after the change is reported, if administratively possible. A benefit month is the calendar month for which assistance is paid. Assistance may be paid for 1/2 of the benefit month or for a full benefit month, depending upon a group's eligibility for payment.

(5) A change that results in case closure may affect the month in which the change occurred.

(6) If a change in a group's assets results in exceeding the asset standard established by the department, then the group is ineligible for benefits for 1 month or for as long as the assets exceed the standard, whichever is longer. In this situation, the month in which assistance is closed is either the month following the month in which the group obtained the asset or, if administratively feasible, the second month following the month in which the group obtained the assets.

History: 1998-2000 AACs; 2015 MR 6, Eff. March 24, 2015.

**R 400.3165 Determination of eligibility and benefit levels; use of data base-exchange.**

Rule 15. The department shall use information available through data base matching to determine eligibility and benefit levels for clients.

History: 1998-2000 AACs; 2015 MR 6, Eff. March 24, 2015.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.3166**

**Source:** 1998-2000 AACS.

**R 400.3167 Rescinded.**

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3168 Returned warrants.**

Rule 18. (1) A returned warrant may be rewritten by the department if a group was eligible for cash assistance during the period covered by the original warrant.

(2) A group is presumed to be ineligible for cash assistance under any of the following circumstances:

(a) The post office returned a client warrant to the treasury as undeliverable and there has been no contact from the group regarding the warrant.

(b) A warrant remains uncashed for more than 30 calendar days and there has been no contact from the client regarding the warrant.

(c) A client fails to contact the department by the disposition deadline for a warrant returned or delivered to the local department office.

(3) A representative of a group who picks up a client warrant shall present the group's signed statement authorizing the representative to pick up the warrant.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3169 Replacement policies for warrants.**

Rule 19. (1) If a group reports an unendorsed warrant lost, stolen, not received, or destroyed, then the group may have the warrant replaced if all of the following criteria, as appropriate, are met:

(a) The group completes a stop payment/replacement request affidavit. For stolen warrants, a group shall file a police report, unless replacement of the warrant is made after recovery of the warrant amount.

(b) A client or provider shall contact the post office to verify delivery of a warrant that was issued but not received. If delivery is verified, then the warrant is considered lost. If delivery cannot be verified, then the warrant is considered not received.

(c) For warrants considered not received, a client or provider shall complete a stop payment/replacement request affidavit.

(d) Under any of the following circumstances, a warrant shall be replaced only after recovery of the original warrant amount:

(i) Replacement is requested more than 30 calendar days after the warrant date.

(ii) The client has previously requested a replacement after cashing the original warrant.

(iii) A police report was not filed on a stolen warrant.

(iv) The case is closed or closure is pending.

(v) The warrant to be replaced is a replacement warrant or a vendor warrant.

(2) If a warrant is cashed by a recipient of cash assistance, then the department shall not take action on a request to stop payment on the cashed warrant and a replacement warrant will not be issued.

(3) A warrant that is lost or stolen after endorsement shall be replaced only if the warrant is later returned or voided.

(4) If a replacement warrant is issued for a warrant that was cashed and the client claims that the warrant copy signature is not his or hers, then the client shall sign an affidavit that the signature is not the client's signature.

(5) If a replacement warrant is issued for a warrant that was cashed and the client fails to keep an appointment to view the warrant, refuses to sign the affidavit, or admits endorsing both the original and replacement warrants, then the department shall recover the overissuance from the group.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3170 Supplemental benefits policy for cash assistance.**

Rule 20. (1) Supplemental benefits, also referred to as a supplement, are issued to correct an underissuance.

(2) A supplement is offset by overissuances for which collection actions have not yet begun. The department shall subtract the amount of the overissuance from the amount of the supplement, up to the amount of the supplement.

(3) The department shall issue a supplement promptly when verification of the need for a supplement is received by the department or when the department has knowledge of the need for a supplement.

(4) A supplement is issued back to the month following the month that verification, if required, shows the need began, but not earlier than the month following the month that the group reported the change which resulted in the need for a supplement.

(5) The department shall not issue a supplement for a period before the effective date for program eligibility.

(6) The department shall give a group adequate notice that a supplement has been authorized or denied.

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3171 Identity verification requirement.**

Rule 21. A grantee shall verify his or her identity in order to receive benefits.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3172**

**Source:** 1998-2000 AACS.

**R 400.3173 Penalties for failure to pursue potential benefits; verification requirements.**

Rule 23. (1) If a group refuses to pursue a potential benefit, then the group is ineligible for state disability assistance.

(2) If a client or other group members act to restrict the amount of a potential benefit that is available to the group, then the group is ineligible for state disability assistance.

(3) The department shall accept a client's statement that he or she has applied for a benefit or that he or she is not eligible for a benefit, unless the statement is unclear, inconsistent, or in conflict with other information.

History: 1998-2000 AACS; 2015 MR 6, Eff. March 24, 2015.

**R 400.3174**

**Source:** 1998-2000 AACS.

**R 400.3175**

**Source:** 1998-2000 AACS.

**R 400.3176**

**Source:** 1998-2000 AACS.

**R 400.3177**

**Source:** 1998-2000 AACS.

**R 400.3178 Intentional program violation; disqualification; recoupment.**

Rule 28. (1) If, in the course of an overissuance investigation, the department determines that an intentional program violation occurred, then the person accused of the violation shall be notified of all of the following:

(a) The allegation.

(b) A potential penalty.

(c) The right to meet with department representatives to discuss the allegation.

(2) The department shall conduct an administrative hearing to determine if an overissuance occurred due to intentional program violation, unless either of the following provisions applies:

(a) The person accused of the violation waives his or her right to the hearing by signing a recoupment and disqualification agreement.

(b) The individual has been convicted of the fraudulent receipt of benefits under section 60 of 1939 PA 280, MCL 400.60, or any other criminal fraud statute.

(3) If a person accused of an intentional program violation has agreed to and signed a recoupment and disqualification agreement, then the person does not have recourse to further administrative appeal.

(4) A person accused of an intentional program violation may request a hearing to contest the computation of the benefit reduction amount, but not the overissuance amount.

(5) The department may conduct an intentional program violation hearing without the person accused of the violation or his or her authorized representative present if the hearing notice that was sent to the person is not returned by the post office as undeliverable.

(6) Any administrative hearing initiated by the department under this rule shall be conducted pursuant to notice served on the accused person not later than 6 years after the overissuance occurred.

(7) If the department does not establish that an overpayment was the result of an intentional program violation, then the department shall recoup the overpayment as department or client error.

(8) A person who is determined, in an administrative disqualification hearing, to have committed an intentional program violation, who pleads guilty to an intentional program violation, who waives his or her legal right to an administrative disqualification hearing regarding an allegation of intentional program violation, or who is convicted of criminal fraud based on the fraudulent receipt of benefits shall be disqualified by reducing the monthly benefit level by the amount deemed to meet the individual's monthly needs for the following periods:

**Annual Administrative Code Supplement**  
**2015 Edition**

- (a) A period of 1 year for a first offense.
- (b) A period of 2 years for a second offense.
- (c) Permanently for a third or subsequent offense.
- (9) For current or former state disability assistance recipients, the department shall impose a disqualification penalty for an intentional program violation within 5 days of the receipt of a decision that an intentional program violation occurred.  
History: 1998-2000 AACs; 2015 MR 6, Eff. March 24, 2015.

**R 400.3179 Benefit overissuance; collection and repayment actions.**

- Rule 29. (1) The department shall employ administrative recoupment processes to recoup all benefit overissuances from active or inactive state disability assistance groups by cash repayment or benefit reduction.
- (2) The department shall seek recoupment of benefit overissuances from any adult who was a group member when the overissuance occurred.
  - (3) The department shall recoup overissuances on active state disability assistance cases through benefit reduction, unless cash payments are ordered by a court.
  - (4) If an overissuance is not paid in full during the timely notice period, then the department shall reduce state disability assistance warrants by a percentage of the payment standard as follows:
    - (a) The department and client error overissuances are recouped at a 5% reduction of the payment standard.
    - (b) Intentional program violation overissuances are recouped at a 10% reduction of the payment standard.
  - (5) An overissuance repayment amount shall be adjusted to maintain a minimum \$2.00 cash benefit to the client.
  - (6) If a court orders cash repayment of an overissuance and the active state disability assistance client does not make regular cash payments, then the department shall change the collection method to benefit reduction.
  - (7) A local department office may pursue, through probate court claim action, collection from the estate of a person who dies and has an overissuance balance.
  - (8) A payment received as restitution under the terms of a person's probation reduces the balance owed, but completing the probation period or performing a requirement of probation does not reduce the amount owed in excess of the actual dollar amount paid toward the balance owed.  
History: 1998-2000 AACs; 2015 MR 6, Eff. March 24, 2015.

**R 400.3180**

Source: 1998-2000 AACs.

**DEPARTMENT OF COMMUNITY HEALTH**

**MEDICAL SERVICES ADMINISTRATION**

**MEDICAL ASSISTANCE PROGRAM**

**R 400.3351**

Source: 1979 AC.

**MSA PROVIDER HEARINGS**

**R 400.3401 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3402**

Source: 1979 AC.

**R 400.3403 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3404**

Source: 1979 AC.

**R 400.3405**

Source: 1979 AC.

**R 400.3406**

Source: 1979 AC.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.3407**

Source: 1979 AC.

**R 400.3408**

Source: 1979 AC.

**R 400.3409 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3410 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3410 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3411 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3412 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3413 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3414 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3415 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3416 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3417 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3418 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3419 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3420 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3421 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3422 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3423 Rescinded.**

History: 1979 AC; 2015 MR 1, Eff. Jan. 15, 2015.

**R 400.3424**

Source: 1979 AC.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.3425**  
Source: 1979 AC.

**OFFICE OF INCOME ASSISTANCE**  
**EMERGENCY NEEDS PROGRAM**

**R 400.3501**  
Source: 1997 AACS.

**R 400.3502**  
Source: 1997 AACS.

**R 400.3503**  
Source: 1997 AACS.

**R 400.3504**  
Source: 1997 AACS.

**R 400.3505**  
Source: 1997 AACS.

**R 400.3506**  
Source: 1997 AACS.

**R 400.3507**  
Source: 1997 AACS.

**R 400.3508**  
Source: 1997 AACS.

**R 400.3509**  
Source: 1997 AACS.

**R 400.3510**  
Source: 1997 AACS.

**R 400.3511**  
Source: 1997 AACS.

**R 400.3512**  
Source: 1997 AACS.

**R 400.3513**  
Source: 1997 AACS.

**R 400.3514**  
Source: 1997 AACS.

**R 400.3515**  
Source: 1997 AACS.

**R 400.3516**  
Source: 1997 AACS.

**R 400.3517**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1997 AACS.

**R 400.3518**

Source: 1997 AACS.

**R 400.3519**

Source: 1997 AACS.

**R 400.3520**

Source: 1997 AACS.

**R 400.3521**

Source: 1997 AACS.

**R 400.3522**

Source: 1997 AACS.

**R 400.3523**

Source: 1997 AACS.

**R 400.3524**

Source: 1997 AACS.

**R 400.3525**

Source: 1997 AACS.

**R 400.3526**

Source: 1997 AACS.

**R 400.3527**

Source: 1997 AACS.

**R 400.3528**

Source: 1997 AACS.

**R 400.3529**

Source: 1997 AACS.

**R 400.3530**

Source: 1997 AACS.

**R 400.3531**

Source: 1997 AACS.

**R 400.3532**

Source: 1997 AACS.

**R 400.3533**

Source: 1997 AACS.

**R 400.3534**

Source: 1997 AACS.

**R 400.3535**

Source: 1997 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.3536**  
Source: 1997 AACS.

**R 400.3537**  
Source: 1997 AACS.

**R 400.3538**  
Source: 1997 AACS.

**R 400.3539**  
Source: 1997 AACS.

**R 400.3540**  
Source: 1997 AACS.

**OFFICE OF EMPLOYMENT DEVELOPMENT SERVICES**  
**MICHIGAN OPPORTUNITY AND SKILLS TRAINING PROGRAM**

**R 400.3591**  
Source: 1997 AACS.

**R 400.3592**  
Source: 1997 AACS.

**R 400.3593**  
Source: 1997 AACS.

**R 400.3594**  
Source: 1997 AACS.

**R 400.3595**  
Source: 1997 AACS.

**R 400.3596**  
Source: 1997 AACS.

**FAMILY SERVICES ADMINISTRATION**  
**EMPLOYMENT AND TRAINING PROGRAM**

**R 400.3601**  
Source: 2014 AACS.

**R 400.3602**  
Source: 2014 AACS.

**R 400.3603**  
Source: 1997 AACS.

**R 400.3604**  
Source: 2014 AACS.

**R 400.3605**  
Source: 1997 AACS.

**R 400.3606**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 2014 AACS.

**R 400.3607**

**Source:** 2014 AACS.

**R 400.3608**

**Source:** 2014 AACS.

**R 400.3609**

**Source:** 2014 AACS.

**R 400.3610**

**Source:** 2014 AACS.

**R 400.3611**

**Source:** 2014 AACS.

**R 400.3612**

**Source:** 2014 AACS.

**R 400.3613**

**Source:** 1997 AACS.

**DIVISION OF CHILD WELFARE LICENSING**

**CHILD CARING INSTITUTIONS**

**PART 1. GENERAL PROVISIONS**

**R 400.4101 Definitions.**

Rule 101. As used in these rules:

“Accredited college or university” means a college or university recognized by the United States department of education.

(b) “Act” means 1973 PA 116, as amended, being §§ MCL 722.111 to 722.128, and known as the child care organization licensing act.

(c) “Audit” means a review done by an auditor that conforms with generally accepted accounting principles.

(d) “Case record” means the individual file kept by an institution concerning a child who has been placed at the institution.

(e) “Chief administrator” means the person designated by the licensee as having the onsite day-to-day responsibility for the overall administration of a child caring institution and for assuring the care, safety, and protection of residents.

(f) “Chief administrator designee” means a person above the level of the supervisor who approved an action, and who was not involved in the decision being reviewed.

(g) “Child caring institution,” hereinafter referred to as “institution” or CCI, means an institution as defined in section 1 of 1973 PA 116, MCL 722.111.

(h) “Child placing agency” means an agency as defined in section 1 of 1973 PA 116, MCL 722.111.

(i) “Children’s therapeutic group home” means a children’s therapeutic group home as defined in section 1 of 1973 PA 116, MCL 722.111.

(j) “Corporal punishment” means hitting, paddling, shaking, slapping, spanking, or any other use of physical force as a means of behavior management.

(k) “Detention facility” means an institution that primarily provides care and supervision for youth pending adjudication for status or criminal offenses or pending placement in a treatment facility post-adjudication.

(l) “Department” means the Michigan department of human services.

(m) “Developmentally disabled” means an individual who has an impairment of general intellectual functioning or adaptive behavior which meets all of the following criteria:

(i) It originated before the person became 18 years of age.

(ii) It has continued since its origination or can be expected to continue indefinitely.

(iii) It constitutes a substantial burden to the impaired person’s ability to perform normally in society.

(iv) It is attributable to 1 or more of the following:

(A) Significant cognitive impairment, cerebral palsy, epilepsy, or autism.

**Annual Administrative Code Supplement**  
**2015 Edition**

(B) Any other condition of a person found to be closely related to significant cognitive impairment because it produces a similar impairment or requires treatment and services similar to those required for a person who is significantly cognitively impaired.

(n) "Direct care worker" means a person who provides direct care and supervision of children in an institution.

(o) "Human behavioral science" means a course of study producing a degree from an accredited college or university in any of the following:

(i) Social work.

(ii) Psychology.

(iii) Guidance and counseling.

(iv) Consumer or community services.

(v) Criminal justice.

(vi) Family ecology.

(vii) Sociology.

(p) "Juvenile justice youth" means a youth pending adjudication for status or criminal offenses or a youth who has been adjudicated under section 2(a) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2a, or section 1 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1.

(q) "License" means a license issued by the department to a non-governmentally operated institution or a certificate of approval issued by the department to a governmentally operated institution indicating that the institution is in compliance with these rules.

(r) "Licensee" means the agency, association, corporation, firm, organization, person, partnership, department, or agency of the state, county, city, or other political subdivision that has submitted an original application for licensure or approval or has been issued a license or certificate of approval to operate a child caring institution.

(s) "Licensee designee" means the individual who is authorized by the licensee, board of directors, or the governing body for a public institution, to act on behalf of the corporation or organization on licensing matters.

(t) "Licensing authority" means the administrative unit of the department that has the responsibility for making licensing and approval recommendations for an institution.

(u) "Medication" means prescription and nonprescription medicines.

(v) "Misconduct" is conduct by a resident that affects the safety and security of residents, staff, or the community.

(w) "Open institution" means an institution or facility, or portion thereof, which is used to house residents and which is not locked against egress, except for an approved behavior management room.

(x) "Parent" means biological parent, including custodial and non-custodial parent, adoptive parent, or guardian.

(y) "Personal restraint", also referred to as resident restraint, means personal restraint as defined in section 2b of 1973 PA 116, MCL 722.112b.

(z) "Protection" means the continual responsibility of the licensee to take reasonable action to ensure the health, safety, and well-being of a resident while under the supervision of the licensee or an agent or employee of the licensee, including protection from physical harm, humiliation, intimidation, and social, moral, financial, and personal exploitation.

(aa) "Resident" means a child who is admitted to and resides in an institution.

(bb) "Seclusion" means seclusion as defined in section 2b of 1973 PA 116, MCL 722.112b.

(cc) "Seclusion room" means a room or area approved for the confinement or retention of a single resident. The door to the room may be equipped with a security locking device which operates by means of a key or is electrically operated and has a key override and emergency electrical backup in case of a power failure.

(dd) "Secure institution" means an institution, or portion thereof, other than a seclusion room, used to house residents that is secured against egress from the building.

(ee) "Serious injury" means any significant impairment of the physical condition of the minor child as determined by qualified medical personnel. This includes, but is not limited to, burns, lacerations, bone fractures, substantial hematoma, and injuries to internal organs, whether self-inflicted or inflicted by someone else.

(ff) "Shelter care facility" means an institution which primarily provides care for residents for assessment, short-term supportive care, or placement planning.

(gg) "Social service supervisor" means a person who supervises a social service worker.

(hh) "Social service worker" means a person who works directly with residents, their families, and other relevant individuals and who is primarily responsible for the development, implementation, and review of service plans for the resident. This definition does not prevent a team approach to service plan development and implementation.

(ii) "Staff" means a person who is employed by an institution, a volunteer for the institution, including student interns, or a person who is used by the institution to provide specific services covered by these rules.

(jj) "Terms of license" or "terms of approval" means those designations noted on an institution's license or certificate of approval for which the institution is authorized or approved. Such designations include the following:

**Annual Administrative Code Supplement**  
**2015 Edition**

- (i) Short-term institution.
- (ii) Residential treatment institution.
- (iii) Secure institution.
- (iv) Open institution.
- (v) Age of children to be accepted for care.
- (vi) Sex of children to be accepted for care.
- (vii) Number of children to be accepted for care.
- (viii) Effective and expiration dates.
- (kk) "Treatment institution" means an institution whose primary purpose and function is to provide habilitative or rehabilitative services.  
History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4102 Inspection and approval of institution.**

Rule 102. Residents may occupy an institution, including new construction, additions, and conversions, only after inspection and approval by the licensing authority.  
History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4103 Space and equipment requirements.**

Rule 103. An institution shall provide all of the following to assure delivery of licensed services:  
Sufficient resident living space, as set forth in R 400.4510.  
Office space.  
Equipment to assure delivery of licensed services.  
History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4104 Rules compliance.**

Rule 104. (1) Before being licensed as an institution, an original applicant shall comply with 1973 PA 116, MCL 722.111 et seq. and the rules for the type of institution the applicant proposes to operate and for which compliance can be achieved prior to beginning operation and shall demonstrate intent to comply with those rules for which compliance can only be demonstrated after the institution has become fully operational.  
(2) After being licensed, an institution shall, on an ongoing basis, comply with the act, child caring institution rules, and terms of the license.  
History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4105 Rule variance.**

Rule 105. (1) Upon written request of an applicant or licensee, the department may grant a variance from an administrative rule if there is clear and convincing evidence that the alternative to the rule complies with the intent of the administrative rule from which a variance is sought.  
(2) The department shall enter its decision, including the qualification under which the variance is granted, in the records of the department and send a signed copy to the applicant or licensee. This variance may remain in effect for as long as the licensee continues to comply with the intent of the rule or may be time limited.  
History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4106 Original licensure; application.**

Rule 106. An applicant applying for an original license shall provide documentation of all of the following:  
(a) Need for the type of program the institution proposes to provide.  
(b) Sufficient financial resources to meet applicable licensing rules following the issuance of the initial license.  
(c) A plan of financial accounting developed in accordance with generally accepted accounting practices.  
History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4107 Deemed status.**

Rule 107. (1) The department may accept, for the purpose of determining compliance with part 1 of these rules, evidence that the child caring institution is accredited by the council on accreditation or other nationally recognized accrediting body whose standards closely match state licensing regulations.  
(2) The institution may request deemed status when the accreditation site inspection is less than 12 months old. Both of the following apply:

**Annual Administrative Code Supplement**  
**2015 Edition**

(a) When accreditation is requested, an institution shall submit a copy of the most recent accreditation report to the department.

(b) An institution shall only be eligible for deemed status if the license is on a regular status.

(3) The acceptance of accreditation in subrule (1) of this rule does not prohibit the department from conducting on-site investigations or requiring environmental health and fire safety inspections at intervals determined by the department.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4108 Financing and audit.**

Rule 108. A licensee shall do all of the following:

(a) Obtain an annual audit of all financial accounts. Audits for nongovernmental institutions shall be conducted by an independent certified public accountant who is not administratively related to the agency.

(b) Annually develop and implement a plan to correct any deficiencies identified.

(c) Demonstrate sufficient financing to assure that proper care of residents is provided and that licensing rules are followed.

(d) Develop a budget that includes projected income and expenditures.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4109 Program statement.**

Rule 109. (1) An institution shall have and follow a current written program statement which specifically addresses all of the following:

(a) The types of children to be admitted for care.

(b) The services provided to residents and parents directly by the institution and the services provided by outside resources.

(c) Policies and procedures pertaining to admission, care, safety, and supervision, methods for addressing residents' needs, implementation of treatment plans, and discharge of residents.

(2) The program statement shall be made available to residents, parents, and referral sources.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4110 Employees qualified under prior rules.**

Rule 110. An employee in a position approved before the effective date of these rules is deemed to be qualified for that position at the institution. A person appointed to a position after the date of these rules shall meet the qualifications of these rules for that position.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4111 Job description.**

Rule 111. An institution shall provide a job description for each staff position that identifies rules, required qualifications, and lines of authority.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4112 Staff qualifications.**

Rule 112. (1) A person with ongoing duties shall have both of the following:

(a) Ability to perform duties of the position assigned.

(b) Experience to perform the duties of the position assigned.

(2) A person who has unsupervised contact with children shall not have been convicted of either of the following:

(a) Child abuse or neglect.

(b) A felony involving harm or threatened harm to an individual within the 10 years immediately preceding the date of hire.

(3) A person who has unsupervised contact with children shall not be a person who is listed on the central registry as a perpetrator of child abuse or child neglect.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4113 Employee records.**

Rule 113. An institution shall maintain employee records for each employee and shall include documentation of all of the following information prior to employment or at the time specified in this rule:

(a) Name.

(b) A true copy of verification of education from an accredited college or university where minimum education requirements are specified by rule.

(c) Verification of high school diploma or GED when specified by rule.

(d) Work history.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (e) Three dated references which are obtained prior to employment from persons unrelated to the employee and which are less than 12 months old.
- (f) A record of any convictions other than minor traffic violations from either of the following entities:
  - (i) Directly from the Michigan state police or the equivalent state law enforcement agency, Canadian province, or other country where the person usually resides or has resided in the previous 5 years.
  - (ii) From an entity accessing either Michigan state police records or equivalent state, Canadian provincial, or other country law enforcement agency where the person usually resides or has resided in the previous 5 years.
- (g) If the employee has criminal convictions, the institution shall complete a written evaluation of the convictions that addresses the nature of the conviction, the length of time since the conviction, and the relationship of the conviction to regulated activity for the purpose of determining suitability for employment in the institution.
- (h) A statement from the employee regarding any convictions.
- (i) Documentation from the Michigan department of human services, the equivalent state or Canadian provincial agency, or equivalent agency in the country where the person usually resides, that the person has not been determined to be a perpetrator of child abuse or child neglect. The documentation shall be completed not more than 30 days prior to the start of employment and every 12 months thereafter.
- (j) A written evaluation of the employee's performance within 30 days of the completion of the probationary period or within 180 days, whichever is less, and a written evaluation of the employee's performance annually thereafter.
- (k) Verification of health where specified by institution policy.  
History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4114 Tuberculosis screening for employees and volunteers.**

Rule 114. The licensee shall document, prior to employment, that each employee and volunteer who has contact with residents 4 or more hours per week for more than 2 consecutive weeks is free from communicable tuberculosis. Freedom from communicable tuberculosis shall be verified within the 1 year period before employment and shall be verified every 1 year after the last verification or prior to the expiration of the current verification.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4115 First aid; CPR.**

Rule 115. A person certified within the preceding 36 months in first aid and within the preceding 24 months in age-appropriate cardiopulmonary resuscitation by the American Red Cross, the American Heart Association, or an equivalent organization or institution approved by the department shall be on duty at all times when 1 or more children are present.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4116 Chief administrator; responsibilities.**

Rule 116. (1) An agency shall assign the chief administrator responsibility for the on-site day-to-day operation of the institution and for ensuring compliance with these rules.

(2) An institution's chief administrator shall be administratively responsible annually for all of the following functions:

- (a) Not less than once annually, conduct a written assessment and verify the agency's compliance with these rules.
- (b) Develop and implement a written plan to correct, within 6 months, rule violations identified as a result of the assessment conducted pursuant to subdivision (a) of this subrule.
- (c) Conduct a written evaluation of trends and patterns of all unplanned discharges.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4117 Chief administrator; qualifications.**

Rule 117. (1) A chief administrator, at the time of appointment, shall possess either of the following:

- (a) A master's degree in a human behavioral science, education, business administration, or public administration from an accredited college or university and 2 years of experience in a child caring institution or child placing agency or equivalent organization from another state or Canadian province.
  - (b) A bachelor's degree with a major in education, a human behavioral science, business administration, or public administration from an accredited college or university and 4 years of post-bachelor's degree experience in a child caring institution or child placing agency or equivalent organization from another state or Canadian province.
- (2) An organization shall notify the licensing authority of a change of chief administrator within 30 days of the change.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4118 Social service supervisor; qualifications.**

Rule 118. A social service supervisor, at the time of appointment to the position, shall possess either of the following:

**Annual Administrative Code Supplement**  
**2015 Edition**

(a) A master's degree in a human behavioral science from an accredited college or university and 2 years of experience as a social service worker.

(b) A bachelor's degree in a human behavioral science or another major with 25% of the credits in a human behavioral science from an accredited college or university and 4 years of experience as a social service worker.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4119 Social service worker; qualifications.**

Rule 119. A social service worker, at the time of appointment to the position, shall possess a bachelor's degree with a major in a human behavioral science from an accredited college or university or another major with 25% of credits in human behavioral sciences.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4120 Supervisor of direct care workers; qualifications.**

Rule 120. A supervisor of direct care workers shall have 1 of the following:

(a) A bachelor's degree from an accredited college or university and 2 years of work experience in a child caring institution.

(b) Two years of college from an accredited college or university and 3 years of work experience in a child caring institution.

(c) A high school diploma and 4 years of work experience in a child caring institution.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4121 Direct care worker; qualifications.**

Rule 121. A direct care worker shall have completed high school or obtained a general equivalency diploma (GED).

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4122 Resident and parent visitation.**

Rule 122. An institution shall provide for visits between each resident and the resident's parents, unless parental rights have been terminated or the resident's record contains documentation that visitation is detrimental to the resident.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4123 Education.**

Rule 123. (1) An institution shall not admit a child for care unless an appropriate educational program can be provided.

(2) Provision shall be made for an appropriate education program in accordance with 1976 PA 451, MCL 380.1 to 380.1853.

Each resident of school age shall be enrolled not later than 5 school days after admission and continuously thereafter.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4124 Communication.**

Rule 124. An institution shall have and follow a written policy regarding communication that ensures that a child is able to communicate with family and friends in a manner appropriate to the child's functioning and consistent with the child's treatment plan and security level.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4125 Personal possessions; money; clothing; storage space.**

Rule 125. (1) A licensee shall have a written policy that designates all of the following:

(a) The method used to safeguard residents' personal possessions and money.

(b) The method used to accurately account for and return possessions and money to the resident or guardian upon discharge.

(c) The method for ensuring that each resident has sufficient clean, properly fitting, seasonal clothing.

(2) The licensee shall provide accessible storage space for personal possessions.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4126 Sufficiency of staff.**

Rule 126 The licensee shall have a sufficient number of administrative, supervisory, social service, direct care, and other staff on duty to perform the prescribed functions required by these administrative rules and in the agency's program statement and to provide for the continual needs, protection, and supervision of residents.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4127 Staff-to-resident ratio.**

Rule 127. (1) The licensee shall develop and adhere to a written staff-to-resident ratio formula for direct care workers.

**Annual Administrative Code Supplement**  
**2015 Edition**

(2) At a minimum, 1 direct care worker shall be responsible for not more than 10 residents at 1 time during residents' normal awake hours and not more than 20 residents at 1 time during the residents' normal sleeping hours.

(3) The ratio formula for direct care workers shall correspond with the institution's purpose and the needs of the residents and shall assure the continual safety, protection, and direct care and supervision of residents.

(4) When residents are asleep or otherwise outside of the direct supervision of staff, staff shall perform variable interval, eye-on checks of residents. The time between the variable interval checks shall not exceed fifteen minutes.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4128 Initial staff orientation and ongoing staff training.**

Rule 128. (1) The licensee shall provide an orientation program for new employees. Job shadowing shall not be the only form of orientation.

The orientation shall include the following:

(a) The institution's purpose, policies, and procedures, including discipline, crisis intervention techniques, and emergency and safety procedures.

(b) The role of the staff members as related to service delivery and protection of the children.

(2) The licensee shall provide a written plan of ongoing staff training related to individual job functions and the institution's program.

(3) The licensee shall document that each staff person whose function is covered by these rules has participated in a minimum of 50 clock hours of planned training within the first year of employment and a minimum of 25 clock hours of training annually thereafter related to the employee's job function. At least 16 of the 50 hours provided in the first year shall be orientation provided prior to the assumption of duties.

(4) Training opportunities for direct care staff shall include, but are not limited to, all of the following:

(a) Developmental needs of children.

(b) Child management techniques.

(c) Basic group dynamics.

(d) Appropriate discipline, crisis intervention, and child handling techniques.

(e) The direct care worker's and the social service worker's roles in the institution.

(f) Interpersonal communication.

(g) Proper and safe methods and techniques of restraint and seclusion if the agency has an approved seclusion room.

(h) First aid.

(5) An employee shall not participate in restraining a resident or placing a resident in seclusion prior to receiving training on those topics. The training model shall be approved, in writing, by the department.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4129 Institutions serving developmentally disabled youth; written procedures.**

Rule 129. An institution providing care to developmentally disabled residents shall require staff to follow written procedures for bathing, feeding, toilet training, and daily activities of residents.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4130**

Source: 1983 AACCS.

**R 400.4131 Compliance with child protection law; development of plan required.**

Rule 131. The licensee shall develop and implement a written plan to assure compliance with the child protection law, 1975 PA 238, MCL 722.621 to 722.638.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4132 Grievance procedures.**

Rule 132. (1) An agency shall have and follow a written grievance handling procedure for residents and their families. All of the following apply:

(a) The policy shall be provided to residents, their families, and referring sources prior to or at admission.

(b) The policy shall be explained in a language the resident and his or her family can understand.

(c) There shall be written acknowledgement the policy was provided as required in subdivision (a) of this subrule.

(2) The procedure shall provide for all of the following:

(a) Safeguarding the legal rights of residents and their families.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (b) Addressing matters that relate to compliance with the act, rules promulgated under the act, and the agency's written policies and procedures regarding services covered by these rules.
  - (c) Delineating the method of initiating the procedure.
  - (d) Specifying time frames for decisions.
- (3) In a secure juvenile justice facility that uses room confinement as a behavioral sanction, the procedure shall provide for all of the following:
- (a) Before the sanction begins, but not later than 24 hours after confinement for misconduct, an opportunity for the resident to be heard by a trained impartial fact finder designated by the chief administrator, has no personal knowledge of the incident, and has the authority to release the resident from confinement.
  - (b) Staff assistance in preparing and presenting his or her grievance or defense.
  - (c) A meaningful process of appeal.
- (4) An agency shall provide a grievant with a written copy of the grievance resolution.  
History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4133**

**Source:** 1983 AACCS.

**R 400.4134 Religious/spiritual policy and practices.**

- Rule 134. (1) The institution shall have and follow a policy on religious/spiritual participation that contains, at a minimum, both of the following:
- (a) A resident shall not be prohibited from participating in religious activities and services in accordance with the resident's own faith and parental direction as long as the participation does not conflict with the safety and security of the facility.
  - (b) A resident shall not be compelled to attend religious services or religious education nor be disciplined for failing to attend.
- (2) The institution shall provide the policy to parents and referral sources prior to or at admission.  
History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4135 Resident work experience.**

- Rule 135. (1) An institution shall have and follow a written policy regarding work experiences for residents that specifies, at a minimum, all of the following:
- (a) How and when residents are or are not compensated for working.
  - (b) Means of protection from exploitation.
  - (c) The types of work experience that residents will engage in.
- (2) Work experiences for a resident shall be appropriate to the age, health, and abilities of the resident.
- (3) Residents shall not be permitted to work for staff members' personal gain and shall be protected from personal exploitation.  
History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4136 Recreational activities, equipment, and supplies; swimming restriction.**

- Rule 136. (1) An institution shall have and follow a written policy regarding recreational activities, equipment maintenance, appropriate supervision related to age of youth and developmental level of youth, and training of staff involved in recreational activities.
- (2) Residents shall be provided a variety of indoor and outdoor recreational activities designed to meet the residents' needs.
  - (3) An institution shall provide appropriate recreation supplies and equipment.
  - (4) Swimming shall be permitted only where and when a qualified lifeguard is on duty and who is not counted in the staffing ratio.
  - (5) As used in this rule, high adventure activity means a program that requires specially trained staff or special safety precautions to reduce the possibility of an accident. If the institution provides high adventure activities, including swimming, the institution shall have and follow a program statement that covers all of the following:
    - (a) Activity leader training and certification and experience qualifications appropriate to the activity.
    - (b) Specific staff-to-resident ratio appropriate to the activity.
    - (c) Classifications and limitations for resident participation.
    - (d) Arrangement, maintenance, and inspection of the activity area.
    - (e) Equipment and the biannual inspection and maintenance of the equipment and the program by a nationally recognized inspection process.
    - (f) Safety precautions.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (g) High adventure activities shall be conducted by an adult who has training or experience in conducting the activity.
- (6) If institution staff take youth away from the institution for 1 or more overnights, the institution shall keep a travel plan on file at the institution. The travel plan shall include an itinerary and pre-established check-in times.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4137 Sleeping rooms.**

Rule 137. (1) Residents may be required to remain in their assigned rooms for up to 30 minutes to accommodate staff shift changes.

- (2) Residents of the opposite sex, if either is over 5 years of age, shall not sleep in the same sleeping room.
- (3) In new and converted institutions, single occupant sleeping rooms shall not be less than 70 square feet, exclusive of closet space.
- (4) In new and converted institutions, multi-occupant sleeping rooms shall not be less than 45 square feet per occupant, exclusive of closet space.
- (5) In new or converted secure institutions, locked resident sleeping rooms shall be equipped with a 2-way monitoring device.
- (6) In programs that accept children less than 2 years of age, the following safe sleep conditions shall be followed:
  - (a) Infants, birth to 12 months of age, shall rest alone in a crib that meets all of the following conditions:
    - (i) Has a firm, tight-fitting mattress with a waterproof, washable covering.
    - (ii) Does not have any loose, missing, or broken hardware or slats.
    - (iii) Has not more than 2 3/8 inches between slats.
    - (iv) Has no corner posts over 1/16 inches high.
    - (v) Has no cutout designs in the headboard or footboard.
    - (vi) Has a tightly fitted bottom sheet that covers the mattress with no additional padding placed between the sheet and mattress.
    - (vii) Blankets shall not be draped over cribs or bassinets.
  - (vii) Soft objects, bumper pads, stuffed toys, blankets, quilts or comforters, and other objects that could smother a child shall not be placed with or under a resting or sleeping infant.

An infant's head shall remain uncovered during sleep.

- (c) Infant car seats, infant seats, infant swings, highchairs, playpens, pack-n-play, waterbeds, adult beds, soft mattresses, sofas, beanbags, or other soft surfaces are not approved sleeping equipment for children 24 months of age or younger.
- (d) Children 24 months or younger who fall asleep in a space that is not approved for sleeping shall be moved to approved sleeping equipment appropriate for their size.
- (e) Children birth to 24 months of age shall sleep alone in a crib or toddler bed that is appropriate and sufficient for the child's length, size, and movement.

An infant shall be placed on his or her back for resting and sleeping.

- (g) An infant unable to roll from stomach to back, and from back to stomach, when found facedown, shall be placed on his or her back.
- (h) An infant who can easily turn over from his or her back to his or her stomach shall initially be placed on his or her back, but allowed to adopt whatever position he or she prefers for sleep.
- (i) For an infant who cannot rest or sleep on his or her back, the institution shall have written instructions, signed by a physician, detailing an alternative safe sleep position and/or other special sleeping arrangements for the infant.
- (j) The institution shall maintain supervision and frequently monitor infant's breathing, sleep position, and bedding for possible signs of distress. Baby monitors shall not be used exclusively to comply with this subdivision.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4138 Bedding and linen.**

Rule 138. (1) Each resident shall be provided with an individual bed with a clean pillow, mattress and sufficient clean blankets.

- (2) Each resident shall be provided with clean sheets and a pillowcase at least weekly and more often if soiled.
- (3) All bedding shall be in good repair and shall be cleaned and sanitized before being used by another person.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4139 Driver's license.**

Rule 139. The institution shall document that the driver of any vehicle transporting residents at the request of or on behalf of the licensee shall be an adult and possess a valid operator or chauffeur license with endorsement appropriate to the vehicle driven and the circumstances of its use.

History: 2015 MR 9, Eff. June 8, 2015.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.4140 Transportation.**

Rule 140. (1) The institution shall have and follow a policy on vehicle maintenance that ensures vehicles are properly maintained.

(2) All vehicles shall be insured as required by state law.

(3) Each resident transported shall occupy a manufacturer's designated seat. A resident shall not be transported in any portion of any vehicle not specifically designed by the manufacturer for passenger transportation.

(4) Infants and children shall use age appropriate child safety seats as required by state law.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4141 Safety belts.**

Rule 141. The driver and all passengers shall be properly restrained with safety belts while the vehicle is being operated.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4142 Health services; policies and procedures.**

Rule 142. (1) An institution shall establish and follow written health service policies and procedures addressing all of the following:

(a) Routine and emergency medical, ~~and~~ dental, and behavioral health care.

(b) Health screening procedures.

(c) Documentation of medical care and maintenance of health records.

(d) Storage of medications.

(e) Dispensing medication.

(f) Definition and training of personnel authorized to dispense medications.

(g) Methods for dispensing medication when the resident will be off site.

(2) Resident medications shall be kept in the original pharmacy supplied container until dispensed, shall be kept with the equipment to administer it in a locked area, and refrigerated, if required.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4143 Medical treatment; supervision.**

Rule 143. Medical treatment shall be under the supervision of a licensed physician or other licensed health professional as permitted by law.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4144 Admission health screening; physical examinations.**

Rule 144. (1) An initial health screening shall be completed for each resident within 24 hours of admission to a facility.

(2) An institution shall have the following documentation of an admission physical examination for each resident, unless an earlier examination is medically indicated:

(a) For a resident under 3 years of age, a physical examination shall have been completed within 90 calendar days prior to admission or a new physical examination shall be completed within 30 calendar days after admission.

(b) For a resident 3 years of age or older, a physical examination shall have been completed within 1 year prior to admission or a new physical examination shall be completed within 30 calendar days after admission.

(3) Sufficient health history information shall be documented for each resident to assure proper medical care.

(4) Nothing in the rules adopted under the act shall authorize or require a medical or physical examination or treatment for any child whose parent objects on religious grounds. If a parent objects to medical or physical examinations or treatments on religious grounds, the objection shall be made in writing to the institution and retained in the resident's file.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4145 Periodic physical examinations.**

Rule 145. (1) An institution shall provide and document periodic physical examination for each resident as follows, unless greater frequency is medically indicated:

(a) At least once every 3 months for residents under 1 year of age.

(b) At least once every 14 months for residents 1 year of age or older.

(2) Nothing in the rules adopted under 1973 PA 116 shall authorize or require a medical or physical examination or treatment for any child whose parent objects on religious grounds. If a parent objects to medical or physical examinations or treatments on religious grounds, the objection shall be made in writing to the institution and retained in the resident's file.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.4146 Immunizations.**

Rule 146. (1) A resident shall have current immunizations as required by the department of community health.

(2) If documentation of immunizations is unavailable, immunizations shall begin within 30 calendar days of admission, unless a statement from a physician indicating that immunizations are contraindicated is included in the resident's record.

(3) A written statement from a physician, referring agency, parent, or guardian indicating immunizations are current is sufficient documentation of immunizations.

(4) Nothing in the rules adopted under 1973 PA 116 shall authorize or require immunizations for any child whose parent objects on religious grounds. If a parent objects to immunizations on religious grounds, the objection shall be made in writing to the institution and retained in the resident's file.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4147 Dental care.**

Rule 147. (1) A licensee shall provide for and document dental examinations and treatment for each resident 3 years of age and older.

(2) A dental examination within 12 months prior to admission shall be documented or there shall be an examination not later than 90 calendar days following admission.

(3) Reexamination shall be provided at least every 14 months unless greater frequency is indicated.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4148 Personal hygiene.**

Rule 148. An institution shall assure that each resident maintains or receives personal care, hygiene, and grooming appropriate to the resident's age, sex, race, cultural background, and health needs.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4149 Resident nutrition.**

Rule 149. (1) A licensee shall provide a minimum of 3 nutritious edible meals daily unless medically contraindicated and documented.

(2) Meals shall be of sufficient quantity to meet the nutritional allowances recommended by USDA guidelines: ([www.healthierus.gov/dietaryguidelines](http://www.healthierus.gov/dietaryguidelines))

(3) A resident who has been prescribed a special diet by a physician shall be provided such a diet.

(4) Menus, including snacks if provided, shall be written and posted prior to the serving of the meal. Any change or substitution shall be noted and considered as part of the original menu. Menus shall be retained for 1 year.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4150 Incident reporting.**

Rule 150. (1) Any incident resulting in serious injury of a resident or illness requiring inpatient hospitalization, shall be reported to the parent/ legal guardian, responsible referring agency, and the licensing authority as soon as possible, but not more than 24 hours after the incident.

(2) The death of a resident shall be reported immediately to the parent/legal guardian or next of kin, law enforcement, the licensing authority, and the referring agency.

(3) If an institution determines that a youth is absent without legal permission, then the institution shall immediately report the information to law enforcement, the parent/legal guardian or next of kin, the licensing authority, and the referring agency.

(4) When a resident's behavior results in contact with law enforcement, the incident shall be reported to the parent/legal guardian, responsible referring agency, and the licensing authority as soon as possible, but not more than 24 hours after the incident.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4151 Emergency; continuity of operation procedures.**

Rule 151. (1) An institution shall establish and follow written emergency procedures that have been approved by the department that maintain the continuity of operations for a minimum of 72 hours to assure the safety of residents for the following circumstances:

(a) Fire.

(b) Severe weather.

(c) Medical emergencies.

(d) Missing persons.

(f) Disasters.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (g) Utility failures.
  - (2) The procedures shall explain, in detail, all of the following:
    - (a) Staff roles and responsibilities.
    - (b) Evacuation procedures.
    - (c) Required notifications, including but not limited to, the licensing authority, the referring agency, and law enforcement.
    - (d) Methods for maintaining continuity of services.
- History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4152 Initial documentation.**

Rule 152. At the time of admission, all of the following shall be in the resident's case record:

- (a) Name, address, birth date, ~~sex~~, gender, race, height, weight, hair color, eye color, identifying marks, religious preference, and school status.
  - (b) A photograph taken within the previous 12 months.
  - (c) A brief description of the resident's preparation for placement and general physical and emotional state at the time of admission.
  - (d) Name, address, and marital status of parents and name and address of legal guardian, if known.
  - (e) Date of admission and legal status.
  - (f) Documentation of legal right to provide care.
  - (g) Authorization to provide medical, dental, and surgical care and treatment as provided in section 14 a(1), (2), and (3) of 1973 PA 116, MCL 722.124a.
  - (h) A brief description of the circumstances leading to the need for care.
  - (i) Documentation that the grievance policy was provided as required in R 400.4132.
- History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4153 Shelter care and detention institutions; preliminary service plans.**

Rule 153. Within 7 calendar days of admission, a plan shall be developed for each resident. The plan shall include all of the following:

- (a) The reason for care.
- (b) An assessment of the resident's immediate and specific needs.
- (c) The specific services to be provided by the institution.
- (d) Other resources to meet the resident's needs.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4154 Shelter care and detention institutions; service plans.**

Rule 154. (1) Within 30 calendar days after admission and every 15 calendar days thereafter, an institution shall complete a written service plan. The service plan shall include all of the following:

- (a) The reason for continued care.
  - (b) Evaluation of service needs.
  - (c) Ongoing service needs.
  - (d) How service needs will be met.
  - (e) Unmet service needs and the reasons those needs are unmet.
- (2) Copies of the plan shall be maintained at the institution.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4155 Institutions not detention institutions or shelter care institutions; initial treatment plan.**

Rule 155. (1) The social service worker shall complete, sign, and date an initial treatment plan for each resident within 30 calendar days of admission.

- (2) The initial treatment plan developed by the social worker shall document input from the resident, the resident's parents, direct care staff, and the referral source, unless documented as inappropriate.
- (3) The initial treatment plan shall include all of the following:
  - (a) An assessment of the resident's and family's strengths and needs.
  - (b) Plans for parent and child visitation.
  - (c) Treatment goals to remedy the problems of the resident and family, and time frames for achieving the goals.
  - (d) Indicators of goal achievement.
  - (e) The person responsible for coordinating and implementing the resident and family treatment goals.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (f) Staff techniques for achieving the resident's treatment goals, including a specific behavior management plan. The plan shall be designed to minimize seclusion and restraint and include a continuum of responses to problem behaviors.
  - (g) Projected length of stay and next placement.
  - (h) For youth who are permanent court wards or MCI wards, there must be documented co-ordination with the agency assigned to complete adoption or permanency planning for the youth.
  - (i) For youth 14 years of age and over, a plan to prepare the youth for functional independence.
  - (4) The social service worker shall sign and date the initial treatment plan.
  - (5) The social service supervisor shall approve, countersign, and date the initial treatment plan.
- History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4156 Institutions not detention institutions or shelter care institutions; updated treatment plan.**

- Rule 156. (1) The social service worker shall complete, sign, and date an updated treatment plan for each resident at least once every 90-calendar days following the initial treatment plan.
- (2) The updated treatment plan developed by the social worker shall document input from the resident, the resident's parents, direct care staff, and the referral source, unless documented as inappropriate.
  - (3) The updated treatment plan shall include all of the following information:
    - (a) Dates, persons contacted, type of contact, and place of contact.
    - (b) Progress made toward achieving the goals established in the previous treatment plan.
    - (c) Changes in the treatment plan, including new problems and new goals to remedy the problems. Indicators of goal achievement and time frames for achievement shall be specified along with a specific behavior management plan designed to minimize seclusion and restraint and that includes a continuum of responses to problem behaviors.
    - (d) For youth who are permanent court wards or MCI wards, there must be documented co-ordination with the agency assigned to complete adoption or permanency planning for the youth.
    - (e) For youth 14 years of age and over, a plan to prepare the youth for functional independence.
  - (4) The social service worker shall sign and date the initial treatment plan.
  - (5) The social service supervisor shall approve, countersign, and date the updated treatment plan.
- History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4157 Behavior management.**

- Rule 157. (1) An institution shall establish and follow written policies and procedures that describe the institution's behavior management system. The policies and procedures shall be reviewed annually and updated as needed. These shall be available to all residents, their families, and referring agencies.
- (2) At a minimum, the behavior management system shall include all of the following:
    - (a) A structured system designed to reward the positive behavior of individual residents based upon the effort put forth.
    - (b) Positive intervention strategies to assist residents in developing improved problem solving, self-management, and social skills.
    - (c) Written guidelines for informally resolving minor misbehavior.
    - (d) Written rules of conduct that specify all of the following:
      - (i) Expected behavior.
      - (ii) Acts that are prohibited in the institution.
      - (iii) The range of interventions that may be imposed for violation of those rules.
    - (e) Scheduled training for institution personnel in the behavior management system.
    - (f) A provision for resident input into the proper application of the behavior management system.
    - (g) A provision for the distribution of behavior management policies and procedures to residents, parents, and referral agencies.
- History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4158 Discipline.**

- Rule 158. (1) An institution shall establish and follow written policies and procedures regarding discipline. These shall be available to all residents, their families, and referring agencies.
- (2) An institution shall prohibit all cruel and severe discipline, including any of the following:
    - (a) Any type of corporal punishment inflicted in any manner.
    - (b) Disciplining a group for the misbehavior of individual group members.
    - (c) Verbal abuse, ridicule, or humiliation.
    - (d) Denial of any essential program services, including adoption planning.
    - (e) Withholding of food or creating special menus for behavior management purposes.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (f) Denial of visits or communications with family.
- (g) Denial of opportunity for at least 8 hours of sleep in a 24-hour period.
- (h) Denial of shelter, clothing, or essential personal needs.
- (3) Residents shall not be permitted to discipline other residents.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4159 Resident restraint.**

Rule 159. (1) An institution shall establish and follow written policies and procedures regarding restraint. These policies and procedures shall be available to all residents, their families, and referring agencies.

(2) Resident restraint shall be performed in a manner that is safe, appropriate, and proportionate to the severity of the minor child's behavior, chronological and developmental age, size, gender, physical condition, medical condition, psychiatric condition, and personal history, including any history of trauma, and done in a manner consistent with the resident's treatment plan.

(3) The written policy shall include all of the following:

(a) Procedures for the review of an incident of restraint within 48 hours by a level of supervision above the staff ordering or conducting the restraint to determine if the requirements of the institution's procedures were adhered to in directing and conducting the restraint.

(b) Procedures for the provision of sufficient and adequate training for all staff members of the institution who may use or order the use of restraint using the institution's written procedures.

(c) Procedures for recording restraints as an incident report.

(d) Procedures for the review and aggregation of incident reports regarding restraints at least biannually by the institution's director or designee.

(4) The written policy shall only permit the licensee to restrain a child for the following circumstances:

(a) To prevent injury to the child, self-injury, or injury to others.

(b) As a precaution against escape or truancy.

(c) When there is serious destruction of property that places a child or others at serious threat of violence or injury if no intervention occurs.

(5) The written policy shall prohibit, at a minimum, any of the following aversive punishment procedures:

(a) The use of noxious substances.

(b) The use of instruments causing temporary incapacitation.

(c) Chemical restraint as defined in the act.

(6) Restraint equipment and physical restraint techniques shall not be used for punishment, discipline, or retaliation.

(7) The use of a restraint chair is prohibited.

(8) Resident restraint shall only be applied for the minimum time necessary to accomplish the purpose for its use as specifically permitted in subrule (2) of this rule. Approval of a supervisor shall be obtained when the restraint lasts more than 20 minutes.

(9) The approval of the administrator or his or her designee shall be obtained prior to any use of material or mechanical restraints. A staff member shall be present continuously while material or mechanical restraint equipment is being used on a resident, and the staff member shall remain in close enough proximity to the restraint to intervene immediately in case of emergency to protect the safety of the resident.

(10) A staff person shall document each use of material or mechanical restraint equipment in a written record and shall include all of the following information:

(a) The name of the resident.

(b) The name of the administrator or designee who authorized the use of the equipment, and the time of the authorization.

(c) The time the restraint equipment was applied.

(d) The name of the staff member who was responsible for the application.

(e) A description of the specific behavior that necessitated its use.

(f) The name of the staff person who was continuously with the resident.

(g) The date and time of removal of the equipment and the name of the person removing the equipment.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4160 Seclusion rooms; department approval required.**

Rule 160. (1) Prior to establishing a seclusion room, an institution shall – obtain written approval from the department's licensing authority and the department of licensing and regulatory affairs, bureau of fire services.

(2) Prior to changing policies related to the use of a seclusion room, an institution shall obtain written approval from the department's licensing authority.

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4161 Seclusion rooms; policies and procedures.**

Rule 161. An institution approved to use a seclusion room shall establish and follow written policies and procedures specifying its use. The policy shall include, at a minimum, all of the following provisions:

- (a) Seclusion shall be performed in a manner that is safe, appropriate, and proportionate to the severity of the minor child's behavior, chronological and developmental age, size, gender, physical condition, medical condition, psychiatric condition, and personal history, including any history of trauma.
- (b) The room may only be used if a resident is in danger of jeopardizing the safety and security of himself, herself, or others.
- (c) The room shall be used only for the time needed to change the behavior compelling its use.
- (d) Not more than 1 resident shall be placed in a room at 1 time.
- (e) Staff shall observe the resident at intervals of 15 minutes or less and shall record the observation in a seclusion room log. Video surveillance shall not be the only means of observation.
- (f) The log shall include all of the following information:
  - (i) Name of resident.
  - (ii) Time of each placement.
  - (iii) Name of staff person responsible for placement.
  - (iv) Description of specific behavior requiring use or continued use of the room and interactive strategy for removal.
  - (v) Medical needs addressed during seclusion, including medication administration.
  - (vi) Time of each removal from the room.
- (g) The room shall be equipped to minimize suicide risk and risk of physical injury. Break-resistant glass glazing and/or security screening shall be provided.
- (h) The monitoring device or devices in a seclusion room shall be on and monitored by an employee when a resident is in the room.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4162 Seclusion rooms; administrative oversight.**

Rule 162. (1) The chief administrator or chief administrator designee shall be informed of all instances of placement into a seclusion room within 24 hours.

(2) The chief administrator or chief administrator designee shall track all instances of the use of a seclusion room, the length of each confinement, the frequency of individual residents confined, the reason for the confinement, and the staff person who initiated the confinement for the purpose of analyzing the effectiveness of the intervention for controlling behavior in the program.

(3) For each instance in which a resident remains in the room for more than an hour, the log shall contain documentation of supervisory approval and the reasons for continued use.

(4) For each instance in which a resident remains in the room for more than 2 hours, the log shall contain hourly supervisory approval and the reasons for continued use.

(5) When the seclusion room is used for more than 3 hours, administrative review above the level of the supervisor who approved the extended use shall be completed and documented within 48 hours.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4163 Secure facilities serving juvenile justice youth; seclusion room.**

Rule 163. (1) A child caring institution shall not confine a resident in a room as punishment for misconduct except within a secure facility serving exclusively juvenile justice youth.

(2) The institution shall establish and follow a written policy, which, at a minimum, includes all of the following:

(a) Supervisory approval prior to use of seclusion as punishment.

(b) A process that allows the resident all the following:

(i) Written notice of the alleged misconduct.

(ii) Written notice of actions that can be taken to be released.

(iii) Items in subrule (2)(b)(i) and (ii) of this rule shall be provided to the resident before the seclusion begins.

(iv) If a resident is originally placed in seclusion for a reason other than a sanction and the institution determines that the confinement will also be used as a sanction, the items in subrule (2)(b)(i) and (ii) of this rule shall be provided not later than 24 hours after the resident is placed into seclusion.

(c) All sanctions of room confinement shall be for specific periods of time.

(d) A sanction of room confinement shall not exceed 72 hours inclusive of any time spent in seclusion for out-of-control behavior at the time of the incident itself. Sanctions of 72 hours shall be reserved for only the most serious misconduct.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (e) Staff shall observe the resident at intervals of 15 minutes or less and shall record the observation in a seclusion room log.
- (f) The log shall include all of the following information:
  - (i) Name of resident.
  - (ii) Time of each placement.
  - (iii) Name of staff person responsible for each placement.
  - (iv) Description of specific behavior requiring use of room.
  - (v) Time of observations of resident.
  - (vi) Time of each removal from room.
  - (vii) Addressing of medical needs, including medication administration.
- (g) An institution shall not implement a resident reintegration behavior plan that extends the period of room confinement. A resident shall be released from room confinement at the end of the specified period.
- (3) Prior to establishing or changing a policy under this rule, an institution shall have written approval from the department licensing authority.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4164 Secure facilities serving juvenile justice youth; reintegration.**

Rule 164. A secure facility that serves juvenile justice youth may have policies and procedures used to reintegrate youth who have been placed in seclusion back into the program. A facility shall not use reintegration in conjunction with seclusion that has been used as a sanction for misconduct, if that would extend a resident's confinement for more hours than the original sanction or more than 72 total hours. The policy for reintegration shall include, at a minimum, all of the following:

- (a) The room may only be used for the time needed to change the behavior compelling its use.
- (b) When a resident has been in seclusion for more than 2 hours, the reintegration plan shall be developed at the supervisory level and shall include all of the following:
  - (i) A clear statement of the out-of-control behavior or risk to others that requires continued seclusion.
  - (ii) Target behavioral or therapeutic issues that must be resolved.
  - (iii) Specific reintegration requirements or behavioral or therapeutic intervention assignments and goals that must be completed while the resident is in the seclusion room, listed in writing, and shared with the resident.
  - (iv) If intermittent removal from the seclusion room is required for the resident to work on the specific behavioral/therapeutic intervention goals, the level of restriction from the program and goals for the period of time out of the room must be listed in writing and shared with the resident.
  - (v) The strategies staff are to use to aide the resident in resolving the issues requiring seclusion and reintegrating into the program.
- (c) The secure facility serving juvenile justice youth shall comply with R 400.4162.
- (d) A reintegration plan shall not last longer than 72 hours.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4165 Secure facilities serving juvenile justice youth; lockdowns.**

Rule 165. (1) A secure facility may only use lockdown in situations that threaten facility security, including but not limited to, riots, taking of hostages, or escape plans involving multiple residents.

(2) A secure facility serving juvenile justice youth that uses lockdowns in which all residents are confined to their rooms shall have a written policy that describes the procedures to be followed and includes all of the following:

- (a) Who may order a lockdown.
- (b) Who is to implement the lockdown when it has been ordered.
- (c) How the problem is to be contained.
- (d) Procedures to be followed after the incident is resolved.
- (e) Notification of the licensing authority within 24 hours after the occurrence of a lockdown.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4166 Discharge plan.**

Rule 166. (1) When a resident is discharged from institutional care, all of the following information shall be documented in the case record within 14 days after discharge:

- (a) The date of and reason for discharge, and the new location of the child.
- (b) A brief summary or other documentation of the services provided while in residence, including medical and dental services.
- (c) An assessment of the resident's needs that remain to be met.
- (d) Any services that will be provided by the facility after discharge.

**Annual Administrative Code Supplement**  
**2015 Edition**

(e) A statement that the discharge plan recommendations, including medical and dental follow up that is needed, have been reviewed with the resident and with the parent and with the responsible case manager.

(f) The name and official title of the person to whom the resident was discharged.

(2) For an unplanned discharge, an institution shall provide a brief summary or other documentation of the circumstances surrounding the discharge.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4167 Case record maintenance.**

Rule 167. (1) The institution shall maintain a case record for each resident.

(2) Service plans shall be signed and dated by the social services worker and the social services supervisor.

(3) Narrative entries in the case record shall be signed and dated by the person making the entry.

(4) Records shall be maintained in a uniform and organized manner, shall be protected against destruction and damage, and shall be stored in a manner that safeguards confidentiality.

(5) Resident records shall be maintained for not less than 7 years after the resident is discharged.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4168 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4169 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4170 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4172 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4173 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4175 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4176 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4177 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4178 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4181 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4182 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4183 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4199**

Source: 1983 AACS.

**PART 2. SHORT-TERM INSTITUTIONS**

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.4201 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4231 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4232 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4234 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4237 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4238 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**PART 3. RESIDENTIAL TREATMENT INSTITUTIONS**

**R 400.4302 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4331 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4332 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4334 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4335 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4336 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4337 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4338 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**PART 4. ENVIRONMENTAL HEALTH AND SAFETY**

**R 400.4401**

Source: 1983 AACS.

**R 400.4407**

Source: 1983 AACS.

**R 400.4409**

Source: 1983 AACS.

**R 400.4411**

Source: 1983 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.4414**  
Source: 1983 AACS.

**R 400.4417**  
Source: 1983 AACS.

**R 400.4420**  
Source: 1983 AACS.

**R 400.4426**  
Source: 1983 AACS.

**R 400.4428**  
Source: 1983 AACS.

**R 400.4431**  
Source: 1983 AACS.

**R 400.4435**  
Source: 1983 AACS.

**PART 5. FIRE SAFETY FOR SMALL, LARGE, AND SECURE INSTITUTION FACILITIES**

**R 400.4501 Definitions.**

Rule 501. As used in this part:

(a) "Ambulatory" means a resident who is physically and mentally capable of traversing a path to safety without the aid of another person. A path to safety includes the ascent and descent of any stairs or approved means of egress.

(b) "Approved" means acceptable to the department and fire inspecting authority and in accordance with these rules. The department makes the final approval based on recommendations from the fire inspecting authority.

(c) "Basement" means a story of a building or structure having ½ or more of its clear height below average grade for at least 50% of the perimeter of the story.

(d) "Combustible" means those materials which can ignite and burn.

(e) "Conversion" or "converted" means a change, after the effective date of these rules, in the use of a facility or portion thereof from some previous use to that of a licensed or approved institution, or an increase in capacity from a residential group home to a small facility or an increase in capacity from a small facility to a large facility or a change to a secure facility. A converted facility shall comply with the provisions of these rules for fire safety for converted facilities.

(f) "Electric lock" means an electric door lock system operated from a remote control unit. The system is fail-safe in that all locks are automatically unlocked in the event of electrical failure. The system is approved by a nationally recognized independent testing laboratory.

(g) "Escape window" in new construction, remodeled, or converted facilities means an approved side-hinged window with a minimum net clear opening of 5.7 square feet with a net clear opening height of 24 inches and width of 20 inches. Grade floor openings shall have a minimum net clear opening of 5.7 square feet. The window shall be operable from the inside with a single motion and shall be equipped with non-locking-against-egress hardware. The window shall be operable without the use of special tools. The sill height shall not be greater than 36 inches from the floor, unless an approved substantial permanent ledge or similar device not less than 12 inches wide is provided under the window, in which case the sill height may be increased to 44 inches from the floor. In an existing facility, "escape window" means a window acceptable to the fire inspecting authority.

(h) "Existing facility" means a building, accessory buildings and surrounding grounds which is licensed or approved by the department as an institution at the time these rules take effect and which is not **unoccupied** for more than 90 days. Where an increase in capacity or change in use affects fire safety requirements, the facility shall comply with all applicable requirements prior to the increase or change in use.

(i) "Facility" means a building, and surrounding grounds including recreational areas owned, leased, or primarily rented by a child care organization for use as a small, large, or secure facility to house and sleep residents. "Facility" includes new, remodeled, converted, and small, large, secure, and existing facilities. Any portion of a facility not used by residents and not used as a required means of egress and which is separated from the rest of the facility by an approved fire barrier, and buildings used by the residents strictly for up and awake activities do ~~does~~ not need to meet these rules for fire safety. However, the right of the fire inspecting authority to inspect a nonuse area for hazardous use, or any building on the grounds

**Annual Administrative Code Supplement**  
**2015 Edition**

that is used by the residents strictly for up and awake activities, is retained and directives relative to fire safety of ~~the non-use~~ such area or building may be issued to assure the fire safety of ~~the~~ those use areas.

(j) "Fire alarm device" means an approved device capable of sounding an alarm. A fire alarm shall be specifically designated as such and shall not be used for any purpose other than sounding an alarm of fire or other emergency or for fire drills. The device shall be loud enough to be heard throughout the facility under normal conditions. A device may be a bell, a horn, a whistle, or any other device acceptable to the fire inspecting authority.

(k) "Fire alarm system" means an approved electrical closed circuit, self-supervised local system for sounding an alarm. The system is comprised of a panel, pull stations, and audible electric signal devices.

(l) "Fire resistance rating" means the time in hours or fractions thereof that materials or their assemblies will resist fire exposure as determined by fire tests established and conducted by approved testing laboratories.

(m) "Hazardous area" means those parts of a facility housing a flame-producing heating plant, incinerators, water heater, and kitchens and areas where combustible materials, flammable liquids, or gases are used or stored.

(n) "Large facility" means a building used to house more than 15 residents.

(o) "Means of egress and exit" means an unobstructed way of departure from any point in a building to safe open air outside at grade.

(p) "Newly constructed," "new construction," or "new facility" means a new structure or new addition to a facility after the effective date of these rules.

(q) "Non-ambulatory" means a resident, including a resident confined to a wheelchair, who is physically or mentally incapable of traversing a path to safety without the aid of another person. A path to safety includes the ascent and descent of any stairs or other approved means of egress from the building.

(r) "Remodeled" means changes in a facility that modify existing conditions and includes renovation and changes in the fire alarms, sprinkler systems, and hood suppression systems. Remodeled and affected areas of a child caring institution shall conform to the provisions of these rules for fire safety for remodeled and converted facilities. Unaffected areas of a facility are not required to conform to the required provisions for remodeled and converted facilities.

(s) "Secure facility" means a building used as a detention facility or a secure child caring institution. The building or portions of the building are used to keep residents in custody. Outside doors or individual sleeping rooms usually have locks which are secure from the inside. The locks are used in the usual course of operation. A secure facility shall meet the requirements for a large facility, regardless of the number of residents. A facility with an approved seclusion room is not a secure facility solely by virtue of having a seclusion room.

(t) "Small facility" means a building which houses at least 7 or more than 15 residents and which is not a secure facility.

(u) "Street floor" means the lowest story of a facility which is not a basement.

(v) "Story" means that part of a building between a floor and the floor or roof next above.

(w) "Substantially remodeled" means changes in a facility that result in the exposure or addition of structural joists or studs.

(x) "Wire glass" means glass which is not less than 1/4 inch thick; which is reinforced with wire mesh, No. 24 gauge or heavier with spacing not greater than 1 square inch; and which is installed in steel frames or, when approved, installed in wood frames or stops of hardwood material not less than 3/4 inch actual dimension and not more than 1,296 square inches per frame with no single dimension more than 54 inches in length.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4502 Applicability.**

Rule 502. The rules in this part apply to all newly constructed, remodeled, converted, and existing facilities of an institution as indicated.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4504 Adoption by reference.**

Rule 504. The department adopts the following fire safety codes and standards. These codes and standards are available for inspection and distribution to the public at cost at the Department of Human Services, 201 N. Washington Square, PO Box 30650, Lansing, Michigan 48909. Copies of the codes and standards may also be obtained from the appropriate agency, organization, or association listed below.

(a) Standard E-84-07, "Standard Tests Method for Surface Burning Characteristics of Building Materials," 2014, American Society for Testing and Materials, 100 Bar Harbor Dr., West Conshohocken, PA 19428-2959, \$69.00.

(b) Standard No. 13, "Standard for the Installation of Sprinkler Systems," 2013, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$95.00.

(c) Standard No. 22, "Standard for Water Tanks for Private Fire Protection," 2013, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269 -9101, \$46.50.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (d) Standard No. 70, "National Electric Code," 2014, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269(-9101,) \$89.50.
- (e) Standard No. 72 "National Fire Alarm Code", 2013, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$80.10.
- (f) Standard No. 80, "Standard for Fire Doors and Other Opening Protectives," 2013, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$46.50.
- (g) Standard No. 82, "Standard on Incinerator and Waste and Linen Handling Systems and Equipment, Rubbish Handling," 2014, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269 (9101,) \$42.00.
- (h) Standard No. 90A, "Installation of Air Conditioning and Ventilating Systems," 2015, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269 (9101,) \$45.00.
- (i) Standard No. 96, "Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations" 2014, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269 – (9101,) \$42.00.
- (j) Standard No. 220, "Standard on Types of Building Construction," 2015, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269 - (9101,) \$36.50.
- (k) Standard No. 255, "Standard Method of Test of Surface Burning Characteristics of Building Materials," 2006, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269 (9101,) \$36.50.
- (l) Standard 723, "Test for Surface Burning Characteristics of Building Materials" 2008, Underwriters Laboratories, Inc., 1414 Brook Dr., Downers Grove, Ill. 60513, \$631.00.
- (m) "Life Safety Code 101," 2015, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, 93.00.
- (n) Standard E-1590 13, "Standard Method for Fire Testing of Mattresses" American Society for Testing and Materials, 100 Bar Harbor Dr., West Conshohocken, PA 19428-2959, \$48.00.
- (o) Standard No. 10, "Standard for Portable Fire Extinguishers", 2013 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9109, \$46.50.
- (p) Standard No. 25, "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems", 2014, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$54.50.
- (q) Standard No. 252, "Standard Methods of Fire Tests of Door Assemblies", 2012, National Fire Protection Association, 1 Batterymarch Park, Quincy Massachusetts 02269-9101, \$36.50.
- (r) Standard No. 257, "Standard on Fire Test for Window and Glass Block Assemblies", 2012, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$36.50.
- (s) Standard No. 261, "Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes", 2013 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9109, \$36.50.
- (t) Standard No. 701 entitled "Standard Methods of Fire Tests for Flame Propagation of Textiles and Films," 2010 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9109, \$36.50.  
History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4505 Plans and specifications.**

Rule 505. (1) Plans and specifications shall be submitted to the bureau of fire services for review and approval prior to any remodeling in an institution, or the construction or conversion of a structure for use as an institution.

(2) The plans shall comply with all of the following provisions:

- (a) Show layout, room arrangements, construction materials to be used, and the location, size, and type of fixed equipment.
- (b) For additions, show those portions, including existing exits, types of construction, and room occupancies, which may be affected by the addition.
- (c) Be approved in writing by the bureau of fire services before construction begins.
- (d) Bear the seal of a registered architect or engineer when the cost of the project, including labor and materials, exceeds \$15,000.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4506**

**Source:** 1983 AACS.

**R 400.4508**

**Source:** 1983 AACS.

**R 400.4510 Sleeping rooms.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 510. (1) In new construction, remodeled or converted facilities, single sleeping rooms shall not be less than 70 square feet in size, exclusive of closet space. Multi-resident sleeping rooms shall not be less than 50 square feet per resident, exclusive of closet space.

(2) In new construction, remodeled or converted facilities, locked resident sleeping rooms shall be equipped with 2-way monitoring devices.

(3) All facilities with sleeping rooms above the second floor shall comply with the requirements of a secure facility, with the exception of R 400.4522(c).

(4) A facility shall not use a basement as a sleeping room.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4512 Combustible materials, decorations, furnishings, and bedding.**

Rule 512. (1) A resident-occupied facility shall be kept free of all accumulation of combustible materials unnecessary for the immediate operation of the institution, unless materials are within an approved storage room.

(2) Easily ignited or rapidly burning combustible decorations are not permitted in a facility. Personal artwork and personal decorations made or owned by residents are permitted up to 20% of wall space in each room or use areas other than means of egress and hazardous areas if they have been treated with fire retardant materials approved by Underwriter's Laboratory.

(3) Newly introduced upholstered furniture shall be tested in accordance and comply with the provisions of NFPA-261 unless located in an area having approved automatic sprinkler protection.

(4) Newly introduced mattresses shall be tested in accordance with ASTM E 1590 unless located in an area having approved automatic sprinkler protection.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4513 Rescinded.**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4515 Electrical installations.**

Rule 515. (1) In a newly constructed, converted, or remodeled facility, the electrical wiring and equipment shall be installed in accordance with the provisions of the national fire protection association standard No. 70, entitled "National Electrical Code," 2014. A final electrical certificate of approval for the electrical installation shall be obtained from a qualified local electrical inspecting authority or state electrical inspecting authority.

(2) In an existing facility, electrical wiring and equipment acceptable at the time these rules take effect shall continue to be approved until the facility or portion thereof is remodeled or converted. When an existing facility or portion thereof is remodeled or converted, only that portion remodeled or converted need comply with subrule (1) of this rule. Electrical services shall be maintained in a safe condition. When conditions indicate a need for inspection, the electrical services shall be inspected by a licensed electrical inspection service. A copy of the inspection report shall be maintained at the facility for review. Any areas cited in the report shall be corrected and a new electrical system inspection shall be obtained verifying that corrections have been made.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4517 Facility construction.**

Rule 517. (1) A new, substantially remodeled or converted large or secure facility shall be 1 of the following types of construction as specified in the national fire protection association standard No. 220, entitled "Standard on Types of Building Construction, 2015:"

(a) Type I 442 or 332 or type II 222.

(b) Type II 111, type III 211, type IV 2HH.

(c) Type II 000, type III 200, or type V 000 up to 2 stories.

(2) New, converted, and substantially remodeled small facilities shall be at least frame construction and shall be fire-stopped at all wall and floor junctures and all wall and ceiling junctures with not less than 2-inch nominal lumber.

(3) Construction in existing licensed facilities that was approved before these rules take effect and which meets the construction requirements of the fire safety guidelines these rules supersede shall continue to be approved until the facility is substantially remodeled or converted. When an existing facility is substantially remodeled or added to, only the portion of the facility being substantially remodeled or added need comply with subrule (1) or (2) of this rule and R 400.4522, as appropriate.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4520 Interior finish.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 520. (1) The following alphabetical classification of finished materials for flame spread and smoke development, as determined by the tunnel test in accordance with the national fire protection association, standard No. 255, 2006; American society of testing materials E-84-07, 2014, or underwriters laboratories standard No. 723, 2008, shall be used to determine interior finishes:

Class	Flame Spread	Smoke Developed
A	0 - 25	0 - 450
B	26 - 75	51 - 450
C	76 - 200	126 - 450

The same alphabetical classification is also used for combustibility of prefabricated acoustical tile units, only under federal test number SS-5-118a.

(2) Interior finish includes the plaster, wood, or other interior finish materials of walls; partitions, fixed or movable; ceiling; and other exposed interior surfaces of the facility, other than nominal wood trim.

(3) The classification of interior finish materials as to their flame spread and smoke development shall be that of the basic material used, without regard to subsequently applied paint or other coverings, except where such paint or other covering is of such a character or thickness where applied so as to affect the material classification. Finishes such as lacquer, polyurethane-based materials, or unapproved wall coverings shall not be used.

(4) In a new constructed, remodeled, or converted facility, an interior finish classification shall be that of the basic material used, without regard to subsequently applied paint or other covering in an attempt to meet the classification.

(5) Interior finish materials in facilities shall be as follows:

(a) In small and large open facilities without a sprinkler system, class A or B in exit ways and class A in seclusion rooms. In all other areas, at least class C.

(b) In open facilities with a sprinkler system, at least class C throughout, except in a seclusion room.

(c) In secure facilities, class A throughout regardless of automatic sprinkler protection.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4522 Fire protection.**

Rule 522. Fire protection shall be provided in all facilities as follows:

(a) In an existing licensed small facility, an attendant who is awake, fully dressed, and on duty 24 hours a day; complete sprinkler protection; or compliance with R 400.4523.

(b) In an existing licensed large facility, an attendant who is awake, fully dressed, and on duty 24 hours a day; complete sprinkler protection; or compliance with R 400.4524.

(c) In a secure facility, an attendant who is awake, fully dressed, and on duty 24 hours a day.

(d) In newly constructed facilities, conversions and additions shall be provided with automatic sprinkler protection in accordance with national fire protection pamphlet 13.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4523 Fire detection; small facilities.**

Rule 523. (1) An existing licensed small facility electing to provide fire protection by fire detection shall be protected throughout by approved fire detection provided by at least battery-operated ionization fire detection devices installed in every sleeping room and all areas, except kitchen and bathrooms. The fire detection devices shall comply with all of the following requirements:

(a) Be listed and labeled by an independent, nationally recognized testing laboratory.

(b) Be installed and maintained in accordance with the manufacturer's and test specifications.

(c) Be cleaned and tested at least quarterly, with a written record maintained of the cleaning and testing.

(d) Be of a type that provides a signal when batteries are not providing sufficient power and when batteries are missing.

(2) Any battery-operated device required by subrule (1) of this rule which signals power is low or a battery is missing shall be immediately serviced and restored to full power. There shall be not less than a 10% supply of extra batteries maintained at the facility at all times for the total number of battery-operated devices in the facility.

(3) In small facilities, licensed prior to November 30, 1983, previously approved fire detection systems shall continue to be approved until the facility or portion thereof is remodeled or converted, then fire detection shall be at least as required by this rule for newly constructed, remodeled, or converted facilities in that portion of the facility remodeled or converted.

(4) Fire detection systems in existing licensed facilities shall be maintained in proper working order and shall be tested at least quarterly, with a written record maintained of the testing.

(5) All newly licensed small facilities shall be protected with a minimum 110 volt interconnected smoke detectors with battery backup.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.4524 Fire detection; large facilities.**

Rule 524. (1) An existing licensed large facility electing to provide fire protection by fire detection shall be equipped with a 100% coverage fire detection system which is tested and listed by a nationally recognized, independent testing laboratory and which is installed in compliance with the national fire protection association standard No. 72, entitled "National Fire Alarm Code", 2013 and these rules except that the installing of wiring and equipment shall comply with national fire protection association standard No. 70, entitled "National Electric Code," 2014.

(2) In an existing licensed large facility, the main power supply source for an automatic fire detection system shall be from an electric utility company and shall be on a separate circuit with an identified and locked circuit breaker. A secondary power supply shall be provided which, in the event of the main power supply failure, will maintain the system in an operative condition for 24 hours and, in the event of a fire, will sound the alarm signaling units for a 5-minute period.

(3) In an existing licensed large facility, where an automatic fire detection system is required, the detection devices shall comply with both of the following provisions:

(a) Be installed in all areas; that is, all rooms, lofts, closets, stairways, corridors, basements, attics, and like areas. Spacing of detection devices shall be as recommended by the manufacturer to provide complete coverage. Small bathrooms containing a single water closet and lavatory, small closets which are not more than 20 square feet, and similar spaces are exempted from this requirement.

(b) Be smoke detectors, except that heat detectors may be installed in attics, kitchens, bathrooms, attached garages, and heating plant rooms instead of smoke detectors. Heat detectors shall be the fixed temperature rate of rise type.

(4) In a new, remodeled, or converted large facility, an automatic fire detection system shall be an electrical, closed circuit, self-supervised system which gives a distinctive signal in a staff-occupied area when trouble occurs in the system, including loss of the main power supply and shall be in compliance with NFPA 72.

(5) In a new, remodeled, or converted large facility, complete final plans and specifications of the automatic fire detection or alarm system, where such a system is to be installed, shall be submitted to the department and approved prior to installation. The plan shall show facility floor plans and locations and types of detection devices, pull-stations, and sounding units. Newly required systems shall have a panel or annunciator located in an area regularly occupied by staff.

(6) In large facilities, licensed prior to November 30, 1983, fire detection systems shall continue to be approved until the facility is converted or a portion thereof is remodeled, then the portion of the facility remodeled or converted shall meet the appropriate requirements of this rule. Where the required new system cannot be added to the existing systems maintaining a single signaling alarm system, the total system shall be replaced and shall comply with this rule for remodeled and converted facilities.

(7) Automatic fire detection systems, fire alarm systems, and fire detection devices shall be maintained in proper working condition. When problems occur, they shall be immediately remedied. When the system is rendered inoperable, staff shall be awake and on duty until the system is again operable.

(8) Fire alarm systems shall be tested and maintained on an annual basis in accordance with NFPA 72. Smoke detector calibration shall be done as recommended. The licensee shall keep a record of fire alarm maintenance.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4527 Sprinkler systems.**

Rule 527. (1) A sprinkler system in a new or converted facility or an addition, shall comply with the 2013 national fire protection association pamphlet No. 13, entitled "Standard for the Installation of Sprinkler Systems." Where there is no adequate water from a community water system to supply a sprinkler system and where the area to be protected does not exceed 20,000 square feet, a special pressure tank supply for sprinklers, as specified in the 2013 edition of national fire protection association standard No. 22, entitled "Standard for Water Tanks for Private Fire Protection," shall be provided.

(2) All required sprinkler systems shall be inspected and tested and all other maintenance performed as specified in the 2014 national fire protection association standard No. 25 entitled "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems" at least once a year by a sprinkler contractor. The licensee shall maintain documentation of the last inspection and test.

(3) A sprinkler system in an existing facility approved before these rules take effect shall continue to be approved until the facility or portion thereof is remodeled, converted, or expanded. The system shall be maintained in accordance with the standards applicable at the time it was originally approved.

(4) When an existing facility is remodeled, converted, expanded or modified which results in the existing sprinkler system not providing adequate protection, fire protection shall be provided by extension of the current system where it is possible to extend the system and maintain its integrity or a new sprinkler system shall be installed in the affected area.

(5) The sprinkler piping for any isolated hazardous area which can be adequately protected by not more than 2 sprinklers may be connected directly to the domestic water system at a point where a minimum 1-inch supply is available. An approved

**Annual Administrative Code Supplement**  
**2015 Edition**

automatic sprinkler control valve and check valve which is locked shall be installed between the sprinklers and the connection to the domestic water supply.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4532 Fire extinguishers.**

Rule 532. (1) All required fire extinguishers shall be subjected to a maintenance check at least once a year. Each fire extinguisher shall have a tag or label attached indicating the month and year maintenance was performed and identifying the person or company performing the service, as specified by NFPA Standard 10.

(2) All required extinguishers shall be recharged after use.

(3) A minimum of 1 approved fire extinguisher shall be provided on each floor and in or immediately adjacent to kitchens, rooms housing combustion-type heating devices, and incinerators. Additional fire extinguishers may be required at the discretion of the fire safety inspector to assure that it is not necessary to travel more than 75 feet to a fire extinguisher.

(4) All fire extinguishers shall be located not less than 4 inches off the floor and the top of the extinguisher shall not be higher than 5 feet off the floor in a special cabinet or on a wall rack which is easily accessible at all times, unless programmatically contraindicated. Where programmatically contraindicated, the required extinguishers may be kept behind locked doors if both of the following conditions are met:

(a) The locations are clearly labeled "Fire Extinguisher."

(b) All staff carry keys to the doors.

(5) In new, remodeled, or converted facilities, a fire extinguisher shall be at least type 2-A-10BC.

(6) In existing small facilities, previously approved fire extinguishers other than type 2-A-10BC will continue to be approved if they are maintained in the area for which approved.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4535 Fire alarm.**

Rule 535. (1) All new and converted large and secure facilities shall have a fire alarm with fire alarm pull-stations at each exit on each floor unless otherwise permitted by the following:

(a) Manual fire alarm boxes may be locked, provided that staff is present within the area when it is occupied and all staff have keys readily available to unlock the boxes.

(b) Manual fire alarm boxes may be permitted in a secure staff location, provided that both of the following criteria are met:

(i) The staff location is attended when the building is occupied.

(ii) The staff attendant has direct supervision of the sleeping area.

(2) Fire alarm systems shall be installed and in compliance with NFPA-72.

(3) All new and converted small facilities with resident sleeping on only 1 floor shall have at least a fire alarm device. All new and converted small facilities with sleeping on more than 1 floor shall have a fire alarm system with at least 1 pull-station on each level.

(4) Fire alarm systems and devices in existing facilities shall be maintained in proper working order and shall continue to be approved until the facility is remodeled or converted.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4538 Means of egress.**

Rule 538. (1) Means of egress shall be considered the entire way and method of passage to free and safe ground outside a facility. All required means of egress shall be maintained in an unobstructed, easily traveled condition at all times.

(2) In an existing facility, each resident-occupied room shall have access to not less than 2 independent, properly separated, approved means of egress or have a doorway leading directly to the outside at grade.

(3) In existing licensed multistory secure and large facilities, at least 1 means of egress from each floor shall be direct to the outside or shall be through an enclosed stairway which is properly separated from exposure from floors below and which exits direct to the outside at grade or a previously approved escape window.

(4) In a small facility where ambulatory residents use a floor above the street level, 1 of the 2 required means of egress may be an approved escape window from each resident-occupied room which provides direct access to the ground and which has a sill height not more than 5 feet above the ground below or which provides access to an approved fire escape.

(5) In a newly constructed, remodeled, or converted facility, each resident-occupied story, including a resident-occupied basement, shall have not less than 2 independent approved means of egress separated by not less than 50% of the longest dimension of the story. All child-occupied rooms shall be situated between two approved exits unless the child-occupied room has an exit leading directly to the outside at grade. One adjacent intervening room shall be permitted between a sleeping room and an approved exit access corridor that leads to two approved exits in opposite or perpendicular directions.

**Annual Administrative Code Supplement**  
**2015 Edition**

(6) In a newly constructed, remodeled, or converted large or secure facility, additional means of egress, in addition to the minimum of 2 required from each story, are required if the maximum possible occupancy exceeds 100 residents per story. There shall be at least 1 additional means of egress for each 100 additional residents per story. Means of egress shall be of such number and so arranged that it is not necessary to travel more than 100 feet from the door of a resident-occupied room to reach the nearest approved protected exit-way from that story.

(7) An elevator shall not be approved as a required means of egress.

(8) A means of egress shall not be used for the housing of residents or storage of any kind and shall not be obstructed or hidden from view by ornamentation, curtains, or other appurtenances.

(9) Each required means of egress from floors where non-ambulatory residents are permitted shall discharge at grade or shall be equipped with a ramp which terminates at grade level. Ramps shall not exceed 1 foot of rise in 12 feet of run and shall have sturdy handrails. Once at grade, there shall be a surface sufficient to permit occupants to move a safe distance from the facility.

(10) In a small facility housing 1 or more non-ambulatory or wheelchair residents, required exit-ways forming part of a required means of egress from portions of the facility housing such residents shall be not less than 48 inches wide in a new facility and not less than 44 inches wide in a converted facility, with doors a minimum of 36 inches wide.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4540 Stairways, halls, and corridors.**

Rule 540. (1) In existing and small facilities, all stairways and other vertical openings shall be enclosed with materials equal in fire resistance to the standard partition construction of the building, if such partition construction is at least standard lath and plaster. There shall be at least 1 3/4-inch solid core wood door with self-closing and latching hardware installed so that there is effective fire and smoke separation between floors or each sleeping room on the second floor shall be equipped with at least 1 1 3/4-inch solid core wood door with latching hardware.

(2) In all new and converted large and/or secure facilities, stairways and floor-to-floor openings shall be enclosed with materials having at least the fire-resistance rating specified by the national fire protection association standard No. 220, "Standard on Types of Building Construction", 2015, for the type of construction. All other vertical openings through floors shall be fire-stopped with like materials.

(3) Where a facility has 2 or fewer levels, where both levels exit at grade, and where elevations between levels do not exceed 4 feet, the building shall be considered to be 1 story and enclosures shall not be required between levels.

(4) In all new and converted facilities, stairs shall have treads and risers of uniform width and height, with treads not less than 11 inches deep, exclusive of nosing, and risers not more than 7 inches in height.

(5) Stairs in new, remodeled, and converted facilities shall change direction by use of an intermediate landing and not by a variance in the width of treads. A sturdy and securely fastened handrail located between 34 and 38 inches, measured vertically, above the nose of the treads shall be provided.

(6) Stairs in existing facilities approved before these rules take effect shall continue to be approved until the portion of the building encompassing the stairs is remodeled.

(7) An outside stairway or fire escape used as part of an approved means of egress shall be protected against fire in the building by blank or closed walls directly under such stairway and for a distance of 6 feet in all directions. Windows may be allowed within this area if they are stationary wire glass windows.

(8) In newly constructed small facilities, halls, corridors, aisles, and stairs used as part of a means of egress shall be not less than 44 inches wide and not less than 36 inches wide in converted small facilities, except as required by R 400.4538(10).

(9) In newly constructed and converted large and secure facilities, halls, corridors, and aisles used as part of an exit way shall be not less than 5 feet wide and 90 inches high, and stairs shall be not less than 4 feet wide.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4543**

**Source:** 1983 AACCS.

**R 400.4545 Seclusion room.**

Rule 545. (1) A seclusion room shall be approved in writing for use as such by the fire inspecting authority and the licensing authority.

(2) A seclusion room shall be constructed to allow for both visual and auditory supervision of a resident in the room.

(3) A seclusion room shall have walls and ceiling made of noncombustible materials.

(4) A seclusion room may have 1 approved locking-against-egress device on the door if a staff person is immediately present and awake and is in possession of a key for the door locking device when the room is being used.

(5) The egress door in a seclusion room shall open in the direction of egress.

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4546 Partition construction.**

Rule 546. In new, remodeled, or converted large and secure facilities, rooms shall be separated from corridors used as means of egress with partition construction which extends to the floor or deck above and which affords at least a ¾-hour fire resistance rating. Doors shall be at least 1¾-inch solid wood core. Any glass in these partitions, including doors, shall be wired glass which is not more than 54 inches in any 1 lineal dimension and not more than a total of 1,296 square inches. Where glass breakage is a potential hazard, clear acrylic may be placed directly in contact with and between 2 layers of wired glass to give added strength. Glazing in compliance with national fire protection association pamphlet 257, 2007, and having the required fire resistant rating, may also be used in walls and in doors when tested in accordance with national fire protection association standard 252, 2012. This rule does not apply where the type of construction requires more restrictive separation.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4548 Large and secure facilities; lighting in means of egress.**

Rule 548. (1) In large and secure facilities, all halls, stairways, and means of egress shall be constantly lighted. Approved exit signs shall be installed over each required exit. Exit directional signs shall be provided where exit signs are not readily visible in means of egress. In new and converted large and secure facilities, emergency light packs and exit lights shall be provided along the means of egress. These devices shall include an electric charging unit that will maintain the batteries fully charged.

(2) In new and converted multistory large ~~and~~ or multistory secure facilities, there shall be a system of emergency backup capable of maintaining required lighting for not less than 24 hours in the event of power failure.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4550**

**Source:** 1983 AACS.

**R 400.4552 Heating devices and flame-producing devices.**

Rule 552. (1) In large and secure facilities and all newly constructed and converted facilities, flame-producing-type heating devices and incinerators shall be in an enclosure providing at least 1-hour resistance to fire. Adequate combustion air shall be provided directly from the outside through a permanently open louver. Fire dampers are not required in ducts penetrating this enclosure.

(2) In existing small facilities, flame-producing-type heating devices and incinerators approved under the standards these rules replace shall continue to be approved with regard to enclosure or lack of enclosure until the portion of the facility containing the flame-producing device is remodeled or the facility is converted. This shall not preclude requirements relative to maintaining doors and other safety factors in proper working order.

(3) Electric heating shall be installed in accordance with the manufacturer's specifications and shall be approved by a nationally recognized, independent testing laboratory.

(4) Portable heaters and space heaters, including solid fuel heaters, are prohibited.

(5) A fireplace is permitted if it is masonry and has all of the following components:

(a) An approved glass door shielding the opening. The door shall be closed at all times except when a fire is being tended.

(b) A noncombustible hearth extending a minimum of 16 inches out from the front and 8 inches beyond each side of the fireplace opening.

(c) A noncombustible face extending not less than 12 inches above and 8 inches on each side of the fireplace opening.

(d) A masonry chimney constructed with approved flue liners.

(e) The chimney shall be visually inspected every other month while in use and cleaned as needed, but not less than once every 12 months.

(6) A heating plant room shall not be used for combustible storage or for a maintenance shop unless the room is provided with automatic sprinkler protection. Flammable liquids or gases shall not be stored in a heating plant room.

(7) A furnace and other flame-producing unit shall be installed according to manufacturer and test specifications and shall be vented by metal ducts to a chimney which is constructed of bricks, solid block masonry, or reinforced concrete, which has an approved flue lining, and is properly erected and maintained in a safe condition. A bracket chimney is not permitted. This rule does not prohibit the installation and use of any prefabricated chimney bearing the label of an approved, nationally recognized, independent testing laboratory if the chimney is installed and used in accordance with manufacturer and test specifications and is compatible with the heating unit or units connected to it. Only gas and oil-fired units may be connected to a prefabricated chimney.

**Annual Administrative Code Supplement**  
**2015 Edition**

(8) All furnaces shall be inspected on an annual basis by a licensed inspector. A copy of the inspection must be made available to the qualified fire inspector or the department's licensing authority upon request.

(9) A carbon monoxide detector, bearing a safety certification mark of a recognized testing laboratory such as UL (Underwriters Laboratories) or ETL (Electro technical Laboratory), shall be placed on all levels approved for child care and in all furnace zones.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4554 Air-handling equipment.**

Rule 554. (1) In newly constructed or converted large or secure facilities, air-conditioning, warm air heating, air cooling, and ventilating systems shall comply with the national fire protection association standard No. 90A, entitled "Installation of Air Conditioning and Ventilating Systems," 2002.

(2) In newly constructed or converted large or secure facilities, fans and air handling equipment used for re-circulating air in more than 1 room or single area shall have an approved automatic smoke detector located in the system at a suitable point in the return air duct ahead of the fresh air intake, the actuating of which shall open the electrical circuit supplying the fan motor and when an approved fire alarm system is installed, be connected to the fire alarm system in accordance with national fire protection association standard No. 72, 2013.

(3) In existing facilities, fans and air-handling equipment and systems approved in accordance with the standards these rules replace shall continue to be approved until the facility is converted. This shall not preclude requirements relative to maintaining the equipment, including thermostatic or other detection devices, and systems, in proper and safe working order.

(4) Fan rooms shall not be designed or used for any other use except housing other mechanical equipment.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4555 Smoke barriers.**

Rule 555. (1) Smoke barriers with a 1-hour fire resistance rating shall be provided on each floor used for sleeping rooms for more than 24 residents and shall be so located as to form an area of refuge on either side that is served with an approved means of egress. The barriers shall be located as close as possible to the middle of the floor to be protected and shall extend from outside wall to outside wall and from the floor through any inter-stud spaces to the roof or floor structure above.

(2) Doors in the smoke barrier shall be at least 20-minute fire-rated door or 1 ¾ inch solid core flush door hung in labeled frames with self-closing devices. Where double doors without mullions are used, synchronizing hardware and astragals shall be installed and maintained regularly. For new construction, additions and conversions these doors shall be arranged so that each door swings in a direction opposite from the other.

(3) Doors in smoke barrier partition may be held open only by electric hold-open devices designed so that interruption of the electric current or actuation of the fire alarm, sprinkler system, or the heat or smoke detector will cause the release of the doors. The doors shall also be capable of being opened and closed manually.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4557**

**Source:** 1983 AACCS.

**R 400.4559 Combustible storage.**

Rule 559. (1) In a new, remodeled, or converted large facility, hazardous areas and rooms for storage of combustible materials, including all janitor rooms and closets, linen rooms, shipping and receiving rooms, kitchens, kitchen storage rooms, and maintenance shops shall be separated from the remainder of the building by construction having at least a 1-hour fire resistance rating with a "B" rated door with an approved hydraulic closer.

(2) In an existing facility, combustible materials storage rooms and hazardous areas, including janitor rooms and closets, shipping and receiving rooms, kitchen storage rooms, and maintenance shops approved before these rules take effect, shall continue to be approved until the facility or portion thereof is remodeled or converted. All features of fire protection, including fire detection, automatic sprinkler protection, and required fire separations, shall be properly maintained.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4560 Cooking appliances.**

Rule 560. (1) Cooking appliances shall be suitably installed in accordance with approved safety practices.

(2) Where metal hoods or canopies are provided over domestic cooking appliances, they shall be equipped with filters which shall be maintained in an efficient and clean condition.

(3) In a newly constructed, remodeled, or converted large and secure facility, where metal hoods or canopies are provided over commercial kitchen cooking appliances, they shall be designed and equipped in compliance with the national fire

**Annual Administrative Code Supplement**  
**2015 Edition**

protection association standard No. 96, entitled "Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations," 2014, and shall comply with all of the following requirements:

- (a) Filters shall be maintained in an efficient and clean condition.
- (b) Only vapor proof electrical wiring and equipment shall be permitted in hoods or canopies.
- (c) Exhaust ducts from hoods shall be run to the outside by the shortest possible route. When exhaust ducts are run through open spaces between a ceiling and a floor or roof or through any floors above, the ducts shall be enclosed in horizontal or vertical shafts protected from the remainder of the building by construction which affords a 2-hour fire resistance rating.
- (d) Fire extinguishment equipment for the hood and exhaust duct of a cooking appliance in a kitchen shall be in compliance with the national fire protection association standard No. 96, entitled "Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations,".
- (4) In an existing facility, metal hoods and canopies approved before these rules take effect shall continue to be approved until the facility or portion thereof which incorporates the kitchen is remodeled or converted. When the kitchen is remodeled or the facility is converted, hoods, canopies, and kitchen hood suppression systems for cooking appliances shall comply with the requirements of this rule for new construction. Filters in any hood or canopy in an existing facility shall be maintained in an efficient and clean condition.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4562 Rubbish handling and incinerators.**

Rule 562. (1) In a newly constructed, remodeled, or converted large or secure facility, rubbish handling and incinerators shall be in accordance with the national fire protection association standard No. 82, entitled "Standard on Incinerators and Waste and Linen Handling Systems and Equipment", 2014 Rubbish chutes and refuse bins or rooms shall comply with the provision of this pamphlet for industrial-type incinerators. Approved 2-bushel or less gas incinerators may be placed in an approved furnace room and shall be equipped with approved automatic 100% shutoff controls, including a safety pilot. Feed doors shall be located in an enclosed room that is provided with automatic sprinkler protection or compartment separated from other parts of the building by walls, floor, and a ceiling having a fire-resistance rating of not less than 1 hour with openings to such rooms or compartments protected by approved B-labeled fire door assembly and fire door frames.

(2) In a newly constructed, remodeled, or converted large and/or secure facility, rubbish chutes shall extend not less than 4 feet above the roof and shall be covered by a metal skylight glazed with thin pane glass. A sprinkler head shall be installed at the top of rubbish chutes and within the chutes at alternate floor levels in buildings more than 2 stories in height. A rubbish chute shall empty into a separate room, closet, or bin constructed of materials having at least a 1-hour resistance to fire and protected with an automatic sprinkler system.

(3) In new construction, incinerator rooms shall have at least 1 wall on an outside wall not exposing a closed court.

(4) In an existing large or secure facility, rubbish handling and incinerators approved before these rules take effect shall continue to be approved until the facility is converted or the portion of the facility which includes the rubbish handling facilities or incinerators is remodeled.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4563 Laundries.**

Rule 563. (1) In a newly constructed, remodeled, or converted large or secure facility with a laundry, the laundry shall comply with all of the following requirements:

- (a) Be located in a room constructed of materials that have a 1-hour fire resistance rating.
- (b) Have steam lines installed with a 1-inch clearance from combustibles.
- (c) Have dryer vents constructed of rigid metal vented directly to the exterior or through the roof. Lint traps shall be cleaned each time the dryer is used.
- (d) Have 100% automatic and manual shutoff controls for gas appliances other than domestic laundry equipment, which need only have manual shutoff controls.
- (e) Have adequate outside air for combustion where combustion-type equipment is used.

(2) In a newly constructed, remodeled, or converted facility, laundry chutes shall be in compliance with all of the following requirements:

- (a) Be enclosed in shafts constructed of an assemblage of noncombustible materials having at least a 1-hour resistance to fire. If the shaft does not extend through the roof of the building, the top shall be covered with noncombustible material affording at least a 1-hour resistance to fire. There shall be no openings into the shaft other than those necessary to the intended use of the laundry chute. Feed doors shall be located in an enclosed room that is provided with automatic sprinkler protection or compartment separated from other parts of the building by walls, a floor, and a ceiling having a fire-resistance rating of not less than 1 hour with openings to such rooms or compartments protected by B-labeled fire doors and in labeled frames with self-closing, positive latching hardware.

**Annual Administrative Code Supplement**  
**2015 Edition**

(b) Have a sprinkler head installed at the top of the chutes and within the laundry chutes at alternate floor levels in buildings over 2 stores in heights.

(c) Empty into a separate room, closet, or bin constructed of materials having at least a 1-hour resistance to fire and protected by automatic sprinklers.

(d) Have an open vent at the top where the shaft extends through the roof of the building, a skylight which is glazed with ordinary glass and which is not less than 10% of the shaft area, or a window of ordinary glass which is not less than 10% of the shaft area and which is set into the side of the shaft with the sill of the window not less than 2 feet above the roof level and 10 feet from any property line or other exposure it faces.

(3) In an existing facility, laundry facilities and laundry chutes approved before these rules take effect shall continue to be approved until the facility is converted or the portion of the facility which includes the laundry facility or chute is remodeled.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4564**

Source: 1983 AACCS.

**R 400.4566 Garages.**

Rule 566. (1) Garages located beneath, or attached to, a facility shall have walls, partitions, floors, and ceilings separating the garage space from the rest of the facility by construction with not less than a 1-hour fire resistance rating.

(2) In existing facilities, garages located beneath or attached to the facility approved before November 30, 1983 shall continue to be approved until the facility is converted or the portion of the facility containing the garage is remodeled.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4568 Assemblage area.**

Rule 568. A resident use assemblage area in a newly constructed, remodeled, or converted facility, such as a recreation room, dining hall, or chapel, with an occupancy of 51 or more persons, as computed by the public assemblage regulations, shall be maintained and arranged in accordance with national life safety code standard 101, 2015, governing places of public assemblage. These rules may be obtained from the department. Each door from an assemblage area occupied by residents shall enter a corridor between exits or there shall be direct egress to the outside from each room. In an existing facility, assemblage areas approved before these rules take effect shall continue to be approved until the areas are remodeled or converted.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**PART 6. FIRE SAFETY FOR RESIDENTIAL GROUP HOME FACILITIES**

**R 400.4601 Applicability.**

Rule 601. The rules in this part apply to residential group homes.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4602 Definitions.**

Rule 602. As used in this part:

(a) "Approved" means acceptable to the department and fire inspecting authority and in accordance with these rules. The department shall make the final approval based on recommendations from the fire inspecting authority.

(b) "Basement" means a story of a building or structure having ½ or more of its clear height below average grade for at least 50% of the perimeter of the story.

(c) "Combustible" means that any part of a material can ignite and burn when subjected to fire or excessive heat.

(d) "Conversion" or "converted" means a change, after the effective date of these rules, in the use of a facility or portion thereof from some previous use to that of a licensed or approved institution, or an increase in capacity from a residential group home facility to a small facility or a large facility or a change in a secure facility. A converted facility shall comply with these rules for fire safety for converted facilities.

(e) "Existing facility" means a building, accessory buildings and surrounding grounds which are licensed or approved by the department as an open institution for 6 or fewer residents at the time these rules take effect and which is not unoccupied or unlicensed for more than 90 consecutive days thereafter. Where an increase in capacity or change in use affects fire safety requirements, the facility shall comply with all applicable requirements prior to the increase or change in use.

(f) "Facility" means a building and surrounding grounds and recreational areas owned, leased, or primarily rented by a child care organization for use as a residential group home facility to house and sleep residents. "Facility" includes new, remodeled, converted, and existing facilities. Any portion of a facility not used by residents and not used as a required means

**Annual Administrative Code Supplement**  
**2015 Edition**

of egress and which is separated from the rest of the facility by an approved fire barrier, and buildings used by the residents strictly for up and awake activities do not need to meet these rules for fire safety. However, the right of the fire inspecting authority to inspect a nonuse area for hazardous use, or any building on the grounds that is used by the residents strictly for up and awake activities, is retained and directives relative to fire safety of such area or building may be issued to assure the fire safety of the those use areas.

(g) "Fire alarm device" means an approved device capable of sounding an alarm. A fire alarm shall be specifically designated as such and shall not be used for any purpose other than sounding an alarm of fire or other emergency or for fire drills. The device shall be loud enough to be heard throughout the facility under normal conditions. A device may be a bell, a horn, a whistle, or any other device acceptable to the fire inspecting authority.

(h) "Fire resistance rating" means the time in hours or fractions thereof that materials or their assemblies will resist fire exposure as determined by fire tests established and conducted by approved testing laboratories.

(i) "Means of egress or exit" means an unobstructed way of departure from any point in a building to safe open air outside at grade.

(j) "Newly constructed," "new construction," or "new facility" means a structure or addition to a facility after the effective date of these rules.

(k) "Non-ambulatory" means a resident, including a resident confined to a wheelchair, who is physically or mentally incapable of traversing a path to safety without the aid of another person. A path to safety includes the ascent and descent of any stairs or other approved means of egress from the building.

(l) "Remodeled" means changes in a facility that modify existing conditions and includes renovation. Remodeled and affected areas of an institution shall conform to these rules for fire safety for remodeled and converted facilities. Unaffected areas of a facility are not required to conform to the required provisions for remodeled and converted facilities.

(m) "Residential group home facility" means a building used to house not more than 6 residents and is not a secure facility.

(n) "Second story" means the story of a building above the highest story that has a means of egress that is not more than 4 feet to grade.

(o) "Street floor" means the lowest story of a facility that is not a basement.

(p) "Story" means that part of a building between a floor and the floor or roof next above.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4604 Adoption by reference.**

Rule 604. The department adopts the fire safety codes and standards in this rule. These codes and standards are available for inspection and distribution to the public at cost at the Department of Human Services, 201 N. Washington Square, P.O. Box 30650, Lansing, Michigan 48909. Copies of the codes and standards may also be obtained from the appropriate agency, organization, or association listed below. The costs indicated are those in effect at the time these rules are promulgated. The codes and standards adopted are as follows:

(a) Standard No. 10, "Standard for Portable Fire Extinguishers". 2013 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9109, \$46.50.

(b) Standard No. 13D, "Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes", 2007 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9109, \$33.50.

(c) Standard No. 25, "Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection systems", 2014 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9109, \$54.50.

(d) Standard No. 70, "National Electric Code," 2014, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$89.50.

(e) Standard No. 72, "National Fire Alarm Code", 2013 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$80.10.

(f) Standard No. 80, "Standard for Fire Doors and Other Opening Protectives", 2013, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$46.50.

(g) Standard No. 261, "Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes", 2013 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$36.50.

(h) Standard No. 255, "Standard Method of Test of Surface Burning Characteristics of Building Materials", 2006, National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$36.50.

(i) Standard No. 701, "Standard Methods of Fire Tests for Flame Propagation of Textiles and Films", 2010 National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, \$36.50.

(j) Standard E-1590 2002, "Standard Method for Fire Testing of Mattresses" American Society for Testing and Materials, 100 Bar Harbor Dr., West Conshohocken, PA, 19428-2959.

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4605 Plan review.**

Rule 605. (1) Plans and specifications shall be submitted to the bureau of fire services for review and approval prior to any remodeling in a residential group home or the construction or conversion of a residential group home.

(2) The plans shall comply with all of the following provisions:

(a) Show layout, room arrangements, construction materials to be used, and the location size, and type of fixed equipment.

(b) For additions, show those portions, including existing exits, types of construction, and room occupancies, which may be affected by the addition.

(3) The plans shall be approved in writing by the bureau of fire services before construction begins.

(4) The plans for residential group homes for not more than 6 residents do not require the seal of a registered architect or engineer.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4606**

**Source:** 1983 AACS.

**R 400.4608**

**Source:** 1983 AACS.

**R 400.4612 Combustible materials, decorations, furnishings, and bedding.**

Rule 612. (1) A residential group home facility shall be kept free of all accumulation of combustible materials other than those necessary for the daily operation of the residential group home.

(2) Easily ignited or rapidly burning combustible decorations are not permitted in a facility. Personal artwork and personal decorations made or owned by residents are permitted up to 6 square feet of wall space in each room or area other than means of egress or hazardous areas.

(3) Newly introduced upholstered furniture shall be tested in accordance with and comply with NFPA-261 unless located in an area having automatic sprinkler protection.

(4) Newly introduced mattresses shall be tested in accordance with ASTM E 1590 unless located in an area having automatic sprinkler protection.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4613**

**Source:** 1983 AACS.

**R 400.4615**

**Source:** 1983 AACS.

**R 400.4617**

**Source:** 1983 AACS.

**R 400.4618 Locked seclusion room; prohibition.**

Rule 618. A locked seclusion room is not permitted in a residential group home facility.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4620 Interior finish.**

Rule 620. (1) The following alphabetical classification of finished materials for flame spread and smoke development, as determined by the tunnel test in accordance with the national fire protection association, standard No. 255, 2006; American society of testing materials E-84-77A, 2014; or Underwriters Laboratories standard No. 723, 2008, shall be used to determine interior finishes:

Class	Flame Spread	Smoke Developed
A	0 - 25	0 - 450
B	26 - 75	51 - 450
C	76 - 200	126 - 450

The same alphabetical classification is used for combustibility of prefabricated acoustical tile units, only under federal specifications test No. SS-5-118a.

**Annual Administrative Code Supplement**  
**2015 Edition**

(2) The classification of interior finish materials as to their flame spread and smoke development shall be that of the basic material used, without regard to subsequently applied paint or other coverings, except where such paint or other covering is of such a character or thickness where applied to affect the material classification. Finishes such as lacquer, polyurethane-based materials, or unapproved wall coverings shall not be used.

(3) In a newly constructed, remodeled, or converted residential group home, an interior finish classification shall be that of the basic material used, without regard to subsequently applied paint or other covering in an attempt to meet the classification.

(4) Interior finishes and materials shall be at least class C throughout.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4621 Automatic sprinkler protection.**

Rule 621. All newly constructed residential group homes shall be provided with automatic sprinkler protection in accordance with the requirements of NFPA-13D. Sprinkler systems shall be inspected, tested, and maintained in accordance with NFPA 25.

History: 2015 MR 9, Eff. June 8, 2015.

**R 400.4623 Smoke detection equipment.**

Rule 623. (1) Newly constructed or licensed residential group homes shall be protected by interconnected smoke detectors in accordance with NFPA 72.

(2) A residential group home facility shall be protected by at least battery-operated smoke detection devices installed in all of the following areas:

(a) Between sleeping areas and the other areas of the facility.

(b) At the top of all interior stairways.

(c) In the immediate vicinity of combustion-type heating and incinerating devices, where such devices are not in an enclosure providing at least 1-hour resistance to fire. Where such devices are in enclosures which provide at least 1-hour resistance to fire, a fire detection device shall be immediately outside of the enclosure.

(d) At least 1 on every floor.

(3) Fire detection devices shall comply with all of the following requirements:

(a) Be listed or labeled by an independent, nationally recognized testing laboratory.

(b) Be installed and maintained in accordance with the manufacturer's and test specifications.

(c) Be cleaned and tested at least quarterly.

(d) Have the batteries replaced at least annually.

(e) Be of a type that provides a signal when batteries are not providing sufficient power and where batteries are missing.

(4) Any device required by this rule which signals that power is low or a battery is missing shall be immediately serviced and restored to full power.

(5) A written record shall be maintained in the facility of quarterly cleanings and testing of devices and of annual battery replacements.

(6) Fire detection systems in an existing residential group home facility, approved before November 30, 1983 shall continue to be approved. All fire detection systems in residential group homes shall be maintained in proper working order.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4632 Fire extinguishers.**

Rule 632. (1) All required fire extinguishers shall be subjected to a maintenance check at least once a year. Each fire extinguisher shall have a tag or label attached indicating the month and year maintenance was performed and identifying the person or company performing the service.

(2) All required extinguishers shall be recharged after use.

(3) A minimum of 1 approved fire extinguisher shall be provided on each floor.

(4) All fire extinguishers shall be at least 4 inches off the floor and the top of the extinguisher shall be less than 5 feet off the floor in a special cabinet or on a wall rack which is easily accessible at all times, unless programmatically contraindicated. Where programmatically contraindicated, the required extinguishers may be kept behind locked doors if all staff carry keys to the doors.

(5) In new, remodeled, or converted facilities, a fire extinguisher shall be at least a type 2-A-10BC.

(6) In existing facilities licensed prior to November 30, 1983, previously approved fire extinguishers other than a 2-A-10BC type will continue to be approved if they are maintained in the area for which they are approved.

History: 1983 AACCS; 2015 MR 9, Eff. June 8, 2015.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.4635 Fire alarm systems.**

Rule 635. A residential group home facility shall be equipped with a fire alarm device. The device shall be used only to sound an alarm of fire, for practice fire drills, and other emergencies requiring evacuation of the facility.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4638 Means of egress.**

Rule 638. (1) Means of egress shall be considered the entire way and method of passage to free and safe ground outside a facility. All required means of egress shall be maintained in unobstructed, easily traveled condition at all times.

(2) There shall be not less than 2 means of egress from the street floor story. At least 1 of the 2 means of egress shall be through a side-hinged door. The door shall be a minimum of 30 inches wide, except as provided in R 400.4639. The second means of egress may be a sliding glass door.

(3) A second story shall only be used by ambulatory residents and shall comply with 1 of the following requirements:

(a) Two open stairways separated by not less than 50% of the longest dimension of the story.

(b) One open interior stairway and 1 exterior stairway or fire escape separated by not less than 50% of the longest dimension of the story. An exterior stairway or fire escape does not require protection from fire in the building. An exterior stairway or fire escape shall be constructed of not less than 2-inch nominal lumber and be in good repair.

(c) One interior stairway and all floors separated by materials which afford at least a 3/4-hour fire resistance rating. The doors separating floors shall be at least 1 3/4-inch solid wood core and shall be equipped with positive latching hardware and approved self-closing devices. Each sleeping room on the second story shall have a window of not less than 5 square feet with no dimension less than 22 inches to allow for emergency rescue.

(4) A basement used by residents requires 1 means of egress which may be a stairway. The stairway may be an open stairway, except as required by subrule (3)(c) of this rule.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4639**

**Source:** 1983 AACS.

**R 400.4640 Stairs.**

Rule 640. (1) In new and converted facilities, stairs shall have treads of uniform width and risers of uniform heights. In converted facilities, treads shall be not less than 9 1/2 inches deep, exclusive of nosing, and risers shall be not more than 7 3/4 inches in height. In newly constructed facilities, treads shall be not less than 11 inches deep, exclusive of nosing, and risers shall be not more than 7 inches in height.

(2) Stairs in an existing facility approved before these rules take effect shall continue to be approved until the portion of the building encompassing the stairs is remodeled.

History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4643**

**Source:** 1983 AACS.

**R 400.4652 Heating devices and flame-producing devices.**

Rule 652. (1) Flame-producing-type heating devices and incinerator devices on any story used by residents shall be in an enclosure that provides at least 1-hour resistance to fire. Any interior door to the enclosure shall be of at least a B-labeled fire door in a labeled frame equipped with latching hardware and a self-closing device. Adequate combustion air shall be provided to the enclosure directly from the outside through a permanently opened louver or continuous ducts. Fire dampers are not required in ducts penetrating this enclosure.

(2) Where flame-producing-type heating devices or incinerator devices are located on a story not used by residents, there shall be a separation between the story or stories containing such devices and resident-used stories such that at least a 3/4-hour resistance to fire is provided. Any interior stairway to such a nonresident-used story shall have at least a 1 3/4 inch solid wood core door which is equipped with latching hardware and a self-closing device separating the non-resident-used story from resident-used stories.

(3) Electric heating shall be installed in accordance with the manufacturer's specifications and shall be of a type approved by a nationally recognized, independent testing laboratory.

(4) Portable heaters and space heaters, including solid fuel heaters, are prohibited.

(5) A fireplace is permitted if it is masonry and has all of the following components:

(a) An approved glass door shielding the opening. The door shall be closed at all times except when a fire is being tended.

(b) A noncombustible hearth extending a minimum of 16 inches out from the front and 8 inches beyond each side of the fireplace opening.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (c) A noncombustible face extending not less than 12 inches above and 8 inches on each side of the fireplace opening.
- (d) A masonry chimney constructed with approved flue liners.
- (e) The chimney shall be visually inspected every other month while in use and cleaned as needed, but at least once every 12 months.
- (6) A heating plant room shall not be used for combustible storage or for a maintenance shop unless the room is provided with automatic sprinkler protection.
- (7) A furnace and other flame-producing unit shall be installed according to manufacturer and test specifications and shall be vented by metal ducts to a chimney which is constructed of bricks, solid block masonry, or reinforced concrete which has an approved flue lining and is properly erected and maintained in safe condition. A bracket chimney is not permitted. This rule does not prohibit the installation and use of any prefabricated chimney bearing the label of an approved, nationally recognized, independent testing laboratory if it is installed in accordance with manufacturer and test specifications and is compatible with the heating unit or units connected to it. Only gas and oil-fired units may be connected to a prefabricated chimney.
- (8) All furnaces shall be inspected on an annual basis by a licensed inspector. A copy of the inspection must be made available to the qualified fire inspector or the department's licensing authority upon request.  
History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4657 Storage rooms.**

Rule 657. Storage rooms larger than 100 square feet used for the storage of combustible materials shall be separated from the remainder of the facility by construction with at least a 1-hour fire resistance rating and interior door openings protected with minimum B-labeled fire door and frame assemblies that has approved self-closing, latching hardware.  
History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**R 400.4660**

Source: 1983 AACS.

**R 400.4666 Garages.**

Rule 666. (1) Garages located beneath a residential group home facility shall have walls, partitions, floors, and ceilings separating the garage from the rest of the facility by construction with not less than a 1-hour fire resistance rating with connecting door openings protected with B-labeled fire door and frame assemblies.  
(2) Garages attached to a facility shall be separated from the rest of the facility by construction with not less than a 1-hour fire resistance rating with connecting door openings protected with B-labeled fire door and frame assemblies that has approved self-closing, latching hardware.  
History: 1983 AACS; 2015 MR 9, Eff. June 8, 2015.

**FAMILY SERVICES ADMINISTRATION**  
**CHILD DAY-CARE PROGRAM**

**R 400.5001**

Source: 2011 AACS.

**R 400.5002**

Source: 2011 AACS.

**R 400.5003**

Source: 2011 AACS.

**R 400.5004**

Source: 2011 AACS.

**R 400.5005**

Source: 2011 AACS.

**R 400.5006**

Source: 2011 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

- R 400.5007**  
Source: 2011 AACS.
- R 400.5008**  
Source: 2011 AACS.
- R 400.5009**  
Source: 2011 AACS.
- R 400.5010**  
Source: 2011 AACS.
- R 400.5011**  
Source: 2011 AACS.
- R 400.5012**  
Source: 2011 AACS.
- R 400.5013**  
Source: 2011 AACS.
- R 400.5014**  
Source: 2011 AACS.
- R 400.5015**  
Source: 2011 AACS.
- R 400.5016**  
Source: 2011 AACS.
- R 400.5017**  
Source: 2011 AACS.
- R 400.5018**  
Source: 2011 AACS.
- R 400.5019**  
Source: 2011 AACS.
- R 400.5020**  
Source: 2011 AACS.

**DIVISION OF CHILD CARE CENTER LICENSING**  
**CHILD CARE CENTERS**

**PART 1. GENERAL PROVISIONS, INCLUDING PROVISIONS FOR CARE**  
**OF CHILDREN 2 1/2 YEARS TO 5 YEARS OF AGE**

- R 400.5101**  
Source: 2013 AACS.
- R 400.5102**  
Source: 2013 AACS.
- R 400.5102a**  
Source: 2013 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.5103**  
Source: 2013 AACS.

**R 400.5103a**  
Source: 2013 AACS.

**R 400.5104**  
Source: 2013 AACS.

**R 400.5104a**  
Source: 2013 AACS.

**R 400.5104b**  
Source: 2013 AACS.

**R 400.5105**  
Source: 2013 AACS.

**R 400.5105a**  
Source: 2006 AACS.

**R 400.5105b**  
Source: 2006 AACS.

**R 400.5106**  
Source: 2013 AACS.

**R 400.5107**  
Source: 2013 AACS.

**R 400.5108**  
Source: 2013 AACS.

**R 400.5109**  
Source: 2013 AACS.

**R 400.5109a**  
Source: 2013 AACS.

**R 400.5110**  
Source: 2013 AACS.

**R 400.5111**  
Source: 2013 AACS.

**R 400.5111a**  
Source: 2013 AACS.

**R 400.5111b**  
Source: 2013 AACS.

**R 400.5112**  
Source: 2006 AACS.

**R 400.5113**  
Source: 2006 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.5113a**  
Source: 2013 AACS.

**R 400.5113b**  
Source: 2013 AACS.

**R 400.5113c**  
Source: 2013 AACS.

**R 400.5114**  
Source: 2013 AACS.

**R 400.5115**  
Source: 2013 AACS.

**R 400.5116**  
Source: 2013 AACS.

**R 400.5117**  
Source: 2013 AACS.

**R 400.5118**  
Source: 2013 AACS.

**PART 2. INFANTS/YOUNG TODDLER/OLDER TODDLER**

**R 400.5201**  
Source: 2006 AACS.

**R 400.5201a**  
Source: 2013 AACS.

**R 400.5201b**  
Source: 2013 AACS.

**R 400.5202a**  
Source: 2013 AACS.

**R 400.5204**  
Source: 2013 AACS.

**R 400.5204a**  
Source: 2013 AACS.

**R 400.5205**  
Source: 2013 AACS.

**R 400.5205a**  
Source: 2013 AACS.

**R 400.5205b**  
Source: 2013 AACS.

**R 400.5206**

**Annual Administrative Code Supplement**  
2015 Edition

**Source:** 2013 AACS.

**R 400.5207**

**Source:** 2006 AACS.

**R 400.5209**

**Source:** 2013 AACS.

**PART 3. SCHOOL AGE**

**R 400.5301**

**Source:** 2013 AACS.

**R 400.5302**

**Source:** 2013 AACS.

**R 400.5303**

**Source:** 2013 AACS.

**R 400.5303a**

**Source:** 2013 AACS.

**R 400.5305**

**Source:** 2013 AACS.

**R 400.5306**

**Source:** 2013 AACS.

**R 400.5307**

**Source:** 2013 AACS.

**PART 4. ADDITIONAL PROVISIONS FOR DROP-IN CENTERS**

**R 400.5401**

**Source:** 2006 AACS.

**R 400.5402**

**Source:** 2006 AACS.

**R 400.5403**

**Source:** 2006 AACS.

**R 400.5404**

**Source:** 2006 AACS.

**R 400.5405**

**Source:** 2006 AACS.

**PART 5. ADDITIONAL PROVISIONS FOR SPECIFIC PROGRAM COMPONENTS**

**R 400.5501**

**Source:** 2013 AACS.

**R 400.5502**

**Source:** 2013 AACS.

**R 400.5502a**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2013 AACS.

**R 400.5502b**

Source: 2013 AACS.

**R 400.5502c**

Source: 2013 AACS.

**R 400.5503**

Source: 2006 AACS.

**PART 6. TRANSPORTATION PROVISIONS**

**R 400.5601**

Source: 2013 AACS.

**R 400.5602**

Source: 2013 AACS.

**R 400.5603**

Source: 2013 AACS.

**R 400.5604**

Source: 2013 AACS.

**R 400.5605**

Source: 2013 AACS.

**R 400.5606**

Source: 2013 AACS.

**R 400.5607**

Source: 2013 AACS.

**R 400.5608**

Source: 1997 AACS.

**R 400.5610**

Source: 2013 AACS.

**R 400.5611**

Source: 2013 AACS.

**R 400.5612**

Source: 2006 AACS.

**R 400.5613**

Source: 2013 AACS.

**R 400.5614**

Source: 2006 AACS.

**R 400.5615**

Source: 2013 AACS.

**PART 7. FIELD TRIP TRANSPORTATION PROVISIONS**

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.5701**  
Source: 2006 AACS.

**R 400.5702**  
Source: 2006 AACS.

**R 400.5703**  
Source: 2006 AACS.

**R 400.5704**  
Source: 2006 AACS.

**R 400.5705**  
Source: 2006 AACS.

**R 400.5706**  
Source: 2006 AACS.

**R 400.5709**  
Source: 2006 AACS.

**R 400.5710**  
Source: 2006 AACS.

**R 400.5711**  
Source: 2006 AACS.

**R 400.5712**  
Source: 2006 AACS.

**PART 8. FIRE SAFETY**

**R 400.5801**  
Source: 2013 AACS.

**R 400.5805**  
Source: 2013 AACS.

**R 400.5810**  
Source: 2013 AACS.

**R 400.5815**  
Source: 2013 AACS.

**R 400.5820**  
Source: 2013 AACS.

**R 400.5825**  
Source: 2013 AACS.

**R 400.5835**  
Source: 2013 AACS.

**R 400.5840**  
Source: 2013 AACS.

**R 400.5841**  
Source: 2013 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.5845**  
Source: 2013 AACS.

**R 400.5850**  
Source: 2013 AACS.

**R 400.5856**  
Source: 2013 AACS.

**R 400.5865**  
Source: 2013 AACS.

**R 400.5870**  
Source: 2013 AACS.

**PART 9. SANITATION PROVISIONS**

**R 400.5900a**  
Source: 2013 AACS.

**R 400.5901**  
Source: 2013 AACS.

**R 400.5902**  
Source: 2013 AACS.

**R 400.5902a**  
Source: 2013 AACS.

**R 400.5902b**  
Source: 2013 AACS.

**R 400.5902c**  
Source: 2013 AACS.

**R 400.5902d**  
Source: 2013 AACS.

**R 400.5903**  
Source: 2013 AACS.

**R 400.5905**  
Source: 2013 AACS.

**R 400.5910**  
Source: 2013 AACS.

**R 400.5915**  
Source: 2013 AACS.

**R 400.5920**  
Source: 2013 AACS.

**R 400.5925**  
Source: 2013 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.5930**  
Source: 2013 AACS.

**R 400.5935**  
Source: 2013 AACS.

**R 400.5940**  
Source: 2013 AACS.

**DIVISION OF CHILD WELFARE LICENSING**  
**CHILD PLACING AGENCIES**

**PART 1. GENERAL PROVISIONS**

**R 400.6101**  
Source: 1998-2000 AACS.

**R 400.6102**  
Source: 1998-2000 AACS.

**R 400.6108**  
Source: 1998-2000 AACS.

**R 400.6110**  
Source: 1998-2000 AACS.

**R 400.6112**  
Source: 1998-2000 AACS.

**R 400.6114**  
Source: 1998-2000 AACS.

**R 400.6117**  
Source: 1998-2000 AACS.

**R 400.6119**  
Source: 1998-2000 AACS.

**R 400.6122**  
Source: 1998-2000 AACS.

**R 400.6123**  
Source: 1998-2000 AACS.

**R 400.6124**  
Source: 1998-2000 AACS.

**R 400.6126**  
Source: 1998-2000 AACS.

**R 400.6128**  
Source: 1998-2000 AACS.

**R 400.6129**  
Source: 1998-2000 AACS.

**R 400.6131**

**Annual Administrative Code Supplement**  
**2015 Edition**

Source: 1998-2000 AACS.

**R 400.6132**

Source: 1998-2000 AACS.

**R 400.6133**

Source: 1998-2000 AACS.

**R 400.6135**

Source: 1998-2000 AACS.

**R 400.6136**

Source: 1998-2000 AACS.

**R 400.6137**

Source: 1998-2000 AACS.

**R 400.6139**

Source: 1998-2000 AACS.

**R 400.6142**

Source: 1998-2000 AACS.

**R 400.6143**

Source: 1998-2000 AACS.

**R 400.6145**

Source: 1998-2000 AACS.

**R 400.6148**

Source: 1998-2000 AACS.

**R 400.6151**

Source: 1998-2000 AACS.

**R 400.6152**

Source: 1998-2000 AACS.

**PART 2. FOSTER HOME CARE**

**R 400.6201**

Source: 1998-2000 AACS.

**R 400.6202**

Source: 1998-2000 AACS.

**R 400.6204**

Source: 1998-2000 AACS.

**R 400.6207**

Source: 1998-2000 AACS.

**R 400.6209**

Source: 1998-2000 AACS.

**R 400.6211**

Source: 1998-2000 AACS.

**R 400.6215**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 1998-2000 AACCS.

**R 400.6216**

**Source:** 1998-2000 AACCS.

**R 400.6218**

**Source:** 1998-2000 AACCS.

**R 400.6219**

**Source:** 1998-2000 AACCS.

**R 400.6221**

**Source:** 1998-2000 AACCS.

**R 400.6222**

**Source:** 1998-2000 AACCS.

**R 400.6223**

**Source:** 1998-2000 AACCS.

**R 400.6225**

**Source:** 1998-2000 AACCS.

**R 400.6226**

**Source:** 1998-2000 AACCS.

**R 400.6227**

**Source:** 1998-2000 AACCS.

**R 400.6228**

**Source:** 1998-2000 AACCS.

**R 400.6229**

**Source:** 1998-2000 AACCS.

**R 400.6230**

**Source:** 1998-2000 AACCS.

**R 400.6231**

**Source:** 1998-2000 AACCS.

**R 400.6232**

**Source:** 1998-2000 AACCS.

**R 400.6234**

**Source:** 1998-2000 AACCS.

**R 400.6238**

**Source:** 1998-2000 AACCS.

**R 400.6240**

**Source:** 1998-2000 AACCS.

**R 400.6245**

**Source:** 1998-2000 AACCS.

**R 400.6250**

**Source:** 1998-2000 AACCS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.6252**  
Source: 1998-2000 AACS.

**R 400.6254**  
Source: 1998-2000 AACS.

**R 400.6260**  
Source: 1998-2000 AACS.

**R 400.6261**  
Source: 1998-2000 AACS.

**R 400.6262**  
Source: 1998-2000 AACS.

**R 400.6263**  
Source: 1998-2000 AACS.

**R 400.6265**  
Source: 1998-2000 AACS.

**R 400.6267**  
Source: 1998-2000 AACS.

**R 400.6271**  
Source: 1998-2000 AACS.

**R 400.6274**  
Source: 1998-2000 AACS.

**R 400.6277**  
Source: 1998-2000 AACS.

**R 400.6279**  
Source: 1998-2000 AACS.

**R 400.6280**  
Source: 1998-2000 AACS.

**R 400.6281**  
Source: 1998-2000 AACS.

**R 400.6282**  
Source: 1998-2000 AACS.

**PART 3. FOSTER HOME CERTIFICATION**

**R 400.6301**  
Source: 1998-2000 AACS.

**R 400.6302**  
Source: 1998-2000 AACS.

**R 400.6303**  
Source: 1998-2000 AACS.

**R 400.6305**  
Source: 1998-2000 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.6306**  
Source: 1998-2000 AACS.

**R 400.6308**  
Source: 1998-2000 AACS.

**R 400.6309**  
Source: 1998-2000 AACS.

**R 400.6311**  
Source: 1998-2000 AACS.

**R 400.6314**  
Source: 1998-2000 AACS.

**R 400.6319**  
Source: 1998-2000 AACS.

**R 400.6320**  
Source: 1998-2000 AACS.

**R 400.6322**  
Source: 1998-2000 AACS.

**R 400.6323**  
Source: 1998-2000 AACS.

**R 400.6324**  
Source: 1998-2000 AACS.

**PART 4. INDEPENDENT LIVING**

**R 400.6401**  
Source: 1998-2000 AACS.

**R 400.6402**  
Source: 1998-2000 AACS.

**R 400.6405**  
Source: 1998-2000 AACS.

**R 400.6407**  
Source: 1998-2000 AACS.

**R 400.6411**  
Source: 1998-2000 AACS.

**R 400.6416**  
Source: 1998-2000 AACS.

**PART 5. ADOPTION**

**R 400.6501**  
Source: 1998-2000 AACS.

**R 400.6502**  
Source: 1998-2000 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.6505**  
Source: 1998-2000 AACS.

**R 400.6508**  
Source: 1998-2000 AACS.

**R 400.6509**  
Source: 1998-2000 AACS.

**R 400.6511**  
Source: 1998-2000 AACS.

**R 400.6513**  
Source: 1998-2000 AACS.

**R 400.6515**  
Source: 1998-2000 AACS.

**R 400.6518**  
Source: 1998-2000 AACS.

**R 400.6520**  
Source: 1998-2000 AACS.

**R 400.6522**  
Source: 1998-2000 AACS.

**FAMILY SERVICES ADMINISTRATION**  
**STATE EMERGENCY RELIEF PROGRAM**

**R 400.7001 Definitions; A.**

Rule 1. As used in these rules:

(a) "Adult" means either of the following:

(i) A person who is 21 years of age or older.

(ii) A person who is less than 21 years of age and who is not a dependent child.

(b) "Adult burial without services allowance" means the maximum amount that may be approved for the burial or cremation of an adult or of a child who is 1 month of age or older if family services are not provided.

(c) "Adult burial with services allowance" means the maximum amount that may be approved for the burial or cremation of an adult or of a child who is 1 month of age or older if family services are provided.

(d) "Affordable housing" means that the total housing obligation is equal to or less than 75% of the State Emergency Relief (SER) group's net countable income. The basic 75% may be increased by the following percentages if heat, electricity, or water/cooking gas is included in the rent:

(i) Heat included adds 15% to the basic 75%.

(ii) Electricity included adds 5% to the basic 75%.

(iii) Water or cooking gas, or both, included adds 5% to the basic 75%.

(e) "Applicant" means a person who has applied for the SER program or on whose behalf an authorized representative has made application for the SER program.

(f) "Application" means a statement, on a form or an online application prescribed by the department, that the client wishes to receive SER which is signed and dated by the applicant or by a person who acts on the applicant's behalf and which is received by the department.

(g) "Asset" means a real or personal, tangible or intangible resource that a client owns or possesses, in that the client has a legal interest, and that the client has the legal ability to use or dispose of.

(h) "Authorization" or "30-day eligibility period" means the 30-day period immediately following the date of the application.

(i) "Authorized representative" or "a person who acts on the applicant's behalf" means a person who applies or provides eligibility information on behalf of a client.

**Annual Administrative Code Supplement**  
**2015 Edition**

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7002 Definitions; C, D.**

Rule 2. As used in these rules:

(a) "Cash assets" means any of the following:

- (i) Currency and coins.
- (ii) Amounts on deposit in banks, savings and loan associations, credit unions, and other financial institutions.
- (iii) Uncashed checks, drafts, and warrants.
- (iv) Traveler's checks.
- (v) Stocks, bonds, and other investments, including negotiable instruments.
- (vi) Individual retirement accounts.
- (vii) Keogh plans.
- (viii) Revocable prearranged funeral contracts.

(ix) Nonrecurring lump-sum payments that do not represent an accumulation of monthly benefits.

(b) "Client" means an applicant for, or recipient of, SER and includes all members of the SER group.

(c) "Department" means the state department of human services.

(d) "Dependent child" means a person who is under the age of 21 and who is living with any of the following:

- (i) A parent.
  - (ii) An adult relative.
  - (iii) An unrelated adult who functions as a parent.
- (e) "Director" means the director of the department.
- (f) "Divestment" means the disposition of an asset without receiving its market value with the intent of becoming or remaining eligible for, or increasing the amount of, emergency relief or with the intent of avoiding making reimbursement of emergency relief received.
- (g) "Dwelling unit" means a shelter, such as a house, apartment, or mobile home.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7003 Definitions; E, F.**

Rule 3. As used in these rules:

(a) "Earned income" means cash that is received by a person for activities he or she engages in as a self-employed person or as an employee, from renting property, or from providing room and board.

(b) "Electricity fiscal year cap" means the maximum amount that may be approved for electricity during a fiscal year.

(c) "Electricity required payment amount" means the amount that a SER group must have paid toward its household electric obligation during each month of the 6-month period before the month in which the SER group applies for energy assistance as a condition of eligibility for emergency relief for energy.

(d) "Emergency" means a situation in which immediate action is necessary to prevent serious harm or hardship.

(e) "Emergency relief" means relief that is paid under the SER program.

(f) "Equity" means the current market value of an asset minus any liens and indebtedness on the asset and minus the reasonable expenses that are necessary to liquidate the asset.

(g) "Federally funded home repairs allowance" means the maximum cumulative amount that may be approved during the lifetime of the client for energy-related home repairs that are wholly funded with federal funds.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7004 Definitions; H.**

Rule 4. As used in these rules:

(a) "Heating fuel fiscal year cap" means the maximum amount that may be approved for heating fuel during a fiscal year.

(b) "Heating fuel required payment amount" means the amount that a SER group must have paid toward its heating fuel obligation during each month of the 6-month period before the month in which the SER group applies for energy assistance as a condition of eligibility for emergency relief for energy.

(c) "Homeless" means that there is no housing to which the relief SER group can return. The term applies to all of the following groups:

- (i) Groups in emergency shelters.
  - (ii) Groups sleeping in cars or on the streets.
  - (iii) Groups living temporarily with others due to a fire or natural disaster that occurred within 60 days before application.
- (d) "Home ownership services allowance" means the maximum cumulative amount that may be approved during the lifetime of the client for any or all of the following services:

**Annual Administrative Code Supplement**  
**2015 Edition**

- (i) Mortgage, land contract payments, or mobile home sales contracts, including principal and interest, legal fees, and escrows for taxes and insurance.
- (ii) Property taxes and fees.
- (iii) House insurance premiums that are required under the terms of a mortgage or land contract.
- (iv) Mobile home lot rental.
- (e) "Home repairs" means repairs that are necessary to make a home safe for occupancy or that are required by a rule, regulation, or ordinance of a governmental agency or mobile home park. The term includes repairs to any of the following with respect to a house or mobile home:
  - (i) The basic structure.
  - (ii) The plumbing system.
  - (iii) The water supply system.
  - (iv) The electrical system.
  - (v) The waste disposal system.
  - (vi) The heating system.
- (f) "Homestead" means a structure that is occupied as a home and is owned, being purchased or held by a life estate. The term includes buildings on leased land, mobile homes, and adjoining land. A SER group may have only 1 exempt homestead at a time.
- (g) "Household furniture allowance" means the maximum amount that may be approved per issuance for furniture.  
History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7005**

**Source:** 1993 AACS.

**R 400.7006 Definitions; R.**

Rule 6. As used in these rules:

- (a) "Relocation fiscal year cap" means the maximum amount that may be approved for relocation during a fiscal year.
- (b) "Required payment amount" means a payment by the client of his or her obligation for any of the following in an amount specified in these rules:
  - (i) Rent.
  - (ii) The purchase of a home.
  - (iii) Mandatory house insurance premiums required under the terms of a mortgage or land contract.
  - (iv) Heating fuel.
  - (v) Electricity.
  - (vi) Water or cooking fuel, or both.
  - (vii) Utility deposit.
- (c) "Resource" means income or assets that are owned by, and are under the control of; a client and that may be used to achieve a level of subsistence.  
History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7007 Definitions; S to W.**

Rule 7. As used in these rules:

- (a) "State-funded home repairs allowance" means the maximum cumulative amount that may be approved during the lifetime of the client for home repairs that are wholly or partially funded with state funds.
- (b) "SER group" means all persons who live together in the same dwelling unit except for the following entities:
  - (i) Renters who live in the same dwelling unit and who pay a fair market rent to the SER group.
  - (ii) Landlords who live in the same dwelling unit if the SER group pays the landlord fair market rent to live in the home.
  - (iii) Any person who claims and verifies that he or she will not be adversely affected by the emergency situation for which the SER group is requesting SER and will not benefit if the SER group's application is approved.
- (c) "State Emergency Relief Program" or "SER program" assists individuals and families who meet the established eligibility criteria with safe, decent, affordable housing and other essential needs when an emergency situation arises that may result in serious harm to individuals and families.
- (d) "Total housing obligation" means the total monthly amount the SER group must pay for all of the following:
  - (i) Rent.
  - (ii) House payment.
  - (iii) Mobile home lot rent.
  - (iv) Property taxes.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (v) Required insurance premiums.
- (e) "Unearned income" means any income, other than earned income, and includes all of the following:
  - (i) Money received in the form of public assistance.
  - (ii) Pensions.
  - (iii) Benefits.
  - (iv) Interest.
  - (v) Dividends.
  - (vi) Support.
  - (vii) Compensation.
- (f) "Utility deposit cap" means the maximum amount that may be approved for a utility deposit.
- (g) "Verification" means documentation or collateral proof that is used to confirm the validity of a relief group's reported circumstances.
- (h) "Water or cooking gas, or both, fiscal year cap" means the maximum amount that may be approved for water or cooking gas, or both, during a fiscal year.
- (i) "Water or cooking gas, or both, required payment amount" means the amount that a relief group must have paid toward its obligations for water or cooking gas, or both, during each month of the 6-month period before the month in which the SER group applies for water or cooking gas, or both, assistance as a condition of eligibility for emergency relief for water or cooking gas, or both.  
History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7008 Application; completing required forms and providing relevant documentation to department; eligibility determination based on conditions and resources existing during emergency period; request for emergency relief after authorization period.**

Rule 8. (1) Any person may apply for the SER program for himself or herself and the SER group of which he or she is a member or as an authorized representative of another person or persons. The right to apply shall not be limited or denied due to any of the following:

- (a) Age.
  - (b) Race.
  - (c) Nationality.
  - (d) Ethnic background.
  - (e) Sex.
  - (f) Political opinions.
  - (g) Religious beliefs.
  - (h) Physical or mental handicaps.
  - (i) Marital status.
- (2) All members of the SER group shall be listed on the application form.
- (3) An application is considered completed when all of the following provisions have been complied with:
- (a) The application form prescribed by the department has been filled out.
  - (b) The application has been signed by the applicant or by the applicant's authorized representative.
  - (c) The application has been received by the department.
- (4) To assist the department in determining eligibility for emergency relief, a client shall complete forms that are required by the department or that provide information needed for the completion of such forms. When required by the department, a completed form shall include signatures of all adult members of the SER group.
- (5) A client shall cooperate in the eligibility determination process by providing any available documentation requested by the department regarding any of the following matters:
- (a) Identity.
  - (b) The existence and nature of the emergency.
  - (c) Income.
  - (d) Assets.
  - (e) Social security number.
  - (f) The cost of resolving the emergency.
  - (g) Liability for shelter, heat, non-heat electric and utility costs.
  - (h) The amount of shelter costs.
  - (i) Payment by the relief group of a required payment amount that is established by these rules as a condition of eligibility for relief.

**Annual Administrative Code Supplement**  
**2015 Edition**

(6) Eligibility shall be determined on the basis of conditions and resources as they exist during the emergency period. If emergency relief is requested after the end of the authorization period, a new application and determination of eligibility are required.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7009 Verification of information.**

Rule 9. (1) All of the following items shall be verified:

- (a) The existence of an emergency.
  - (b) The sources and amounts of income and the dates received.
  - (c) The identity of the client.
  - (d) The cost of resolving the emergency.
  - (e) The ownership and market value of assets.
  - (f) Payment by the SER group of a required payment amount that is established by these rules as a condition of eligibility for relief.
- (2) Failure on the part of the client to cooperate in obtaining proof of eligibility shall be reason to deny relief.
- (3) If verification of the information specified in subrule (1) of this rule cannot be obtained after the client has made reasonable efforts to obtain it, the department may waive verification and base the determination of eligibility on the best available evidence.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7010 General requirements for relief.**

Rule 10. Relief shall not be granted until all of the following requirements are satisfied:

- (a) An application has been completed.
- (b) A face-to-face interview has been conducted by an employee of the department with an adult member of the SER group, if required by the department.
- (c) The application is signed. The department may require the application to be signed in the presence of a department worker and be witnessed by the worker.
- (d) Information and verification that are required by the department have been obtained.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7011 Determination of eligibility within 10 business days required.**

Rule 11. Eligibility for the SER program shall be determined within 10 business days from the date the application is completed.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7012 Divestment of resources by client.**

Rule 12. A client who sells or otherwise disposes of an asset or other resource within 90 days before applying for the SER program without receiving the market value of the asset or resource shall be ineligible for the SER program if the reason for the sale or disposition is to become eligible for, or remain eligible for, the SER program, to increase the amount of emergency relief, or to avoid repayment of emergency relief that has been granted.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7013 Relief; issuance; form; standard rates; approval by department.**

Rule 13. (1) The department may issue emergency relief for which a client has been determined eligible in the form of vendor payments to the provider.

(2) Prior authorization from the department for relief is required, except when the emergency need occurs before or after regular office hours of the department, in which case payment may be made if the client files an application within 5 business days of the emergency. Prior authorization is required for burial unless the department is closed for the entire period between death and burial or cremation, in which case payment may be made if an application is filed on the first business day following the occurrence.

(3) Payment may be made only for the services that are approved during the authorization period.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7014 Eligibility; exempt income; available earned and unearned income.**

Rule 14. (1) Income that is exempt from consideration in determining eligibility for the SER program shall be income from the following sources:

**Annual Administrative Code Supplement**  
**2015 Edition**

- (a) Income in kind.
- (b) Food assistance program.
- (c) Michigan homestead property tax credit.
- (d) Money given to the SER group by a person or organization as reimbursement for past, current, or future training-related expenses, medical care expenses, or expenses incurred as a volunteer.
- (e) Reimbursement of medicare premiums.
- (f) Michigan department of mental community health family support subsidy payments.
- (g) Compensation that is awarded for a particular use.
- (h) Child care payments and allowances that are made by the department.
- (i) Disaster relief assistance.
- (j) Benefits that are received from any of the following programs:
  - (i) Women, infants, and children program.
  - (ii) Title VII nutrition program for the elderly.
  - (iii) Energy assistance that is received from any of Michigan's low income energy assistance grant programs.
  - (iv) Child nutrition and school lunch programs and subsidies.
- (k) Housing assistance that is paid under any state or federal law.
- (l) Educational grants and scholarships.
- (m) The earnings of a member of the SER group who is a dependent child when both of the following conditions are met:
  - (i) The accumulated earnings are held in a savings account of which the dependent child who earned the money is the sole tenant.
  - (ii) The accumulated earnings are not commingled with money obtained from any source except the earnings of the dependent child.
- (2) Unearned income shall be counted in determining the amount of emergency relief that a SER group is eligible to receive. Such income includes all of the following:
  - (a) Assistance that is paid by the department pursuant to the family independence program or the state disability assistance program.
  - (b) Retirement, survivors, and disability insurance benefits that are paid by the social security administration.
  - (c) Supplemental security income that is paid by the social security administration.
  - (d) Alimony.
  - (e) Child support.
  - (f) Veterans administration benefits.
  - (g) Unemployment benefits, including unemployment compensation benefits, railroad unemployment benefits, and other governmental unemployment benefits.
  - (h) Payments from private sick and accident insurance plans.
  - (i) Workers' compensation benefits.
  - (j) Pensions and retirement benefits.
  - (k) Strike benefits.
- (l) Income that is received by a client from the sale of property on a land contract or mortgage, including principal and interest.
- (m) Military allotments.
- (n) Investment income, such as dividends, interest, and royalties.
- (o) Income from annuities, bonds, stocks, and trusts.
- (3) Net unearned income shall be determined by deducting all of the following from the gross amount received:
  - (a) Mandatory taxes.
  - (b) Court-ordered child support paid, but not more than the amount ordered by the court.
  - (c) Payments for health insurance.
- (4) Net income from employment or self-employment shall be determined by deducting the expenses of employment from the gross amount received. Expenses of employment shall be limited to the following:
  - (a) Mandatory taxes.
  - (b) Deductions required by the employer as a condition of employment.
  - (c) Deductions for health insurance.
  - (d) Court-ordered child support paid, but not more than the amount ordered by the court.
  - (e) The cost of dependent care for either of the following:
    - (i) A dependent child who is less than 13-years-old.
    - (ii) A person who is 13-years-old or older and who needs care due to a mental or physical impairment.

**Annual Administrative Code Supplement**  
**2015 Edition**

(5) The amount deducted for dependent care under the provisions of subrule (4)(e) of this rule shall be the actual cost of care or \$200.00, whichever is less, for each person who receives dependent care. The cost of dependent care for a person shall not be allowed as a deduction from the earnings of more than 1 member of the SER group. A deduction for the cost of dependent care shall not be allowed if the caregiver is any of the following persons:

- (a) A member of the SER group.
- (b) A legally responsible relative of the employed person or of the person who needs care.
- (c) A dependent relative of the employed person.
- (d) A person who is not a member of the SER group, if the care can reasonably and safely be provided by 1 of the following persons who lives in the home:
  - (i) A member of the SER group.
  - (ii) A responsible relative of the employed person or the person who needs care.
  - (iii) A dependent relative of the employed person.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7015 Basic monthly income need standards; determining amount of relief.**

Rule 15. (1) A SER group shall be eligible with respect to income if the total combined monthly net income that is received or expected to be received by all members of the SER group in the 30-day period after the date of application for emergency relief is not more than the monthly basic income need standard for the number of members in the SER group.

(2) Income that is more than the basic monthly income need standard for the number of members in the SER group shall be deducted from the cost of resolving the emergency to determine the amount of emergency relief to be issued by the department, except that the department may require that the client execute a reimbursement agreement in the amount of the client's share of the cost of meeting the emergency or reduce or waive the client's share of the cost of meeting the emergency when the department determines that the client's share is not immediately available to meet the cost of the emergency and the service is necessary to remove a threat to life or health.

(3) The basic monthly income need standards shall be established by the department based on available actual appropriations. The standards shall be published in department policy and be made available to the public.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7016 Eligibility; assets.**

Rule 16. (1) If the total combined cash assets that are not exempt from consideration of all members of the SER group are more than the protected cash asset limit, the amount in excess of the protected cash asset limit shall be deducted from the cost of resolving the emergency to determine the amount of emergency relief to be issued by the department.

(2) A SER group composed solely of recipients of any of the following shall have automatic eligibility on the basis of noncash assets:

- (a) Family independence program.
  - (b) State disability assistance.
  - (c) Medical assistance.
  - (d) Food assistance program.
  - (e) Supplemental security income paid by the social security administration.
- (3) A SER group whose members' equity in noncash assets is more than the protected noncash asset limit for the number of members in the SER group is not eligible for the SER program.

(4) To be relevant to a determination of eligibility, the assets in question shall be legally available to, and under the control of, the client and shall be salable.

(5) In determining the equity in an asset, the department shall deduct all of the following from the market value of the asset:

- (a) Any encumbrances against the asset.
  - (b) The costs incurred in selling the asset.
  - (c) An amount to which a person who is not a member of the SER group is equitably entitled.
- (6) All of the following assets are exempt from consideration in determining eligibility for emergency relief:

- (a) One homestead.
- (b) Household goods.
- (c) Personal goods.
- (d) One burial space per SER group member.
- (e) Assets that are essential to employment or self-employment, including all of the following:
  - (i) Farm livestock and farm equipment.
  - (ii) Farmland.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (iii) Tools, equipment, and machinery.
  - (f) One motor vehicle that is used as the primary means of transportation.
  - (g) The accumulated earnings of a member of the relief group who is a dependent child when both of the following conditions are met:
    - (i) The accumulated earnings are held in a savings account of which the dependent child who earned the money is the sole tenant.
    - (ii) The accumulated earnings are not commingled with money obtained from any source except the earnings of the dependent child.
  - (h) Educational grants and scholarships.
  - (i) The total cash surrender value of life insurance policies.
  - (j) Irrevocable prepaid burial contracts.
- (7) The protected cash asset limit shall not exceed the maximum limit set by the department. The protected cash asset limit shall be published in department policy and be made available to the public.
- (8) The protected noncash asset limit shall not exceed the maximum limit set by the department. The protected noncash asset limit shall be published in department policy and be made available to the public.
- History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7017 Eligibility; reimbursement repayment of certain SER grants.**

Rule 17. As a condition of eligibility for the SER program, the department may require an applicant to sign a repay agreement for any of the following:

- (a) The relief that is granted to the extent of any lump-sum payment or potential resources expected to be received, except for those benefits that are unattachable by law.
  - (b) The relief that is granted pending the reissuance of a lost or stolen assistance warrant.
  - (c) The relief that is issued pursuant to under a waiver of any of the eligibility requirements established by these rules.
- History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7018 Eligibility; evaluating need and resources of SER group members.**

Rule 18. The need and resources of each member of the SER group shall be evaluated in determining eligibility for relief to meet emergency relief needs. All assets and income of each member of the SER group shall be counted in determining the eligibility of the group and the amount of relief to be issued.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7019 Agreement by client to make potential resources available.**

Rule 19. A client shall agree to take all feasible reasonable action to make potential resources, as described in department policy, available before emergency relief is issued.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7020 Client actions contributing to emergency as basis for denial of relief; required payments.**

Rule 20. (1) Failure, without good cause, on the part of any member of the SER group to meet required payments for any of the following shall be a basis for the denial of an application for the SER program if the department determines that the failure to meet required payments contributed to the emergency situation for which relief is requested:

- (a) Rent.
- (b) Purchase of a home.
- (c) Mandatory house insurance premiums required under the terms of a mortgage or land contract.
- (d) Heating fuel.
- (e) Electricity.
- (f) Water or cooking gas, or both.
- (g) Utility deposits.

(2) The required payments for rent or the purchase of a home are the total amount of the SER group's monthly obligations for these needs during each of the 6 months before the month during which the SER group applies for emergency relief.

(3) The required payments for mandatory house insurance premiums required by the terms of a mortgage or land contract are the total amount of the SER group's obligations for mandatory house insurance premiums that fell due, or were overdue, during the 6 months before the month during which the SER group applies for emergency relief.

**Annual Administrative Code Supplement**  
**2015 Edition**

(4) The required payments for electricity, heat, and heat and electric deposits are met if, during each month of the 6-month period before the month in which the SER group applies for electricity, heat, or heat and electric deposit assistance, the group paid the combined electricity and heat required payment amounts for the number of persons in the group.

(5) The required payments for a non-energy utility deposit, water, cooking gas, or water and cooking gas are met if, during each month of the 6-month period before the month in which the SER group applies for a non-energy utility deposit, water, cooking gas, or water and cooking gas assistance, the group paid the water or cooking gas, or both, required payment amount for the number of persons in the group.

(6) Good cause shall exist for a failure to meet required payments if the SER group's net countable income from all sources during each month that the group failed to pay shelter, energy, or utility obligations was not reduced under the provisions of R 400.7021 and was less than the amounts specified by group size and established by the department and published in department policy.

(7) Electricity required payment amounts shall be established by the department and published in department policy.

(8) Heating fuel required payment amounts shall be established by the department and published in department policy.

(9) Water or cooking gas, or both, required payment amounts shall be established by the department and published in department policy.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7021 Action to obtain other governmental program resources required.**

Rule 21. A SER group shall not be eligible for relief under the SER program if a member of the SER group has been denied assistance under any of the following programs for failure to comply, when able, with a procedural requirement of those programs:

(a) The family independence program administered by the department.

(b) The state disability assistance program administered by the department.

(c) The supplemental security income program administered by the social security administration.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7022 Expanded services for individual SER groups.**

Rule 22. The director, or a person who is designated by the director, may, within limits established by the department, make exceptions in individual cases to these rules to accomplish any of the following purposes:

(a) To expand services to meet a particular SER group's emergency.

(b) To increase the standard rates established by the department for the covered services needed to meet a particular SER group's emergency.

(c) To approve payment for a service that did not have the required prior approval when, in the judgment of the director or the director's designee, the service provided under the exception is necessary to remove a threat to life or health.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7023**

Source: 1993 AACS.

**R 400.7024 Eligibility; presence of client.**

Rule 24. To be eligible for benefits of the SER program, a client shall be in this state at the time of application or at the time the application is approved.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7025 Rescinded.**

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7026 Relocation services.**

Rule 26. (1) Relocation services may be approved for any of the following reasons:

(a) To establish a dwelling unit for a homeless SER group.

(b) To reestablish a dwelling unit for a client who is living temporarily with other persons following a fire or natural disaster that occurred not more than 60 days before the date the client files an application for emergency relief.

(c) A dwelling unit that meets acceptable standards of health and safety is needed to accomplish either of the following purposes:

(i) To prevent the removal of children from parental care.

(ii) To enable children to be returned to parental care.

**Annual Administrative Code Supplement**  
**2015 Edition**

(d) To prevent eviction of a SER group when a member of the group has received a summons to appear in court as a defendant in an eviction action or a judgment of eviction has been issued by the court.

(e) To relocate a SER group that has received a final notice to vacate condemned housing from a local public agency authorized to issue such an order.

(2) Payment for relocation services under this rule may be made for any of the following needs:

(a) First month's rent.

(b) Rent arrears.

(c) Moving expenses to relocate household effects.

(3) Payment for relocation services shall not be made unless the income of the SER group is sufficient to meet the total housing obligation of the dwelling unit, thereby assuring that the same emergency will not recur in the immediate future.

(4) Payment for relocation services shall not be more than the relocation services payment maximum for the number of members in the SER group.

(5) The relocation fiscal year cap shall be established by the department, published in department policy, and be made available to the public.

History: 1993 AACCS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7027 Home ownership services.**

Rule 27. (1) The department may issue payment for home ownership services, which include any of the following services that are necessary to maintain a homestead:

(a) Mortgage, land contract payments, or mobile home sales contracts, including principal and interest, legal fees, and escrow accounts for taxes and insurance.

(b) Property taxes and fees.

(c) Home insurance premiums that are required under the terms of a mortgage or land contract.

(d) Mobile home lot rental.

(2) Home ownership services may be approved only to prevent foreclosure or the initiation of a foreclosure or eviction action or loss of a homestead due to unpaid taxes. Emergency relief shall not be approved for home ownership services if there is no plan to ensure that the home will continue to provide safe and affordable shelter for the SER group.

(3) Payment for home ownership services shall not be made unless the income of the SER group is sufficient to meet the total housing obligation of the dwelling unit, thereby assuring that the same emergency will not recur in the immediate future.

(4) Payment for home ownership services shall not be approved if the payment would cause the home ownership services allowance to be exceeded.

(5) The home ownership services allowance shall be determined by the department and shall be published in department policy and be made available to the public. The allowance is for the lifetime of the client.

(6) Payment for home ownership services shall not be approved unless all of the following provisions are satisfied:

(a) A member of the SER group is the owner or purchaser of the home.

(b) The home is the SER group's permanent, usual place of residence.

(c) The home is in livable condition or can be brought to livable condition within the remaining home repairs allowances.

(d) The home is not currently listed for sale.

(7) Payment for property taxes under home ownership services shall not be approved if the total tax arrearage for all years is more than the ownership services maximum \$2,000.00.

History: 1993 AACCS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7028 Rescinded.**

History: 1993 AACCS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7029 Payment for home repairs.**

Rule 29. (1) Payment for home repairs may be made only if all the following conditions are met:

(a) The home is owned, being purchased, or held under a life estate by a member of the SER group and is the group's permanent, usual place of residence.

(b) The SER group is living in the home, unless the members are absent due to the condition of the home or the health of a member.

(c) The home is not for sale.

(d) The home is not in jeopardy of loss due to unpaid property taxes or foreclosure of a mortgage or land contract.

(e) The repairs are necessary to remove a direct threat to the health or safety of the SER group members.

(2) Repairs shall restore the home to a livable condition.

(3) The most cost-effective repair or replacement of the defect is authorized.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (4) The client may be required to obtain or assist in obtaining an estimate of the costs of repairs.
  - (5) The client may be required to use a licensed contractor.
  - (6) If the department authorizes furnace replacement, the client may be required to purchase an energy-efficient unit.
  - (7) Emergency relief shall not be approved for home repairs if there is no plan to ensure that the home will continue to provide shelter for the SER group in the future.
  - (8) Payment for home repairs shall not be made unless the income of the SER group is sufficient to meet the total housing obligation of the dwelling unit, thereby assuring that the homestead will provide shelter for the SER group in the foreseeable future.
  - (9) Payment for home repairs shall not be approved if the payment would cause the federally funded home repairs allowance or the state-funded home repairs allowance to be exceeded.
  - (10) The federally funded home repairs allowance shall be determined by the department based upon available federal funding. The allowance shall be published in department policy and be made available to the public.
  - (11) The state-funded home repairs allowance shall be established by the department based on available actual appropriations. The allowance shall be published in department policy and be made available to the public.
- History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7030 Payment for water or cooking gas services; payment for utility deposits.**

- Rule 30. (1) Payment may be made to prevent the shutoff of water service or cooking gas service, or both, or to restore the service, including reconnect or hookup fees and other charges necessary to provide service.
- (2) Payment for water or cooking gas services, or both, shall not be made unless such payment will assure continuation of water or cooking gas services, or both, or restoration of such services, for a minimum of 30 calendar days.
  - (3) A payment for water or cooking gas services, or both, shall not be approved if the payment would cause the water or cooking gas, or both, fiscal year cap to be exceeded.
  - (4) Payment of a utility deposit may be made to commence utility service or to prevent discontinuance of utility service. Payment for a utility deposit shall not be more than the lesser of the following:
    - (a) The amount charged by the utility company.
    - (b) The utility deposit cap.
  - (5) The water or cooking gas, or both, fiscal year cap shall be established by the department based on available actual appropriations. The allowance shall be published in department policy and be made available to the public.
  - (6) The utility deposit cap shall be established by the department based on available actual appropriations. The issuance shall be published in department policy and be made available to the public.
- History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7031 Payment for electricity.**

- Rule 31. (1) Payment may be made to prevent the shutoff of electricity or to restore the service.
- (2) Payment for electricity shall not be made unless the payment will assure the continuation of electricity service, or the restoration of such service, for a minimum of 30 calendar days.
  - (3) A payment for electricity shall not be approved if the payment would cause the electricity fiscal year cap to be exceeded.
  - (4) The electricity fiscal year cap shall be established by the department based on available actual appropriations. The cap shall be published in department policy and be made available to the public.
- History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7032 Payment for heating fuel.**

- Rule 32. (1) Payment may be made to prevent the shutoff of heating fuel or to restore the service.
- (2) Payment for heating fuel shall not be made unless the payment will assure the continuation of heating fuel service, or the restoration of such service, for a minimum of 30 calendar days.
  - (3) A payment for heating fuel shall not be approved if the payment would cause the heating fuel fiscal year cap to be exceeded.
  - (4) The heating fuel fiscal year cap if natural gas or wood is the heat source shall be established by the department based on available actual appropriations. The cap shall be published in department policy and be made available to the public.
  - (5) The heating fuel fiscal year cap if fuel oil, liquefied propane gas, or coal is the heat source shall be established by the department based on available actual appropriations. The cap shall be published in department policy and be made available to the public.
- History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7033 Payment for inpatient or outpatient hospitalization of migrant families.**

**Annual Administrative Code Supplement**  
**2015 Edition**

Rule 33. (1) Inpatient hospitalization or outpatient services for migrant families may be provided for a period of up to 30 consecutive days in any 12-month period if all of the following provisions are satisfied:

(a) Members of the migrant family have not received migrant hospitalization services from the SER program in the 12-month period preceding the date of hospital admission.

(b) The person applying for inpatient hospitalization or outpatient services is ineligible for medicaid, and medicaid ineligibility did not result from any of the following:

(i) Excess income.

(ii) The applicant's failure to meet a procedural requirement of medicaid.

(iii) The applicant's entrance into this state for reasons other than employment.

(c) No member of the household quit or refused employment or training without good cause within the 30 days prior to application.

(2) A migrant family is a family that meets all of the following requirements:

(a) Works primarily in agriculture or a related seasonal industry.

(b) Moves from place to place to find work.

(c) Lives in a temporary residence during the work season.

(d) Has a child who is less than 21-years-old and who is living with, or has lived with, a specified relative during the last 6 months.

(e) The household members are nonresidents of this state.

(3) Exclusions, payment rates, and conditions of coverage for inpatient hospitalization shall be based on medicaid payment rates and covered services. Elective hospitalization is not a covered service.

(4) Exclusions, payment rates, and conditions of coverage for outpatient services shall be based on medicaid payment rates and covered services subject to the following provisions:

(a) Services which are a follow-up to inpatient services and which are performed within 30 days of the hospital admission will be covered.

(b) Services which are normally performed as inpatient services, but which the attending physician and the client have decided to have performed on an outpatient basis will be covered.

History: 1993 AACCS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7034 Payment for burial or cremation of deceased person.**

Rule 34. (1) Payment may be made for burial or cremation of a deceased person when sufficient resources from the deceased person's estate and expected contributions from responsible relatives are not available.

(2) Payment may be made for any of the goods and services that are customarily provided for the burial or cremation of a deceased person, including all of the following:

(a) Goods and services that are provided by a funeral director.

(b) An outside receptacle that is required by the cemetery and that consists of a metal or concrete rough box.

(c) A single burial space.

(d) Opening and closing the grave.

(e) The use of cemetery equipment.

(f) Transportation.

(g) Clothing.

(h) Clergyman's honorarium.

(i) Cremation.

(3) Payment may be approved for burial or cremation in any of the following locations:

(a) The county where the deceased had lived.

(b) The county where the deceased died.

(c) A county of a relative's choice in this state or in another state.

(d) A location stipulated in a prearranged burial agreement.

(4) Friends or relatives may supplement the SER payment in any amount up to that shall be determined by the department and shall be published in department policy and be made available to the public for additional services. Responsible relatives may designate a maximum amount designated by the department of a required copayment for this purpose.

(5) An application for emergency relief shall be denied if the total amount contributed for additional services is more than the maximum amount determined by the department and published in department policy to be made available to the public.

(6) The amount of an expected lump-sum death benefit from the social security administration shall be deducted from the state payment if the surviving spouse resided with the deceased person at the time of death.

**Annual Administrative Code Supplement**  
**2015 Edition**

(7) The department shall determine the availability of benefits from veterans' programs, life insurance, fraternal or social organizations, and prearranged funeral agreements. Such benefits may reduce the amount paid by the department by an amount equal to the benefits.

(8) Payment for the burial or cremation of an adult or of a child who is 1 month of age or older shall not be more than the adult burial with services allowance if family services are provided.

(9) Payment for the burial or cremation of an adult or of a child who is 1 month of age or older shall not be more than the adult burial without services allowance if family services are not provided.

(10) The payment for the burial, cremation, or other disposition of a child who is less than 1 month of age, a fetus, or a limb shall not be more than the infant burial allowance.

(11) The adult burial with services allowance shall be established by the department based on available actual appropriations. The allowance shall be published in department policy and be made available to the public.

(12) The adult burial without services allowance shall be established by the department based on available actual appropriations. The allowance shall be published in department policy and be made available to the public.

(13) The infant burial allowance shall be established by the department based on available actual appropriations. The allowance shall be published in department policy and be made available to the public.

History: 1993 AACS; 2015 MR 9, Eff. May 7, 2015.

**R 400.7049**

Source: 1993 AACS.

**MEDICAL SERVICES ADMINISTRATION**

**GENERAL ASSISTANCE MEDICAL PROGRAM AUTHORIZATION**

**R 400.7101**

Source: 1997 AACS.

**R 400.7102**

Source: 1997 AACS.

**R 400.7103**

Source: 1997 AACS.

**R 400.7104**

Source: 1997 AACS.

**R 400.7105**

Source: 1997 AACS.

**R 400.7106**

Source: 1997 AACS.

**R 400.7107**

Source: 1997 AACS.

**R 400.7108**

Source: 1997 AACS.

**R 400.7109**

Source: 1997 AACS.

**PROHIBITION OF DISCRIMINATION IN THE MEDICAL ASSISTANCE PROGRAM  
AND THE GENERAL ASSISTANCE MEDICAL PROGRAM**

**R 400.7171**

Source: 1980 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.7172**  
Source: 1980 AACS.

**R 400.7173**  
Source: 1980 AACS.

**MONITORING AND CONTROLLING RECIPIENT USE OF  
MEDICAL ASSISTANCE PROGRAM SERVICES**

**R 400.7391**  
Source: 2012 AACS.

**R 400.7392**  
Source: 2012 AACS.

**R 400.7393**  
Source: 2012 AACS.

**R 400.7394**  
Source: 2012 AACS.

**R 400.7395**  
Source: 2012 AACS.

**R 400.7396**  
Source: 2012 AACS.

**R 400.7397**  
Source: 2012 AACS.

**STERILIZATION AND HYSTERECTOMY CONSENT PROCEDURES**

**R 400.7701**  
Source: 1980 AACS.

**R 400.7702**  
Source: 1980 AACS.

**R 400.7703**  
Source: 1980 AACS.

**R 400.7704**  
Source: 1980 AACS.

**R 400.7705**  
Source: 1980 AACS.

**R 400.7706**  
Source: 1980 AACS.

**PART 1. GENERAL PROVISIONS FOR ALL CHILDREN**

**R 400.8101**  
Source: 2013 AACS.

**R 400.8104**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2013 AACS.

**R 400.8107**

Source: 2013 AACS.

**R 400.8110**

Source: 2013 AACS.

**R 400.8113**

Source: 2013 AACS.

**R 400.8116**

Source: 2013 AACS.

**R 400.8119**

Source: 2013 AACS.

**R 400.8122**

Source: 2013 AACS.

**R 400.8125**

Source: 2013 AACS.

**R 400.8128**

Source: 2013 AACS.

**R 400.8131**

Source: 2013 AACS.

**R 400.8134**

Source: 2013 AACS.

**R 400.8137**

Source: 2013 AACS.

**R 400.8140**

Source: 2013 AACS.

**R 400.8143**

Source: 2013 AACS.

**R 400.8146**

Source: 2013 AACS.

**R 400.8149**

Source: 2013 AACS.

**R 400.8152**

Source: 2013 AACS.

**R 400.8155**

Source: 2013 AACS.

**R 400.8158**

Source: 2013 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.8161**  
Source: 2013 AACS.

**R 400.8164**  
Source: 2013 AACS.

**R 400.8167**  
Source: 2013 AACS.

**R 400.8170**  
Source: 2013 AACS.

**R 400.8173**  
Source: 2013 AACS.

**R 400.8176**  
Source: 2013 AACS.

**R 400.8179**  
Source: 2013 AACS.

**R 400.8182**  
Source: 2013 AACS.

**R 400.8185**  
Source: 2013 AACS.

**R 400.8188**  
Source: 2013 AACS.

**R 400.8191**  
Source: 2013 AACS.

**ENVIRONMENTAL HEALTH PROVISIONS**

**R 400.8301**  
Source: 2013 AACS.

**R 400.8305**  
Source: 2013 AACS.

**R 400.8310**  
Source: 2013 AACS.

**R 400.8315**  
Source: 2013 AACS.

**R 400.8320**  
Source: 2013 AACS.

**R 400.8325**  
Source: 2013 AACS.

**R 400.8330**  
Source: 2013 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.8335**  
Source: 2013 AACS.

**R 400.8340**  
Source: 2013 AACS.

**R 400.8345**  
Source: 2013 AACS.

**R 400.8350**  
Source: 2013 AACS.

**R 400.8355**  
Source: 2013 AACS.

**R 400.8360**  
Source: 2013 AACS.

**R 400.8365**  
Source: 2013 AACS.

**R 400.8370**  
Source: 2013 AACS.

**R 400.8375**  
Source: 2013 AACS.

**R 400.8380**  
Source: 2013 AACS.

**R 400.8385**  
Source: 2013 AACS.

**FIRE SAFETY PROVISIONS**

**R 400.8501**  
Source: 2013 AACS.

**R 400.8505**  
Source: 2013 AACS.

**R 400.8510**  
Source: 2013 AACS.

**R 400.8515**  
Source: 2013 AACS.

**R 400.8520**  
Source: 2013 AACS.

**R 400.8525**  
Source: 2013 AACS.

**R 400.8530**  
Source: 2013 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.8535**  
Source: 2013 AACS.

**R 400.8540**  
Source: 2013 AACS.

**R 400.8545**  
Source: 2013 AACS.

**R 400.8550**  
Source: 2013 AACS.

**R 400.8555**  
Source: 2013 AACS.

**R 400.8560**  
Source: 2013 AACS.

**R 400.8565**  
Source: 2013 AACS.

**TRANSPORTATION PROVISIONS**

**R 400.8701**  
Source: 2013 AACS.

**R 400.8710**  
Source: 2013 AACS.

**R 400.8720**  
Source: 2013 AACS.

**R 400.8730**  
Source: 2013 AACS.

**R 400.8740**  
Source: 2013 AACS.

**R 400.8750**  
Source: 2013 AACS.

**R 400.8760**  
Source: 2013 AACS.

**R 400.8770**  
Source: 2013 AACS.

**SWIMMING PROVISIONS**

**R 400.8801**  
Source: 2013 AACS.

**R 400.8810**  
Source: 2013 AACS.

**R 400.8820**  
Source: 2013 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.8830**  
Source: 2013 AACS.

**R 400.8840**  
Source: 2013 AACS.

**DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH**  
**DIVISION OF CHILD WELFARE LICENSING**  
**FOSTER FAMILY HOMES AND FOSTER FAMILY GROUP HOMES**

**PART 1. GENERAL PROVISIONS**

**R 400.9101**  
Source: 2014 AACS.

**R 400.9102**  
Source: 1998-2000 AACS.

**R 400.9404**  
Source: 2011 AACS.

**R 400.9199**  
Source: 2014 AACS.

**PART 2. APPLICATION AND LICENSING**

**R 400.9201**  
Source: 2014 AACS.

**R 400.9202**  
Source: 2014 AACS.

**R 400.9203**  
Source: 2014 AACS.

**R 400.9204**  
Source: 1998-2000 AACS.

**R 400.9205**  
Source: 2014 AACS.

**R 400.9206**  
Source: 2014 AACS.

**R 400.9207**  
Source: 2014 AACS.

**PART 3. THE FOSTER HOME**

**R 400.9301**  
Source: 2014 AACS.

**R 400.9302**

**Annual Administrative Code Supplement**  
**2015 Edition**

Source: 1998-2000 AACS.

**R 400.9303**

Source: 1998-2000 AACS.

**R 400.9304**

Source: 1998-2000 AACS.

**R 400.9305**

Source: 1998-2000 AACS.

**R 400.9306**

Source: 2014 AACS.

**R 400.9307**

Source: 1998-2000 AACS.

**R 400.9308**

Source: 2014 AACS.

**R 400.9309**

Source: 2014 AACS.

**R 400.9310**

Source: 2014 AACS.

**PART 4. FOSTER CARE**

**R 400.9401**

Source: 2014 AACS.

**R 400.9402**

Source: 1998-2000 AACS.

**R 400.9403**

Source: 2014 AACS.

**R 400.9404**

Source: 2014 AACS.

**R 400.9405**

Source: 1998-2000 AACS.

**R 400.9406**

Source: 2014 AACS.

**R 400.9407**

Source: 1998-2000 AACS.

**R 400.9408**

Source: 2014 AACS.

**R 400.9409**

Source: 2014 AACS.

**R 400.9410**

Source: 2014 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.9411**  
Source: 2014 AACS.

**R 400.9412**  
Source: 2014 AACS.

**R 400.9413**  
Source: 2014 AACS.

**R 400.9414**  
Source: 2014 AACS.

**R 400.9415**  
Source: 2014 AACS.

**R 400.9416**  
Source: 2014 AACS.

**R 400.9417**  
Source: 2014 AACS.

**R 400.9418**  
Source: 2014 AACS.

**R 400.9419**  
Source: 2014 AACS.

**R 400.9420**  
Source: 2014 AACS.

**PART 5. REPORTING AND RECORDKEEPING**

**R 400.9501**  
Source: 2014 AACS.

**R 400.9502**  
Source: 2014 AACS.

**R 400.9503**  
Source: 2014 AACS.

**R 400.9504**  
Source: 2014 AACS.

**R 400.9505**  
Source: 1998-2000 AACS.

**R 400.9506**  
Source: 2014 AACS.

**DIVISION OF CHILD WELFARE LICENSING**  
**JUVENILE FACILITIES**

**R 400.10101**  
Source: 1992 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.10103**  
Source: 1992 AACS.
- R 400.10105**  
Source: 1992 AACS.
- R 400.10106**  
Source: 1992 AACS.
- R 400.10107**  
Source: 1992 AACS.
- R 400.10109**  
Source: 1992 AACS.
- R 400.10111**  
Source: 1992 AACS.
- R 400.10113**  
Source: 1992 AACS.
- R 400.10115**  
Source: 1992 AACS.
- R 400.10117**  
Source: 1992 AACS.
- R 400.10119**  
Source: 1992 AACS.
- R 400.10121**  
Source: 1992 AACS.
- R 400.10123**  
Source: 1992 AACS.
- R 400.10125**  
Source: 1992 AACS.
- R 400.10127**  
Source: 1992 AACS.
- R 400.10129**  
Source: 1992 AACS.
- R 400.10131**  
Source: 1992 AACS.
- R 400.10133**  
Source: 1992 AACS.
- R 400.10135**  
Source: 1992 AACS.
- R 400.10137**  
Source: 1992 AACS.
- R 400.10139**  
Source: 1992 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.10141**  
Source: 1992 AACS.
- R 400.10143**  
Source: 1992 AACS.
- R 400.10145**  
Source: 1992 AACS.
- R 400.10147**  
Source: 1992 AACS.
- R 400.10149**  
Source: 1992 AACS.
- R 400.10151**  
Source: 1992 AACS.
- R 400.10153**  
Source: 1992 AACS.
- R 400.10155**  
Source: 1992 AACS.
- R 400.10157**  
Source: 1992 AACS.
- R 400.10159**  
Source: 1992 AACS.
- R 400.10161**  
Source: 1992 AACS.
- R 400.10163**  
Source: 1992 AACS.
- R 400.10165**  
Source: 1992 AACS.
- R 400.10167**  
Source: 1992 AACS.
- R 400.10169**  
Source: 1992 AACS.
- R 400.10171**  
Source: 1992 AACS.
- R 400.10173**  
Source: 1992 AACS.
- R 400.10175**  
Source: 1992 AACS.
- R 400.10176**  
Source: 1992 AACS.
- R 400.10177**  
Source: 1992 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.10179**  
Source: 1992 AACS.

**R 400.10181**  
Source: 1992 AACS.

**R 400.10183**  
Source: 1992 AACS.

**R 400.10185**  
Source: 1992 AACS.

**R 400.10187**  
Source: 1992 AACS.

**R 400.10189**  
Source: 1992 AACS.

**R 400.10199**  
Source: 1992 AACS.

**PART 2. DETENTION AND SHELTER CARE FACILITIES**

**R 400.10201**  
Source: 1992 AACS.

**R 400.10205**  
Source: 1992 AACS.

**R 400.10207**  
Source: 1992 AACS.

**R 400.10208**  
Source: 1992 AACS.

**R 400.10209**  
Source: 1992 AACS.

**R 400.10211**  
Source: 1992 AACS.

**PART 3. RESIDENTIAL TREATMENT FACILITIES**

**R 400.10301**  
Source: 1992 AACS.

**R 400.10303**  
Source: 1992 AACS.

**R 400.10305**  
Source: 1992 AACS.

**R 400.10307**  
Source: 1992 AACS.

**R 400.10309**  
Source: 1992 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.10311**  
Source: 1992 AACS.

**R 400.10313**  
Source: 1992 AACS.

**R 400.10315**  
Source: 1992 AACS.

**R 400.10317**  
Source: 1992 AACS.

**R 400.10319**  
Source: 1992 AACS.

**PART 4. ENVIRONMENTAL HEALTH AND SAFETY**

**R 400.10401**  
Source: 1992 AACS.

**R 400.10403**  
Source: 1992 AACS.

**R 400.10405**  
Source: 1992 AACS.

**R 400.10407**  
Source: 1992 AACS.

**R 400.10409**  
Source: 1992 AACS.

**R 400.10411**  
Source: 1992 AACS.

**R 400.10413**  
Source: 1992 AACS.

**R 400.10415**  
Source: 1992 AACS.

**R 400.10417**  
Source: 1992 AACS.

**R 400.10419**  
Source: 1992 AACS.

**R 400.10421**  
Source: 1997 AACS.

**PART 5. FIRE SAFETY FOR SMALL, LARGE, AND SECURE FACILITIES**

**R 400.10501**  
Source: 1992 AACS.

**R 400.10503**  
Source: 1992 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.10505**  
Source: 1992 AACS.
- R 400.10507**  
Source: 1992 AACS.
- R 400.10509**  
Source: 1992 AACS.
- R 400.10511**  
Source: 1992 AACS.
- R 400.10513**  
Source: 1992 AACS.
- R 400.10515**  
Source: 1992 AACS.
- R 400.10517**  
Source: 1992 AACS.
- R 400.10519**  
Source: 1992 AACS.
- R 400.10521**  
Source: 1992 AACS.
- R 400.10523**  
Source: 1992 AACS.
- R 400.10525**  
Source: 1992 AACS.
- R 400.10527**  
Source: 1992 AACS.
- R 400.10529**  
Source: 1992 AACS.
- R 400.10531**  
Source: 1992 AACS.
- R 400.10533**  
Source: 1992 AACS.
- R 400.10535**  
Source: 1992 AACS.
- R 400.10537**  
Source: 1992 AACS.
- R 400.10539**  
Source: 1992 AACS.
- R 400.10541**  
Source: 1992 AACS.
- R 400.10543**  
Source: 1992 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.10545**  
Source: 1992 AACS.

**R 400.10547**  
Source: 1992 AACS.

**R 400.10549**  
Source: 1992 AACS.

**R 400.10551**  
Source: 1992 AACS.

**R 400.10553**  
Source: 1992 AACS.

**R 400.10555**  
Source: 1992 AACS.

**R 400.10557**  
Source: 1992 AACS.

**R 400.10559**  
Source: 1992 AACS.

**R 400.10561**  
Source: 1992 AACS.

**R 400.10563**  
Source: 1992 AACS.

**R 400.10565**  
Source: 1992 AACS.

**PART 6. FIRE SAFETY FOR RESIDENTIAL GROUP HOME FACILITIES**

**R 400.10601**  
Source: 1992 AACS.

**R 400.10603**  
Source: 1992 AACS.

**R 400.10604**  
Source: 1992 AACS.

**R 400.10605**  
Source: 1992 AACS.

**R 400.10607**  
Source: 1992 AACS.

**R 400.10609**  
Source: 1992 AACS.

**R 400.10611**  
Source: 1992 AACS.

**R 400.10613**  
Source: 1992 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.10614**  
Source: 1992 AACS.

**R 400.10615**  
Source: 1992 AACS.

**R 400.10617**  
Source: 1992 AACS.

**R 400.10619**  
Source: 1992 AACS.

**R 400.10621**  
Source: 1992 AACS.

**R 400.10623**  
Source: 1992 AACS.

**R 400.10625**  
Source: 1992 AACS.

**R 400.10629**  
Source: 1992 AACS.

**R 400.10631**  
Source: 1992 AACS.

**R 400.10633**  
Source: 1992 AACS.

**R 400.10635**  
Source: 1992 AACS.

**R 400.10637**  
Source: 1992 AACS.

**R 400.10639**  
Source: 1992 AACS.

**CHILDREN'S AND ADULT FOSTER CARE CAMPS**

**PART 1. GENERAL PROVISIONS**

**R 400.11101**  
Source: 2009 AACS.

**R 400.11102**  
Source: 2009 AACS.

**R 400.11103**  
Source: 2009 AACS.

**R 400.11105**  
Source: 2009 AACS.

**R 400.11106**  
Source: 2009 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.11107**  
Source: 2009 AACS.

**R 400.11109**  
Source: 2009 AACS.

**R 400.11111**  
Source: 2009 AACS.

**R 400.11113**  
Source: 2009 AACS.

**R 400.11115**  
Source: 2009 AACS.

**R 400.11117**  
Source: 2009 AACS.

**R 400.11119**  
Source: 2009 AACS.

**R 400.11121**  
Source: 2009 AACS.

**R 400.11122**  
Source: 2009 AACS.

**R 400.11123**  
Source: 2009 AACS.

**R 400.11125**  
Source: 2009 AACS.

**R 400.11127**  
Source: 2009 AACS.

**R 400.11131**  
Source: 2009 AACS.

**R 400.11133**  
Source: 2009 AACS.

**R 400.11135**  
Source: 2009 AACS.

**R 400.11137**  
Source: 2009 AACS.

**R 400.11139**  
Source: 2009 AACS.

**R 400.11141**  
Source: 2009 AACS.

**R 400.11143**  
Source: 2009 AACS.

**R 400.11145**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2009 AACS.

**R 400.11146**  
Source: 2009 AACS.

**R 400.11147**  
Source: 2009 AACS.

**R 400.11149**  
Source: 2009 AACS.

**R 400.11199**  
Source: 1984 AACS.

**PART 2. FIRE SAFETY**

**R 400.11201**  
Source: 2009 AACS.

**R 400.11203**  
Source: 2009 AACS.

**R 400.11205**  
Source: 2009 AACS.

**R 400.11207**  
Source: 2009 AACS.

**R 400.11208**  
Source: 2009 AACS.

**R 400.11209**  
Source: 2009 AACS.

**R 400.11211**  
Source: 2009 AACS.

**R 400.11213**  
Source: 2009 AACS.

**R 400.11215**  
Source: 2009 AACS.

**R 400.11216**  
Source: 2009 AACS.

**R 400.11217**  
Source: 2009 AACS.

**R 400.11219**  
Source: 2009 AACS.

**R 400.11221**  
Source: 2009 AACS.

**R 400.11223**  
Source: 2009 AACS.

**R 400.11224**  
Source: 2009 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.11225**  
Source: 1997 AACS.

**R 400.11227**  
Source: 2009 AACS.

**PART 3. ENVIRONMENTAL HEALTH AND SAFETY**

**R 400.11301**  
Source: 2009 AACS.

**R 400.11302**  
Source: 2009 AACS.

**R 400.11303**  
Source: 1998-2000 AACS.

**R 400.11304**  
Source: 2009 AACS.

**R 400.11305**  
Source: 2009 AACS.

**R 400.11307**  
Source: 2009 AACS.

**R 400.11309**  
Source: 2009 AACS.

**R 400.11311**  
Source: 2009 AACS.

**R 400.11313**  
Source: 2009 AACS.

**R 400.11315**  
Source: 2009 AACS.

**R 400.11317**  
Source: 2009 AACS.

**R 400.11319**  
Source: 2009 AACS.

**PART 4 HIGH ADVENTURE ACTIVITIES**

**R 400.11401**  
Source: 2009 AACS.

**R400.11403**  
Source: 2009 AACS.

**R 400.11405**  
Source: 2009 AACS.

**R400.11407**  
Source: 2009 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.11409**

Source: 2009 AACCS.

**R 400.11411**

Source: 2009 AACCS.

**R 400.11413**

Source: 2009 AACCS.

**DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH**

**DIVISION OF CHILD WELFARE LICENSING**

**CHILD PLACING AGENCIES**

**PART 1. GENERAL PROVISIONS**

**R 400.12101 Definitions.**

Rule 101. As used in these rules:

- (a) "Act" means 1973 PA 116, MCL 722.111 to 722.128, and known as the child care organization licensing act.
- (b) "Agency" means a child-placing agency as defined in section 1 of the act.
- (c) "Chief administrator" means the person designated by the licensee as having the day-to-day responsibility for the overall administration of a child placing agency and for assuring the care, safety, and protection of children and families served.
- (d) "Concurrent planning" means simultaneously planning for reunification and alternative permanence.
- (e) "Contribution" means the payment of money or donation of goods or services.
- (f) "Corporal punishment" means hitting, paddling, shaking, slapping, spanking, or any other use of physical force as a means of behavior management except as provided in R 400.12313(4).
- (g) "Department" means the Michigan department of health and human services.
- (h) "Deemed status" means a status conferred on an organization based on a professional standards review by a national accrediting organization that recognizes that the organization's programs meet certain effectiveness criteria.
- (i) "Emergency placement" means a placement that is made in response to a sudden unexpected occurrence that demands immediate action.
- (j) "Foster child" means a person who meets all of the following criteria:
  - (i) Resides in an out-of-home placement based on a court order or who has been reunified with a parent or guardian but continues under the wardship and supervision of the court or is temporarily placed by a parent or guardian for a limited time in a foster home as defined by section 1 of 1973 PA 116, MCL 722.111 or has been released by a parent to the department or a child placing agency under section 22 of 1939 PA 288, MCL 710.22
  - (ii) Is placed with or committed to the department for care and supervision by a court order under section 2 of 1939 PA 288, MCL 712A.2.
  - (iii) Is less than 18 years of age or is 18 years of age or older and was in foster care before turning 18 year of age and agrees to remain in care following termination of court jurisdiction.
- (k) "Foster home" means foster family home or foster family group home, as defined in section 1 of 1973 PA 116, MCL 722.111.
- (l) "Human behavioral science" means a degree from an accredited college or university in any of the following:
  - (i) Social work.
  - (ii) Psychology.
  - (iii) Counseling and guidance.
  - (iv) Child development.
  - (v) Criminal justice.
  - (vi) Family and child ecology.
  - (vii) Sociology.
  - (viii) Family community services.
  - (ix) Family studies.

**Annual Administrative Code Supplement**  
**2015 Edition**

- (x) Family Live education.
- (xi) Human services.
- (m) “Independent living” means the placement, by an agency, of a youth who is not less than 16 years old in his or her own unlicensed residence, the residence of an adult who does not have supervisory responsibility for the youth, or in a residence under the control of the agency. The authorized agency or governmental unit retains supervisory responsibility for the youth.
- (n) “Infant” means a child between birth and 12 months of age.
- (o) “Licensing authority” means the administrative unit of the department responsible for making licensing and approval recommendations for a child placing agency. (p) “Licensee designee” means the individual who is authorized by the board of directors, or the governing body for a public agency, to act on behalf of the corporation or organization on licensing matters.
- (q) “Member of the household” means any person, other than a foster child, who resides in a foster or adoptive home on an ongoing or recurring basis.
- (r) “Parent” means a legal parent and includes a custodial parent, noncustodial parent, or adoptive parent.
- (s) “Placement” means moving a child to an out-of-home living arrangement for purposes of foster care, adoption, or independent living; or from out-of-home placement to another out-of-home placement.
- (t) “Social service supervisor” means a person who supervises a social service worker. A social service supervisor may also function as a social service worker in the temporary absence of the social service worker if the provisions of R 400.12205 are met.
- (u) “Social service worker” means a person who performs social service functions prescribed by these rules.
- (v) “Staff” means a person who is any of the following:
  - (i) Employed by an agency.
  - (ii) A volunteer for the agency.
  - (iii) Is under contract to the agency.
- (w) “Substantial noncompliance” means repeated violation of the act or an administrative rule promulgated under the act, or noncompliance with the act, a rule promulgated under the act, or the terms of a license that jeopardizes the health, safety, care, treatment, maintenance, or supervision of individuals receiving services or, in the case of an applicant, individuals who may receive services.
- (x) “Substitute care provider” means a person who provides care and supervision in the absence of the foster parent for any length of time.
- (y) “Tribe” means a federally recognized tribe.
- (z) “Willful noncompliance” means that after receiving a copy of the act, the rules promulgated under the act, and a copy of the terms of the license if applicable, an applicant or licensee knows or had reason to know that his or her conduct is a violation of the act, the rules promulgated under the act, or the terms of the license.

History: 1979 AC; 1998-2000 AACS; 2007 AACS; 2014 AACS; 2015 MR 17, Eff. Sept. 23, 2015.

**R 400.12102**

Source: 1998-2000 AACS.

**R 400.12103**

Source: 1998-2000 AACS.

**R 400.12104**

Source: 2014 AACS.

**R 400.12105**

Source: 2014 AACS.

**PART 2. AGENCY SERVICES**

**R 400.12201**

Source: 1998-2000 AACS.

**R 400.12202**

Source: 2007 AACS.

**R 400.12203**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 2014 AACS.

**R 400.12204**

**Source:** 2014 AACS.

**R 400.12205**

**Source:** 2014 AACS.

**R 400.12206**

**Source:** 2014 AACS.

**R 400.12207**

**Source:** 2014 AACS.

**R 400.12208**

**Source:** 1998-2000 AACS.

**R 400.12209**

**Source:** 2014 AACS.

**R 400.12210**

**Source:** 1998-2000 AACS.

**R 400.12211**

**Source:** 1998-2000 AACS.

**R 400.12212**

**Source:** 2014 AACS.

**R 400.12213**

**Source:** 1998-2000 AACS.

**R 400.12214**

**Source:** 2007 AACS.

**PART 3. FOSTER HOME CERTIFICATION**

**R 400.12301**

**Source:** 1998-2000 AACS.

**R 400.12302**

**Source:** 1998-2000 AACS.

**R 400.12303**

**Source:** 2014 AACS.

**R 400.12304**

**Source:** 2014 AACS.

**R 400.12305**

**Source:** 2014 AACS.

**R 400.12306**

**Source:** 2014 AACS.

**R 400.12307**

**Source:** 2014 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.12308**  
Source: 1998-2000 AACS.

**R 400.12309**  
Source: 2014 AACS.

**R 400.12310**  
Source: 2014 AACS.

**R 400.12311**  
Source: 2014 AACS.

**R 400.12312**  
Source: 2014 AACS.

**R 400.12313**  
Source: 2014 AACS.

**R 400.12314**  
Source: 2014 AACS.

**R 400.12315**  
Source: 2014 AACS.

**R 400.12316**  
Source: 2014 AACS.

**R 400.12317**  
Source: 2014 AACS.

**R 400.12318**  
Source: 2014 AACS.

**R 400.12319**  
Source: 2014 AACS.

**R 400.12320**  
Source: 2014 AACS.

**R 400.12321**  
Source: 2014 AACS.

**R 400.12322**  
Source: 2014 AACS.

**R 400.12323**  
Source: 2014 AACS.

**R 400.12324**  
Source: 2014 AACS.

**R 400.12325**  
Source: 2014 AACS.

**R 400.12326**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 2014 AACS.

**R 400.12327**

**Source:** 2014 AACS.

**R 400.12328**

**Source:** 2014 AACS.

**PART 4. FOSTER CARE SERVICES**

**R 400.12401**

**Source:** 1998-2000 AACS.

**R 400.12402**

**Source:** 1998-2000 AACS.

**R 400.12403**

**Source:** 2014 AACS.

**R 400.12404**

**Source:** 2014 AACS.

**R 400.12405**

**Source:** 2014 AACS.

**R 400.12406**

**Source:** 2014 AACS.

**R 400.12407**

**Source:** 2014 AACS.

**R 400.12408**

**Source:** 2014 AACS.

**R 400.12409**

**Source:** 2014 AACS.

**R 400.12410**

**Source:** 2014 AACS.

**R 400.12411**

**Source:** 1998-2000 AACS.

**R 400.12412**

**Source:** 2014 AACS.

**R 400.12413 Medical and dental care policy.**

Rule 413. (1) An agency's medical and dental care policy shall, at a minimum, include all of the following:

- (a) The provision of routine medical care.
- (b) The provision of emergency medical, surgical, and dental care.
- (c) A physical examination for each child as follows, unless a greater frequency is medically indicated:
  - (i) For a child under 2 years of age, a physical examination shall have been completed within 3 months before being placed in foster care or a new physical examination shall be completed within 30 calendar days after being placed in foster care.
  - (ii) For a child 2 years of age or older, a physical examination shall have been completed within 12 months before placement or a new physical examination shall be completed within 30 calendar days after placement.
  - (iii) A physical examination every 14 months.

**Annual Administrative Code Supplement**  
**2015 Edition**

(d) Current immunizations for each child as required by section 5111 of 1978 PA 368, MCL 333.5111. All of the following apply:

(i) A statement from a parent or licensed medical authority, which indicates that immunizations are current or contraindicated, is sufficient documentation of immunizations.

(ii) A copy of a waiver addressed to the department that is signed by the parent stating immunizations are not being administered due to religious, medical, or other reasons is sufficient documentation of immunizations. A waiver shall be accompanied by a certification by the local health department that the parent or parents received education on the risks of not receiving the vaccines being waived and the benefits of vaccination to the individual and the community as required by MCL 333.5111 and the provisions under R 325.176(12) of the communicable and related disease administrative rules.

(iii) If documentation of immunization or a copy of the waiver is unavailable, then immunizations shall begin within 30 calendar days of placement.

(e) The provision of any dental treatment necessary for a child who is less than 4 years of age.

(f) The provision of a dental examination and any treatment required for each child who is 4 years of age and older, including both of the following:

(i) A dental examination within 12 months before placement or a new dental examination shall be completed not more than 90 calendar days after placement.

(ii) A dental reexamination shall be obtained at least every 18 months, unless a greater frequency is indicated.

(2) An agency shall maintain a file documentation from the medical or dental provider of all medical and dental care received by a foster child.

History: 1979 AC; 1998-2000 AACS; 2014 AACS; 2015 MR 17, Eff. Sept. 23, 2015.

**R 400.12414**

Source: 2014 AACS.

**R 400.12415**

Source: 2014 AACS.

**R 400.12416**

Source: 2014 AACS.

**R 400.12417**

Source: 2014 AACS.

**R 400.12418**

Source: 2014 AACS.

**R 400.12419**

Source: 2014 AACS.

**R 400.12420**

Source: 2014 AACS.

**R 400.12421**

Source: 2014 AACS.

**R 400.12422**

Source: 2014 AACS.

**PART 5. INDEPENDENT LIVING SERVICES**

**R 400.12501**

Source: 1998-2000 AACS.

**R 400.12502**

Source: 2014 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.12503**  
Source: 2014 AACS.

**R 400.12504**  
Source: 2014 AACS.

**R 400.12505**  
Source: 2014 AACS.

**R 400.12506**  
Source: 2014 AACS.

**R 400.12507**  
Source: 2014 AACS.

**R 400.12508**  
Source: 2014 AACS.

**R 400.12509**  
Source: 2014 AACS.

**R 400.12510**  
Source: 2014 AACS.

**R 400.12511**  
Source: 2014 AACS.

**PART 6. ADOPTION EVALUATION SERVICES**

**R 400.12601**  
Source: 1998-2000 AACS.

**R 400.12602**  
Source: 2014 AACS.

**R 400.12603**  
Source: 2014 AACS.

**R 400.12604**  
Source: 2014 AACS.

**R 400.12605**  
Source: 2014 AACS.

**R 400.12606**  
Source: 2014 AACS.

**R 400.12607**  
Source: 2014 AACS.

**R 400.12608**  
Source: 2014 AACS.

**PART 7. ADOPTION PLACEMENT SERVICES**

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.12701**  
Source: 2014 AACS.

**R 400.12702**  
Source: 2014 AACS.

**R 400.12703**  
Source: 2014 AACS.

**R 400.12704**  
Source: 2014 AACS.

**R 400.12705**  
Source: 2014 AACS.

**R 400.12706**  
Source: 2014 AACS.

**R 400.12707**  
Source: 2014 AACS.

**R 400.12708**  
Source: 2014 AACS.

**R 400.12709**  
Source: 2014 AACS.

**R 400.12710**  
Source: 2014 AACS.

**R 400.12711**  
Source: 2014 AACS.

**R 400.12712**  
Source: 2014 AACS.

**R 400.12713**  
Source: 2014 AACS.

**PART 8 INTER-COUNTRY ADOPTION**

**R 400.12801**  
Source: 2014 AACS.

**R 400.12802**  
Source: 2014 AACS.

**R 400.12803**  
Source: 2014 AACS.

**R 400.12804**  
Source: 2014 AACS.

**R 400.12805**  
Source: 2014 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.12806**  
Source: 2014 AACS.

**R 400.12807**  
Source: 2014 AACS.

**R 400.12808**  
Source: 2014 AACS.

**DIVISION OF ADULT FOSTER CARE LICENSING**  
**ADULT FOSTER CARE SMALL GROUP HOMES**

**PART 1. GENERAL PROVISIONS**

**R 400.14101**  
Source: 1994 AACS.

**R 400.14102**  
Source: 1994 AACS.

**R 400.14103**  
Source: 1994 AACS.

**R 400.14104**  
Source: 1994 AACS.

**R 400.14105**  
Source: 1994 AACS.

**R 400.14106**  
Source: 1994 AACS.

**R 400.14199**  
Source: 1994 AACS.

**PART 2. PROGRAM REQUIREMENTS**

**R 400.14201**  
Source: 1994 AACS.

**R 400.14202**  
Source: 1994 AACS.

**R 400.14203**  
Source: 1994 AACS.

**R 400.14204**  
Source: 1994 AACS.

**R 400.14205**  
Source: 1994 AACS.

**R 400.14206**  
Source: 1994 AACS.

**R 400.14207**  
Source: 1994 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.14208**  
Source: 1994 AACS.

**R 400.14209**  
Source: 1994 AACS.

**R 400.14210**  
Source: 1994 AACS.

**PART 3. RESIDENT CARE, SERVICES, AND RECORDS**

**R 400.14301**  
Source: 1994 AACS.

**R 400.14302**  
Source: 1994 AACS.

**R 400.14303**  
Source: 1994 AACS.

**R 400.14304**  
Source: 1994 AACS.

**R 400.14305**  
Source: 1994 AACS.

**R 400.14306**  
Source: 1994 AACS.

**R 400.14307**  
Source: 1994 AACS.

**R 400.14308**  
Source: 1994 AACS.

**R 400.14309**  
Source: 1994 AACS.

**R 400.14310**  
Source: 1994 AACS.

**R 400.14311**  
Source: 1994 AACS.

**R 400.14312**  
Source: 1994 AACS.

**R 400.14313**  
Source: 1994 AACS.

**R 400.14314**  
Source: 1994 AACS.

**R 400.14315**  
Source: 1994 AACS.

**R 400.14316**  
Source: 1994 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.14317**  
Source: 1994 AACS.

**R 400.14318**  
Source: 1994 AACS.

**R 400.14319**  
Source: 1994 AACS.

**PART 4. ENVIRONMENTAL CONDITIONS**

**R 400.14401**  
Source: 1994 AACS.

**R 400.14402**  
Source: 1994 AACS.

**R 400.14403**  
Source: 1994 AACS.

**R 400.14404**  
Source: 1994 AACS.

**R 400.14405**  
Source: 1994 AACS.

**R 400.14406**  
Source: 1994 AACS.

**R 400.14407**  
Source: 1994 AACS.

**R 400.14408**  
Source: 1994 AACS.

**R 400.14409**  
Source: 1994 AACS.

**R 400.14410**  
Source: 1994 AACS.

**R 400.14411**  
Source: 1994 AACS.

**PART 5. FIRE SAFETY; HOMES LICENSED OR PROPOSED TO BE LICENSED  
AFTER MARCH 27, 1980**

**R 400.14501**  
Source: 1994 AACS.

**R 400.14502**  
Source: 1994 AACS.

**R 400.14503**  
Source: 1994 AACS.

**R 400.14504**  
Source: 1994 AACS.

**R 400.14505**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1994 AACS.

**R 400.14506**  
Source: 1994 AACS.

**R 400.14507**  
Source: 1994 AACS.

**R 400.14508**  
Source: 1994 AACS.

**R 400.14509**  
Source: 1994 AACS.

**R 400.14510**  
Source: 1994 AACS.

**R 400.14511**  
Source: 1994 AACS.

**R 400.14512**  
Source: 1994 AACS.

**PART 6. FIRE SAFETY; HOMES LICENSED ON OR BEFORE MARCH 27, 1980**

**R 400.14601**  
Source: 1994 AACS.

**ADULT FOSTER CARE LARGE GROUP HOMES**

**PART 1. GENERAL PROVISIONS**

**R 400.15101**  
Source: 1994 AACS.

**R 400.15102**  
Source: 1994 AACS.

**R 400.15103**  
Source: 1994 AACS.

**R 400.15104**  
Source: 1994 AACS.

**R 400.15105**  
Source: 1994 AACS.

**R 400.15106**  
Source: 1994 AACS.

**PART 2. PROGRAM REQUIREMENTS**

**R 400.15201**  
Source: 1994 AACS.

**R 400.15202**  
Source: 1994 AACS.

**R 400.15203**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1994 AACS.

**R 400.15204**

Source: 1994 AACS.

**R 400.15205**

Source: 1994 AACS.

**R 400.15206**

Source: 1994 AACS.

**R 400.15207**

Source: 1994 AACS.

**R 400.15208**

Source: 1994 AACS.

**R 400.15209**

Source: 1994 AACS.

**R 400.15210**

Source: 1994 AACS.

**PART 3. RESIDENT CARE, SERVICES, AND RECORDS**

**R 400.15301**

Source: 1994 AACS.

**R 400.15302**

Source: 1994 AACS.

**R 400.15303**

Source: 1994 AACS.

**R 400.15304**

Source: 1994 AACS.

**R 400.15305**

Source: 1994 AACS.

**R 400.15306**

Source: 1994 AACS.

**R 400.15307**

Source: 1994 AACS.

**R 400.15308**

Source: 1994 AACS.

**R 400.15309**

Source: 1994 AACS.

**R 400.15310**

Source: 1994 AACS.

**R 400.15311**

Source: 1994 AACS.

**R 400.15312**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1994 AACS.

**R 400.15313**

Source: 1994 AACS.

**R 400.15314**

Source: 1994 AACS.

**R 400.15315**

Source: 1994 AACS.

**R 400.15316**

Source: 1994 AACS.

**R 400.15317**

Source: 1994 AACS.

**R 400.15318**

Source: 1994 AACS.

**R 400.15319**

Source: 1994 AACS.

**PART 4. ENVIRONMENTAL CONDITIONS**

**R 400.15401**

Source: 1994 AACS.

**R 400.15402**

Source: 1994 AACS.

**R 400.15403**

Source: 1994 AACS.

**R 400.15404**

Source: 1994 AACS.

**R 400.15405**

Source: 1994 AACS.

**R 400.15406**

Source: 1994 AACS.

**R 400.15407**

Source: 1994 AACS.

**R 400.15408**

Source: 1994 AACS.

**R 400.15409**

Source: 1994 AACS.

**R 400.15410**

Source: 1994 AACS.

**R 400.15411**

Source: 1994 AACS.

**Annual Administrative Code Supplement  
2015 Edition**

**DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH**

**BUREAU OF REGULATORY SERVICES**

**ADULT FOSTER CARE FACILITY LICENSING AND CHILD CARE**

**ORGANIZATION**

**CONTESTED CASE HEARINGS**

**R 400.16001**

Source: 1998-2000 AACS.

**DEPARTMENT OF STATE POLICE**

**STATE FIRE SAFETY BOARD**

**ADULT FOSTER CARE FACILITIES**

**PART 1. GENERAL PROVISIONS**

**R 400.18101**

Source: 2012 AACS.

**R 400.18102**

Source: 2012 AACS.

**R 400.18103**

Source: 2012 AACS.

**R 400.18104**

Source: 2012 AACS.

**R 400.18105**

Source: 2012 AACS.

**R 400.18106**

Source: 2012 AACS.

**R 400.18107**

Source: 2012 AACS.

**R 400.18108**

Source: 2012 AACS.

**R 400.18109**

Source: 2012 AACS.

**R 400.18110**

Source: 2012 AACS.

**R 400.18111**

Source: 2012 AACS.

**PART 2. NEW SMALL AND LARGE ADULT FOSTER CARE FACILITIES**

**R 400.18201**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 2012 AACS.

**R 400.18202**

Source: 2012 AACS.

**R 400.18203**

Source: 2012 AACS.

**R 400.18204**

Source: 2012 AACS.

**R 400.18205**

Source: 2012 AACS.

**R 400.18206**

Source: 2012 AACS.

**R 400.18207**

Source: 2012 AACS.

**R 400.18208**

Source: 2012 AACS.

**R 400.18209**

Source: 2012 AACS.

**R 400.18210**

Source: 2012 AACS.

**R 400.18211**

Source: 2012 AACS.

**R 400.18212**

Source: 2012 AACS.

**R 400.18213**

Source: 2012 AACS.

**R 400.18214**

Source: 2012 AACS.

**R 400.18215**

Source: 2012 AACS.

**R 400.18216**

Source: 2012 AACS.

**R 400.18217**

Source: 2012 AACS.

**R 400.18218**

Source: 2012 AACS.

**R 400.18219**

Source: 2012 AACS.

**R 400.18220**

Source: 2012 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.18221**  
Source: 2012 AACS.

**R 400.18222**  
Source: 2012 AACS.

**R 400.18223**  
Source: 2012 AACS.

**R 400.18224**  
Source: 2012 AACS.

**R 400.18225**  
Source: 2012 AACS.

**R 400.18226**  
Source: 2012 AACS.

**PART 3. EXISTING SMALL AND LARGE ADULT FOSTER CARE FACILITIES LICENSED ON OR BEFORE  
MARCH 27, 1980; EXISTING SMALL AND LARGE ADULT FOSTER CARE FACILITIES LICENSED ON OR  
BEFORE MARCH 27, 1980, AND RELICENSED BEFORE JULY 2, 1991**

**R 400.18301**  
Source: 1994 AACS.

**R 400.18302**  
Source: 1994 AACS.

**R 400.18303**  
Source: 1994 AACS.

**R 400.18304**  
Source: 1994 AACS.

**R 400.18305**  
Source: 1994 AACS.

**R 400.18306**  
Source: 1994 AACS.

**R 400.18307**  
Source: 1994 AACS.

**R 400.18308**  
Source: 1994 AACS.

**R 400.18309**  
Source: 1994 AACS.

**R 400.18310**  
Source: 1994 AACS.

**R 400.18311**  
Source: 1994 AACS.

**R 400.18312**  
Source: 1994 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.18313**  
Source: 1994 AACS.

**R 400.18314**  
Source: 1997 AACS.

**PART 4. EXISTING SMALL AND LARGE ADULT FOSTER CARE FACILITIES LICENSED  
AFTER MARCH 27, 1980**

**R 400.18401**  
Source: 2012 AACS.

**R 400.18402**  
Source: 2012 AACS.

**R 400.18403**  
Source: 2012 AACS.

**R 400.18404**  
Source: 2012 AACS.

**R 400.18405**  
Source: 2012 AACS.

**R 400.18406**  
Source: 2012 AACS.

**R 400.18407**  
Source: 2012 AACS.

**R 400.18408**  
Source: 2012 AACS.

**R 400.18409**  
Source: 2012 AACS.

**R 400.18410**  
Source: 2012 AACS.

**R 400.18411**  
Source: 2012 AACS.

**R 400.18412**  
Source: 2012 AACS.

**R 400.18413**  
Source: 2012 AACS.

**R 400.18414**  
Source: 2012 AACS.

**R 400.18415**  
Source: 2012 AACS.

**R 400.18416**  
Source: 2012 AACS.

**R 400.18417**  
Source: 2012 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.18418**  
Source: 2012 AACS.

**R 400.18419**  
Source: 2012 AACS.

**R 400.18420**  
Source: 2012 AACS.

**R 400.18421**  
Source: 2012 AACS.

**R 400.18422**  
Source: 2012 AACS.

**R 400.18423**  
Source: 2012 AACS.

**R 400.18424**  
Source: 2012 AACS.

**R 400.18425**  
Source: 2012 AACS.

**PART 5. NEW ADULT AND FOSTER CARE CONGREGATE FACILITIES**

**R 400.18501**  
Source: 2012 AACS.

**R 400.18502**  
Source: 2012 AACS.

**PART 6. EXISTING ADULT FOSTER CARE CONGREGATE FACILITIES**

**R 400.18601**  
Source: 1994 AACS.

**R 400.18602**  
Source: 1994 AACS.

**R 400.18603**  
Source: 1994 AACS.

**R 400.18604**  
Source: 1994 AACS.

**R 400.18605**  
Source: 1994 AACS.

**R 400.18606**  
Source: 1994 AACS.

**R 400.18607**  
Source: 1994 AACS.

**R 400.18608**  
Source: 1994 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.18609**  
Source: 1994 AACS.
- R 400.18610**  
Source: 1994 AACS.
- R 400.18611**  
Source: 1994 AACS.
- R 400.18612**  
Source: 1994 AACS.
- R 400.18613**  
Source: 1994 AACS.
- R 400.18614**  
Source: 1994 AACS.
- R 400.18615**  
Source: 1994 AACS.
- R 400.18616**  
Source: 1994 AACS.
- R 400.18617**  
Source: 1994 AACS.
- R 400.18618**  
Source: 1994 AACS.
- R 400.18619**  
Source: 1994 AACS.
- R 400.18620**  
Source: 1994 AACS.
- R 400.18621**  
Source: 1994 AACS.
- R 400.18622**  
Source: 1994 AACS.
- R 400.18623**  
Source: 1994 AACS.
- R 400.18624**  
Source: 1994 AACS.
- R 400.18625**  
Source: 1994 AACS.
- R 400.18626**  
Source: 1994 AACS.
- R 400.18627**  
Source: 1994 AACS.
- R 400.18628**  
Source: 1994 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

- R 400.18629**  
Source: 1994 AACS.
- R 400.18630**  
Source: 1994 AACS.
- R 400.18631**  
Source: 1994 AACS.
- R 400.18632**  
Source: 1994 AACS.
- R 400.18633**  
Source: 1994 AACS.
- R 400.18634**  
Source: 1994 AACS.
- R 400.18635**  
Source: 1994 AACS.
- R 400.18636**  
Source: 1994 AACS.
- R 400.18637**  
Source: 1994 AACS.
- R 400.18638**  
Source: 1994 AACS.
- R 400.18639**  
Source: 1994 AACS.
- R 400.18640**  
Source: 1994 AACS.
- R 400.18641**  
Source: 1994 AACS.
- R 400.18642**  
Source: 1994 AACS.
- R 400.18643**  
Source: 1994 AACS.
- R 400.18644**  
Source: 1994 AACS.
- R 400.18645**  
Source: 1994 AACS.
- R 400.18646**  
Source: 1994 AACS.
- R 400.18647**  
Source: 1994 AACS.
- R 400.18648**  
Source: 1994 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.18649**  
Source: 1994 AACS.

**R 400.18650**  
Source: 1994 AACS.

**R 400.18651**  
Source: 1994 AACS.

**R 400.18652**  
Source: 1994 AACS.

**R 400.18653**  
Source: 1994 AACS.

**R 400.18654**  
Source: 1994 AACS.

**R 400.18655**  
Source: 1994 AACS.

**R 400.18656**  
Source: 1994 AACS.

**R 400.18657**  
Source: 1994 AACS.

**R 400.18658**  
Source: 1994 AACS.

**R 400.18659**  
Source: 1994 AACS.

**PART 7. AMENDMENTS TO THE STANDARD FOR THE INSTALLATION, MAINTENANCE,  
AND USE OF HOUSEHOLD FIRE WARNING EQUIPMENT (NFPA 74, 1989 EDITION,  
NATIONAL FIRE PROTECTION ASSOCIATION)**

**R 400.18701**  
Source: 1994 AACS.

**R 400.18702**  
Source: 1994 AACS.

**DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH**  
**BUREAU OF COMMUNITY SERVICES**  
**COMMUNITY ACTION PROGRAMS**  
**PART 1. GENERAL PROVISIONS**

**R 400.19101**  
Source: 2014 AACS.

**R 400.19102**  
Source: 2014 AACS.

**R 400.19103**

**Annual Administrative Code Supplement**  
2015 Edition

Source: 1990 AACS.

**R 400.19104**

Source: 2014 AACS.

**R 400.19105**

Source: 2014 AACS.

**R 400.19106**

Source: 2014 AACS.

**PART 2. BUREAU OF COMMUNITY ACTION AND ECONOMIC OPPORTUNITY**

**R 400.19201**

Source: 2014 AACS.

**R 400.19202**

Source: 1990 AACS.

**R 400.19203**

Source: 2014 AACS.

**R 400.19204**

Source: 2014 AACS.

**R 400.19205**

Source: 2014 AACS.

**R 400.19206**

Source: 2014 AACS.

**R 400.19207**

Source: 1990 AACS.

**R 400.19208**

Source: 2014 AACS.

**R 400.19209**

Source: 2014 AACS.

**PART 3. COMMISSION ON ECONOMIC AND SOCIAL OPPORTUNITY**

**R 400.19301**

Source: 2014 AACS.

**PART 4. COMMUNITY ACTION AGENCIES**

**R 400.19401**

Source: 2014 AACS.

**R 400.19402**

Source: 2014 AACS.

**R 400.19403**

Source: 2014 AACS.

**R 400.19404**

**Annual Administrative Code Supplement**  
**2015 Edition**

**Source:** 2014 AACS.

**R 400.19405**

**Source:** 2014 AACS.

**R 400.19406**

**Source:** 2014 AACS.

**R 400.19407**

**Source:** 2014 AACS.

**R 400.19408**

**Source:** 2014 AACS.

**R 400.19409**

**Source:** 2014 AACS.

**R 400.19410**

**Source:** 2014 AACS.

**R 400.19411**

**Source:** 2014 AACS.

**R 400.19412**

**Source:** 1990 AACS.

**R 400.19413**

**Source:** 1990 AACS.

**R 400.19414**

**Source:** 2014 AACS.

**R 400.19415**

**Source:** 2014 AACS.

**PART 5. FINANCIAL REQUIREMENTS**

**R 400.19501**

**Source:** 2014 AACS.

**R 400.19502**

**Source:** 2014 AACS.

**R 400.19503**

**Source:** 2014 AACS.

**R 400.19504**

**Source:** 2014 AACS.

**R 400.19505**

**Source:** 2014 AACS.

**R 400.19506**

**Source:** 1990 AACS.

**R 400.19507**

**Source:** 1990 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.19508**  
Source: 1990 AACS.

**R 400.19509**  
Source: 1990 AACS.

**R 400.19510**  
Source: 2014 AACS.

**R 400.19511**  
Source: 2014 AACS.

**R 400.19512**  
Source: 1990 AACS.

**R 400.19513**  
Source: 1990 AACS.

**R 400.19514**  
Source: 1990 AACS.

**R 400.19515**  
Source: 2014 AACS.

**PART 6. COMMUNITY ACTION AGENCY (CAA) STATUS DESIGNATION, RECISSION AND CHANGE**

**R 400.19601**  
Source: 2014 AACS.

**R 400.19602**  
Source: 2014 AACS.

**R 400.19603**  
Source: 2014 AACS.

**R 400.19604**  
Source: 2014 AACS.

**R 400.19605**  
Source: 2014 AACS.

**R 400.19606**  
Source: 2014 AACS.

**R 400.19607**  
Source: 2014 AACS.

**R 400.19608**  
Source: 2014 AACS.

**PART 7. GRANTEE APPEALS AND APPEALS HEARINGS**

**R 400.19701**  
Source: 2014 AACS.

**R 400.19702**  
Source: 2014 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.19703**  
Source: 2014 AACS.

**R 400.19705**  
Source: 2014 AACS.

**R 400.19706**  
Source: 2014 AACS.

**DEPARTMENT OF MANAGEMENT AND BUDGET**  
**OFFICE OF SERVICES TO THE AGING**  
**STATE AND LOCAL PROGRAMS ON AGING**

**PART 1. GENERAL PROVISIONS**

**R 400.20101**  
Source: 1983 AACS.

**R 400.20102**  
Source: 1983 AACS.

**R 400.20103**  
Source: 1983 AACS.

**R 400.20104**  
Source: 1983 AACS.

**R 400.20105**  
Source: 1983 AACS.

**R 400.20106**  
Source: 1983 AACS.

**R 400.20107**  
Source: 1983 AACS.

**R 400.20108**  
Source: 1983 AACS.

**R 400.20109**  
Source: 1983 AACS.

**PART 2. COMMISSION ON SERVICES TO THE AGING**

**R 400.20201**  
Source: 1983 AACS.

**R 400.20202**  
Source: 1983 AACS.

**R 400.20203**  
Source: 1983 AACS.

**R 400.20204**  
Source: 1983 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.20205**  
Source: 1983 AACS.

**R 400.20206**  
Source: 1983 AACS.

**R 400.20207**  
Source: 1983 AACS.

**PART 3. OFFICE ON SERVICES TO THE AGING**

**R 400.20301**  
Source: 1983 AACS.

**R 400.20302**  
Source: 1983 AACS.

**R 400.20303**  
Source: 1983 AACS.

**R 400.20304**  
Source: 1983 AACS.

**R 400.20305**  
Source: 1983 AACS.

**R 400.20306**  
Source: 1983 AACS.

**R 400.20307**  
Source: 1983 AACS.

**R 400.20308**  
Source: 1983 AACS.

**R 400.20309**  
Source: 1983 AACS.

**PART 4. AREA AGENCIES ON AGING**

**R 400.20401**  
Source: 1983 AACS.

**R 400.20402**  
Source: 1983 AACS.

**R 400.20403**  
Source: 1983 AACS.

**R 400.20404**  
Source: 1983 AACS.

**R 400.20405**  
Source: 1983 AACS.

**R 400.20406**  
Source: 1983 AACS.

**Annual Administrative Code Supplement**  
**2015 Edition**

**R 400.20407**  
Source: 1983 AACS.

**PART 5. FINANCIAL REQUIREMENTS**

**R 400.20501**  
Source: 1983 AACS.

**R 400.20502**  
Source: 1983 AACS.

**R 400.20503**  
Source: 1983 AACS.

**R 400.20504**  
Source: 1983 AACS.

**R 400.20505**  
Source: 1983 AACS.

**R 400.20506**  
Source: 1983 AACS.

**R 400.20507**  
Source: 1983 AACS.

**R 400.20508**  
Source: 1983 AACS.

**R 400.20509**  
Source: 1983 AACS.

**R 400.20510**  
Source: 1983 AACS.

**R 400.20511**  
Source: 1983 AACS.

**R 400.20512**  
Source: 1983 AACS.

**R 400.20513**  
Source: 1983 AACS.

**PART 6. APPEALS AND APPEALS HEARINGS**

**R 400.20601**  
Source: 1983 AACS.

**R 400.20602**  
Source: 1983 AACS.

**R 400.20603**  
Source: 1983 AACS.

**R 400.20604**  
Source: 1983 AACS.

**Annual Administrative Code Supplement**  
2015 Edition

**R 400.20605**

Source: 1983 AACS.

**R 400.20606**

Source: 1983 AACS.

**R 400.20607**

Source: 1983 AACS.