DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 17. HEARINGS

R 336.2701
Source: 2018 AACS.

R 336.2702
Source: 2018 AACS.

R 335.2703
Source: 1998-2000 AACS.

R 336.2703
Source: 1980 AACS.

R 336.2704
Source: 2018 AACS.

R 336.2705
Source: 2018 AACS.

R 336.2706
Source: 2018 AACS.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 18. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY

R 336.2801
Source: 2019 AACS.

R 336.2801a
Source: 2019 AACS.

R 336.2802
Source: 2019 AACS.

R 336.2803
Source: 2012 AACS.

R 336.2804
Source: 2006 AACS.

R 336.2805
Source: 2006 AACS.

R 336.2806
Source: 2006 AACS.

R 336.2807

Source: 2019 AACS.

R 336.2808
Source: 2006 AACS.

R 336.2809
Source: 2019 AACS.

R 336.2810
Source: 2019 AACS.

R 336.2811
Source: 2006 AACS.

R 336.2812
Source: 2006 AACS.

R 336.2813
Source: 2019 AACS.

R 336.2814
Source: 2006 AACS.

R 336.2815
Source: 2006 AACS.

R 336.2816
Source: 2019 AACS.

R 336.2817
Source: 2006 AACS.

R 336.2818
Source: 2008 AACS.

R 336.2819
Source: 2006 AACS.

R 336.2823
Source: 2019 AACS.

R 336.2830
Source: 2012 AACS.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 19. NEW SOURCE REVIEW FOR MAJOR SOURCES IMPACTING NONATTAINMENT AREAS

R 336.2901
Source: 2019 AACS.

R 336.2901a
Source: 2019 AACS.

R 336.2902
Source: 2019 AACS.

R 336.2903
Source: 2012 AACS.

R 336.2907
Source: 2019 AACS.

R 336.2908
Source: 2019 AACS.

R 336.2910
Source: 2011 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

AUDIOLOGY - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.1
Source: 2019 AACS.

R 338.1a
Source: 2019 AACS.

R 338.2
Source: 2019 AACS.

R 338.3
Source: 2019 AACS.

R 338.4
Source: 2005 AACS.

R 338.5
Source: 2019 AACS.

R 338.6
Source: 2019 AACS.

R 338.7
Source: 2013 AACS.

R 338.8
Source: 2019 AACS.

R 338.9
Source: 2019 AACS.

R 338.10
Source: 2019 AACS.

R 338.11
Source: 2019 AACS.

R 338.12

Source: 2019 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

DECLARATORY RULINGS

R 338.81
Source: 2001 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OSTEOPATHIC MEDICINE AND SURGERY - GENERAL RULES

CONTINUING EDUCATION

R 338.91
Source: 2016 AACS.

R 338.92
Source: 2016 AACS.

R 338.93
Source: 1991 AACS.

R 338.94
Source: 2016 AACS.

R 338.95
Source: 2016 AACS.

R 338.96
Source: 2016 AACS.

R 338.97
Source: 2016 AACS.

R 338.98
Source: 2016 AACS.

R 338.99
Source: 2016 AACS.

R 338.101
Source: 2016 AACS.

R 338.102
Source: 2016 AACS.

R 338.103
Source: 2016 AACS.

R 338.105

Source: 2016 AACS.

R 338.106
Source: 2016 AACS.

R 338.107
Source: 2016 AACS.

R 338.107a
Source: 2016 AACS.

R 338.108
Source: 2013 AACS.

R 338.108a
Source: 2016 AACS.

R 338.108b
Source: 2016 AACS.

R 338.109a
Source: 2016 AACS.

PART 2. ADMINISTRATIVE HEARINGS

R 338.110
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OSTEOPATHIC MEDICINE AND SURGERY - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.111
Source: 2016 AACS.

R 338.113
Source: 2016 AACS.

R 338.115
Source: 2016 AACS.

R 338.117
Source: 2016 AACS.

R 338.119
Source: 2016 AACS.

R 338.120

Source: 2016 AACS.

PART 2. LICENSES

R 338.121
Source: 2016 AACS.

R 338.123
Source: 2016 AACS.

R 338.125
Source: 2016 AACS.

R 338.127
Source: 2016 AACS.

R 338.129
Source: 2016 AACS.

R 338.131
Source: 2016 AACS.

R 338.133
Source: 2016 AACS.

PART 3. CONTINUING EDUCATION

R 338.141
Source: 2016 AACS.

R 338.143
Source: 2016 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF PROFESSIONAL LICENSING

A STANDING ORDER FOR DISPENSING OPIOID ANTAGONISTS

R 338.201
Source: 2018 AACS.

R 338.202
Source: 2018 AACS.

R 338.203
Source: 2018 AACS.

R 338.204

Source: 2018 AACS.

LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF OPTOMETRY - GENERAL RULES

R 338.241
Source: 2010 AACS.

R 338.251
Source: 2016 AACS.

R 338.252
Source: 2016 AACS.

R 338.253
Source: 2016 AACS.

R 338.254
Source: 2016 AACS.

R 338.255
Source: 2010 AACS.

R 338.256
Source: 2016 AACS.

R 338.256a
Source: 2016 AACS.

R 338.256b
Source: 2016 AACS.

R 338.257
Source: 2016 AACS.

R 338.258
Source: 2016 AACS.

R 338.259
Source: 2016 AACS.

R338.260
Source: 1997 AACS.

R 338.261
Source: 2010 AACS.

R 338.262
Source: 1997 AACS.

R 338.263
Source: 1998-2000 AACS.

R 338.264

Source: 1997 AACS.

R 338.265
Source: 1998-2000 AACS.

R 338.266
Source: 1997 AACS.

R 338.267
Source: 1998-2000 AACS.

R 338.268
Source: 1997 AACS.

R 338.269
Source: 1998-2000 AACS.

R 338.270
Source: 2016 AACS**.**

R 338.271
Source: 1997 AACS.

R 338.272
Source: 1995 AACS.

R 338.273
Source: 1995 AACS.

R 338.275
Source: 2016 AACS**.**

R 338.276
Source: 2016 AACS**.**

R 338.277
Source: 2016 AACS**.**

R 338.278
Source: 2016 AACS**.**

R 338.279
Source: 1983 AACS.

ADMINISTRATIVE HEARINGS—OPTOMETRY

R 338.281
Source: 1997 AACS.

R 338.282
Source: 1997 AACS.

R 338.283
Source: 1997 AACS.

R 338.284
Source: 1997 AACS.

R 338.285
Source: 1997 AACS.

R 338.286
Source: 1997 AACS.

R 338.287
Source: 1997 AACS.

R 338.288
Source: 1997 AACS.

UNETHICAL AND ETHICAL CONDUCT

R 338.291
Source: 2016 AACS**.**

R 338.292
Source: 1997 AACS.

LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF OPTOMETRY - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.301
Source: 2019 AACS.

R 338.302
Source: 2019 AACS.

R 338.303
Source: 2019 AACS.

R 338.304
Source: 2019 AACS.

R 338.305
Source: 2019 AACS.

R 338.306
Source: 2019 AACS.

PART 2. LICENSES

R 338.307
Source: 2016 AACS**.**

R 338.309
Source: 2019 AACS.

R 338.311
Source: 2016 AACS**.**

R 338.313
Source: 2019 AACS.

R 338.315
Source: 2016 AACS**.**

R 338.317
Source: 2016 AACS**.**

PART 3. CONTINUING EDUCATION

R 338.319
Source: 2019 AACS.

R 338.320
Source: 2019 AACS.

R 338.321
Source: 2019 AACS.

R 338.323
Source: 2019 AACS.

BOARD OF REGISTRATION IN PODIATRY

SCOPE OF EXAMINATIONS FOR LICENSURE

R 338.311
Source: 1997 AACS.

R 338.312
Source: 1997 AACS.

BOARD OF PODIATRIC MEDICINE AND SURGERY

ADMINISTRATIVE HEARINGS

R 338.341
Source: 1997 AACS.

R 338.342
Source: 1997 AACS.

R 338.343
Source: 1997 AACS.

R 338.344
Source: 1997 AACS.

R 338.345
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R 338.346
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R 338.380
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R 338.381
Source: 1997 AACS.

R 338.382
Source: 1997 AACS.

R 338.383
Source: 1997 AACS.

R 338.384
Source: 1997 AACS.

LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY - GENERAL RULES

R 338.471 Rescinded.
History: 1979 AC; 2020 MR 24, Eff. Dec 22, 2020.

R 338.471a Rescinded.
History: 1980 AACS; 1986 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.471b Rescinded.
History: 2017 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.472 Rescinded.
History: 1979 AC; 1980 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.473 Rescinded.
History: 1979 AC; 1980 AACS; 1990 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.473a Rescinded.
History: 1979 AC; 1980 AACS; 1986 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.473b Rescinded.
History: 1979 AC; 1980 AACS; 1986 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.473c Rescinded.
History: 1980 AACS; 1986 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.473d Rescinded.
History: 1986 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.474 Rescinded.
History: 1979 AC; 1980 AACS; 1988 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.474a Rescinded.
History: 1983 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.475 Rescinded.
History: 1979 AC; 1980 AACS; 1990 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.476
Source: 1998-2000 AACS.

R 338.477 Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 1998-2000 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.477a Rescinded.
History: 1979 AC; 2020 MR 24, Eff. Dec 22, 2020.

R 338.477b Rescinded.
History: 1980 AACS; 1986 AACS; 1998-2000 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.477c Rescinded.
History: 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.477d Rescinded.
History: 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.478 Rescinded.
History: 1979 AC; 2020 MR 24, Eff. Dec 22, 2020.

R 338.479 Rescinded.
History: 1979 AC; 1980 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.479a Rescinded.
History: 1979 AC; 1980 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.479b Rescinded.
History: 1998-2000 AACS; 2000 AACS; 2007 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.479c Rescinded.
History: 1998-2000 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.480 Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.480a Rescinded.
History: 1992 AACS; 1998-2000 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.481 Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 1998-2000 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.482 Rescinded.
History: 1979 AC; 1980 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.483
Source: 1997 AACS.

R 338.484
Source: 1979 AC.

ADMINISTRATIVE HEARINGS

R 338.485
Source: 1997 AACS.

R 338.485a
Source: 1997 AACS.

R 338.485b
Source: 1997 AACS.

R 338.485c
Source: 1997 AACS.

R 338.485d
Source: 1997 AACS.

R 338.485e
Source: 1997 AACS.

R 338.485f
Source: 1997 AACS.

R 338.485g
Source: 1997 AACS.

R 338.485h

Source: 1997 AACS.

R 338.485i
Source: 1997 AACS.

R 338.485j
Source: 1997 AACS.

R 338.485k
Source: 1997 AACS.

R 338.485l
Source: 1997 AACS.

R 338.485m
Source: 1997 AACS.

R 338.485n
Source: 1997 AACS.

R 338.485o
Source: 1997 AACS.

R 338.485p
Source: 1997 AACS.

R 338.485q
Source: 1997 AACS.

R 338.485r
Source: 1997 AACS.

R 338.485s
Source: 1997 AACS.

R 338.485t
Source: 1997 AACS.

R 338.485u
Source: 1997 AACS.

R 338.485v
Source: 1997 AACS.

R 338.485w
Source: 1997 AACS.

R 338.485x
Source: 1997 AACS.

R 338.485y
Source: 1997 AACS.

R 338.486 “Medical institution” and “pharmacy services” defined; pharmacy services in medical institutions.
Rule 16. (1) As used in this rule:
(a) "Medical institution" means a hospital, skilled nursing facility, county medical care facility, nursing home, freestanding

surgical outpatient facility, hospice, or other health facility that is licensed or approved by the state, which directly or indirectly provides or includes pharmacy services.

(b) "Pharmacy services" means the direct and indirect patient care services associated with the practice of pharmacy.

(2) Pharmacy services in a medical institution must be directed and provided by a licensed pharmacist.

(3) Pharmacy personnel who assist the pharmacist by performing delegated functions in the care of patients of a medical institution shall be supervised by a pharmacist who is on the premises of the medical institution.

(4) The pharmacist who directs the pharmacy services shall develop, implement, supervise, and coordinate the services provided, including, at a minimum, all of the following:

(a) Dispensing medications in a form that minimizes additional preparation before administration to the patient, including the admixture of parenterals.

(b) Obtaining the prescriber's original medication order, a direct carbonized copy, an electromechanical facsimile, or other electronic order transmission. Security measures must be in place to ensure that system access by unauthorized individuals is not allowed.

(c) Interpreting and reviewing the prescriber's medication orders and communicating problems with these orders to the prescriber before administration of first doses. If the interpretation and review will cause a medically unacceptable delay, then a limited number of medications may be stocked at the patient care areas for the administration of first doses. Medications must be provided in a manner that ensures security and immediate availability, such as sealed or secured medication kits, carts, or treatment trays. A pharmacist shall routinely inspect the medications and, after use, shall verify the contents and replace the medications as necessary.

(d) Delegating the stocking of an automated device. Technologies must be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing bar-coding or another board-approved error prevention technology that complies with R 338.3154.

(e) Monitoring medication therapy to promote positive patient outcomes while evaluating clinically significant chemical and therapeutic incompatibilities.

(f) Establishing the specifications for the procurement of all pharmaceuticals and related biologicals and chemicals approved for use in the medical institution.

(g) Inspecting all areas in the medical institution where medications are stored to verify compliance with the standards for the safe use and storage of the medications, not less than once every 6 months.

(h) Maintaining proper security for all medications stored or kept within the medical institution.

(i) Providing educational programs regarding medications and their safe use.

(j) Providing a method by which medications can be obtained during the absence of a pharmacist in a medical institution where a pharmacist is not available 24 hours a day. The method shall minimize the potential for medication error. During the absence of a pharmacist, the services of a pharmacist must be available on an on-call basis. Only a limited number of medications that are packaged in units of use must be available. The medications must be approved and reviewed periodically as deemed necessary, but not less than once a year, by an appropriate interdisciplinary practitioner committee of the medical institution. The medication must be kept in a securely locked, substantially constructed cabinet or its equivalent in an area of limited access in a centralized area outside the pharmacy. Each medication must be labeled to include the name of the medication, the strength, the expiration date, if dated, and the lot number. A written order and a proof of removal and use document must be obtained for each medication unit removed. The order and document shall be reviewed by the pharmacist within 48 hours of removing medication from the cabinet or its equivalent. The pharmacist who directs pharmacy services in the medical institution shall designate the practitioners who are permitted to remove the medication. A pharmacist shall audit the storage locations as often as needed to guarantee control, but not less than once every 30 days.

(5) Upon recommendation of an interdisciplinary practitioners' committee, the pharmacist who directs pharmacy services in the medical institution shall adopt written policies and procedures to promote safe medication practices, to conduct medication utilization review, to approve medications for the medical institution's formulary or medication list, and to promote positive patient outcomes. A pharmacist shall meet with the committee at least quarterly to conduct assigned responsibilities.

(6) A pharmacy shall ensure that every medication dispensed is identified with its name and strength labeled on the container in which it is dispensed or on each single unit package. A pharmacy that is engaged in drug distribution to medical institutions which use unit-of-use packaging shall place identification on the label of its package to allow the package to be readily traced. The name of the patient, or a unique identifier, must be labeled on the medication container. The container may be the individual patient's assigned medication drawer. The directions for use must be on the label of the container if the directions are not communicated in another effective manner. If the medication is to be self-administered, then directions for use must be on the container. The provisions of this subrule are minimum labeling standards only and do not supersede other applicable laws or rules.

(7) A pharmacist shall supervise the destruction of unused portions of prescription medication, other than controlled substances under part 71 of the code, MCL 333.7101 to 333.7125, dispensed to patients. However, medications in single-unit packages

and intravenous solutions which are designed to be tamper-evident and which show no evidence that tampering has occurred may be returned to stock. Medications that leave the medical institution or its legal affiliates may not be returned to stock for dispensing.

(8) The licensed pharmacist who directs pharmacy services in the medical institution shall make the policies, procedures, and written reports required by this rule available to the board, upon request.

History: 1979 AC; 1980 AACS; 1998-2000 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.488
Source: 2013 AACS.

R 338.489 Rescinded.
History: 1979 AC; 1980 AACS; 2007 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.490 Rescinded.
History: 1979 AC; 1990 AACS; 1998-2000 AACS; 2020 MR 24, Eff. Dec 22, 2020.

PART 2. MANUFACTURING AND DISTRIBUTION OF PRESCRIPTION DRUGS

R 338.493a Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 1998-2000 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.493b Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 2013 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.493c Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.493d Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.493e
Source: 1998-2000 AACS.

R 338.493f Rescinded.
History: 1979 AC; 1980 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.493g Rescinded.
History: 1979 AC; 1980 AACS; 1992 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.493h
Source: 1997 AACS.

R 338.494
Source: 1997 AACS.

R 338.495
Source: 1998-2000 AACS.

R 338.496
Source: 1998-2000 AACS.

R 338.497
Source: 2014 AACS.

R 338.500 Rescinded.
History: 1995 AACS; 2020 MR 24, Eff. Dec 22, 2020.

PART 1. GENERAL PROVISIONS

R 338.501 Definitions.

Rule 1. (1) As used in these rules:

(a) "Approved education program" means a school of pharmacy that is accredited by or has candidate status by the Accreditation Council for Pharmacy Education.

(b) "Board" means the Michigan board of pharmacy, created in section 17721 of the code, MCL 333.17721.

(c) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(d) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of a drug or device by a pharmacist under any of the following circumstances:

(i) Upon the receipt of a prescription for a specific patient.

(ii) Upon the receipt of a medical or dental order from a prescriber or agent for use in the treatment of patients within the course of the prescriber's professional practice.

(iii) In anticipation of the receipt of a prescription or medical or dental order based on routine, regularly observed prescription or medical or dental order patterns.

(iv) For the purpose of or incidental to research, teaching, or chemical analysis and not for the purpose of sale or dispensing.

(e) "Compounding" does not include any of the following:

(i) Except as provided in section 17748c of the code, MCL 333.17748c, the compounding of a drug product that is essentially a copy of a commercially available product.

(ii) The reconstitution, mixing, or other similar act that is performed pursuant to the directions contained in approved labeling provided by the manufacturer of a commercially available product.

(iii) The compounding of allergenic extracts or biologic products.

(iv) Flavoring agents added to conventionally manufactured and commercially available liquid medications. Flavoring agents must be nonallergenic and inert, not exceeding 5% of a drug product's total volume.

(f) "Department" means the department of licensing and regulatory affairs.

(g) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. An electronic signature is a unique identifier protected by appropriate security measures such that it is only available for use by the intended individual and ensures non-repudiation so that the signature may not be rejected based on its validity.

(h) "Manual signature" means a signature that is handwritten or computer-generated if a prescription is electronically transmitted as defined in section 17703(7) of the code, MCL 333.17703(7).

(i) "Practical experience" means professional and clinical instruction in, but not limited to, all of the following areas:

(i) Pharmacy administration and management.

(ii) Drug distribution, use, and control.

(iii) Legal requirements.

(iv) Providing health information services and advising patients.

(v) Pharmacist's ethical and professional responsibilities.

(vi) Drug and product information.

(vii) Evaluating drug therapies and preventing or correcting drug-related issues.

(j) "Virtual manufacturer" means a person who engages in the manufacture of prescription drugs or devices and meets all of the following:

(i) Owns either of the following:

(A) The new prescription drug application or abbreviated new prescription drug application number.

(B) The unique device identification number, as available, for a prescription device.

(ii) Contracts with a contract manufacturing organization for the physical manufacture of the drugs or devices.

(iii) Is not involved in the physical manufacture of the drugs or devices.

(iv) At no time takes physical possession of or stores the drugs or devices.

(v) Sells or offers for sale to other persons, for resale, compounding, or dispensing of, drugs or devices, salable on prescription only.

(2) The terms defined in the code have the same meaning when used in these rules.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.503 Prescription drugs and devices; return or exchange for resale prohibited.

Rule 3. (1) Prescription drugs or devices that have been dispensed and have left the control of the pharmacist must not be returned or exchanged for resale.

(2) This rule does not apply to any of the following:

(a) A pharmacy operated by the department of corrections or under contract with the department of corrections or a county jail, as provided in section 17766d of the code, MCL 333.17766d.
(b) A pharmacy or charitable clinic that participates in the program for the utilization of unused prescription drugs, as provided in section 17775 of the code, MCL 333.17775.
(c) A pharmacy or health facility that participates in the cancer drug repository program, as provided in section 17780 of the code, MCL 333.17780.
(d) Drugs returned when the wrong medication was dispensed to the patient or in the instance of a drug recall. Subject to R 338.486(7), in no instance may returned drugs be reused or returned to active stock.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.505 Inspection of applicants and licensees.
Rule 5. (1) The board, board inspector, board agent, or approved entity pursuant to R 338.532, may enter at reasonable times, any building, place, or facility that is owned or controlled by any applicant for, or holder of, a license to make an inspection to enable the board to determine if the applicant possesses the qualifications and competence for the license sought or to determine whether a license holder is and has been complying with the code and rules. The inspection must concern only matters relevant to the applicant's or license holder's practice of pharmacy, manufacturing, and wholesale distributing of drugs and devices saleable by prescription only.
(2) The inspection must not extend to any of the following information:
(a) Financial data.
(b) Sales data other than shipment data.
(c) Pricing data.
(d) Personnel data other than data as to the qualifications of personnel performing functions subject to the acts and rules enforced by the board.
(e) Research data.
(3) An applicant or license holder shall permit and cooperate with the inspection.
History: 2020 MR 24, Eff. Dec 22, 2020.

PART 2. PHARMACIST LICENSES

R 338.511 Training standards for identifying victims of human trafficking; requirements.
Rule 11. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure or who is licensed shall complete training in identifying victims of human trafficking that meets the following standards:
(a) Training content must cover all of the following:
(i) Understanding the types and venues of human trafficking in the United States.
(ii) Identifying victims of human trafficking in health care settings.
(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.
(iv) Resources for reporting the suspected victims of human trafficking.
(b) Acceptable providers or methods of training include any of the following:
(i) Training offered by a nationally recognized or state-recognized, health-related organization.
(ii) Training offered by, or in conjunction, with a state or federal agency.
(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.
(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer reviewed journal, health care journal, or professional or scientific journal.
(c) Acceptable modalities of training may include any of the following:
(i) Teleconference or webinar.
(ii) Online presentation.
(iii) Live presentation.
(iv) Printed or electronic media.
(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:
(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal or professional or scientific journal, and date, volume, and issue of publication as applicable.
(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning January 1, 2020 and for initial licenses issued after November 13, 2022.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.513 Educational limited license; application and renewal; practices.
Rule 13. (1) An applicant for an educational limited license shall submit to the department a completed application on a form provided by the department with the requisite fee. In addition to satisfying the requirements of sections 16174 and 17737 of the code, MCL 333.16174 and MCL 333.17737, the applicant shall establish either of the following:
(a) That he or she is actively enrolled in, or is within 180 days of having graduated from, an approved educational program.
(b) That he or she has successfully passed the foreign pharmacy graduate equivalency examination administered by the national association of boards of pharmacy (NABP) Foreign Pharmacy Graduate Examination Committee, 1600 Feehanville Dr., Mount Prospect, IL 60056, https://nabp.pharmacy/programs/fpgec/ .
(2) The educational limited license must be renewed annually as follows:
(a) At the time of renewal, the applicant shall submit verification to the department that he or she is actively enrolled in, or is within 180 days of having graduated from, an approved educational program. The educational limited license is valid for 1 year.
(b) If an applicant is a graduate of a non-accredited college or school of pharmacy at the time of renewal, the applicant shall submit verification to the department from his or her preceptor that the applicant is currently in an internship program under the preceptor's supervision. The educational limited license is valid for 1 year and may be renewed 1 time.
(3) An educational limited licensee may engage in the practice of pharmacy only under the personal charge of a pharmacist.
(4) An educational limited licensee shall verify that his or her pharmacy preceptor holds a valid preceptor license prior to engaging in the practice of pharmacy if the internship hours will be submitted to the department for credit.
(5) An educational limited licensee shall notify the board within 30 days if he or she is no longer actively enrolled in an approved educational program.
(6) An applicant for an educational limited license shall meet the requirements of R 338.511.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.515 Internship requirements.
Rule 15. (1) An internship must be a minimum of 1,600 hours, subject to all of the following:
(a) Not more than 40 hours per week may be earned.
(b) An unconventional internship requires prior board approval and is limited to a maximum of 400 hours, with a maximum of 16 hours earned per week, and not more than 40 hours earned per week when the intern's pharmacy school is not in session. "Unconventional internship" means an educational program of professional and practical experience involving the pharmacy or related pharmaceutical experiences which, through on-the-job training, provides knowledge useful to the practice of the profession of pharmacy.
(c) The licensed pharmacy preceptor, an approved education program, or other person previously approved by the board shall verify the hours.
(2) The internship must provide professional and practical experience.
(3) If an internship is not completed through an approved educational program or under the personal charge of a preceptor licensed in this state, the individual shall petition the board for approval of hours.
(4) An individual shall obtain an educational limited license pursuant to R 338.513 before starting an internship that includes the practice of pharmacy in this state.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.517 Preceptor license and responsibilities.
Rule 17. (1) An applicant for licensure as a pharmacist preceptor shall submit to the department a completed application on a form provided by the department.
(2) The applicant shall satisfy both of the following:
(a) Have an unrestricted pharmacist license from this state that is in good standing for the past year.
(b) Have been engaged in the practice of pharmacy in this state for at least 1 year.
(3) A preceptor shall do all of the following:
(a) Ensure that the pharmacist on duty is supervising not more than 2 pharmacist interns at the same time. The approved

preceptor is responsible for the overall internship program at the pharmacy.
(b) Determine the degree of the intern's professional skill on the topics listed in R 338.501(1)(i) and develop a training program whereby the intern can improve his or her skill in these areas.
(c) Ensure sufficient time to instruct the intern on the topics in R 338.501(1)(i) and review and discuss the intern's progress on the topics in R 338.501(1)(i).
(d) Annually submit training affidavits and, upon completion of the training, provide comments regarding the ability of the intern to practice pharmacy without supervision on a form provided by the department.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.519 Examinations adoption; passing scores; reexamination.
Rule 19. (1) The board adopts the North American pharmacist licensure examination (NAPLEX) developed and administered by the NABP.
(2) The board adopts the Michigan multistate pharmacy jurisprudence examination (MPJE) that is developed and administered by NABP.
(3) The passing score for the NAPLEX or the MPJE accepted for licensure will be the passing score established by the NABP.
(4) If an applicant for licensure fails to pass either of these examinations, within 3 attempts, he or she shall provide the board, after the third attempt and prior to retesting, certification from an approved education program certifying that he or she satisfactorily completed courses that provide a thorough review of the area or areas that he or she failed in the most recent examination.
(5) An applicant who fails to pass the NAPLEX shall wait at least 45 days to retest or comply with the current waiting period established by NABP, whichever is later. An applicant who has not achieved a passing score on the NAPLEX shall not take the NAPLEX more than 3 times in a 12-month period.
(6) An applicant who fails to pass the MPJE shall wait at least 30 days to retest or comply with the current waiting period established by NABP, whichever is later.
(7) An applicant shall not sit for the NAPLEX specified in subrule (5) of this rule more than 5 times, unless he or she successfully repeats an approved education program, as specified in R 338.521(2)(a)(i), and provides proof of completion to the board.
(8) An applicant shall not sit for the MPJE specified in subrule (6) of this rule more than 5 times, unless he or she successfully repeats an approved pharmacy law course in an educational program, as specified in R 338.521(2)(a)(i), and provides proof of completion to the board.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.521 Pharmacist licensure by examination.
Rule 21. (1) An applicant for licensure as a pharmacist by examination shall submit to the department a completed application on a form provided by the department with the requisite fee.
(2) In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an applicant for licensure shall satisfy all of the following requirements:
(a) Earned either of the following:
(i) A professional degree from a school of pharmacy accredited by the American council of pharmaceutical education.
(ii) A foreign pharmacy graduate examination committee certificate administered by the NABP.
(b) Successfully passed the MPJE and the NAPLEX.
(c) Completed an internship as set forth in R 338.515.
(3) An applicant's license shall be verified by the licensing agency of any state of the United States in which the applicant holds or has ever held a license to practice pharmacy. This includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.523 Pharmacist license by endorsement; requirements.
Rule 23. (1) An applicant for licensure as a pharmacist by endorsement shall submit to the department a completed application on a form provided by the department with the requisite fee. An applicant who meets the requirements of this rule is presumed to meet the requirements of section 16186 of the code, MCL 333.16186.
(2) An applicant shall satisfy all of the following requirements:
(a) Establish that the he or she is currently licensed in another state or he or she successfully passed the foreign pharmacy graduate examination administered by NABP and was initially licensed by examination in another state.
(b) Pass the MPJE as required under R 338.519.
(c) Have his or her license verified by the licensing agency of any state of the United States in which the applicant holds or has

ever held a license to practice pharmacy. This includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

(d) Submit the MPJE examination score report and NABP licensure transfer report to the department.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.525 Relicensure of a pharmacist license; requirements.

Rule 25. (1) An applicant for relicensure whose pharmacist license has lapsed, under the provisions of sections 16201(3) or (4), and 17733 of the code, MCL 333.16201(3) and (4), and MCL 333.17733, as applicable, may be relicensed by complying with the following requirements as noted by (x):

For a pharmacist who has let his or her license lapse and who is not currently licensed in another state:	License lapsed 0-3 years	License lapsed more than 3 years, but less than 8 years	License lapsed 8 or more years
(a) Application and fee: submit to the department a completed application on a form provided by the department, with the requisite fee.	X	X	X
(b) Good moral character: establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to MCL 338.47.	X	X	X
(c) Submit fingerprints: submit fingerprints as required under section 16174(3) of the code, MCL 333.16174(3).		X	X
(d) Continuing education: submit proof of having completed 30 hours of continuing education that satisfy R 338.3041 to R 338.3045 in the 2 years immediately preceding the date of application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application will be held and the license will not be issued until the continuing education requirements have been met.	X	X	X
(e) Pass MPJE: retake and pass the MPJE as provided in R 338.519.		X	X
(f) Submit proof of having completed both a 1-time training in identifying victims of human trafficking as required in R 338.511 and a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.	X	X	X
(g) Practical experience: complete 200 hours of practical experience under the personal charge of a currently licensed Michigan pharmacist in or outside of Michigan, within 6 months of applying for relicensure.		X	
(h) Practical experience: complete 400 hours of practical experience under the personal charge of a currently licensed Michigan pharmacist in or outside of Michigan, within 6 months of applying for relicensure.			X
(i) Examination: pass the NAPLEX within 2 years before applying for relicensure, as provided in R 338.519.			X

(j) Verification: submit verification from the licensing agency of all other states of the United States in which the applicant has ever held a license to practice pharmacy. Verification must include the record of any disciplinary action taken or pending against the applicant.	X	X	X

(2) For purposes of subrule (1)(g) and (h) of this rule, an applicant may be granted a nonrenewable limited license to complete the practical experience.

(3) To demonstrate compliance with subrule (1)(g) or (h), the supervising pharmacist shall provide verification to the department of the applicant's completion of the experience on a form provided by the department.

(4) For a pharmacist who has let his or her pharmacist license lapse, but who holds a current and valid pharmacist license in another state:	License lapsed 0-3 Years	License lapsed more than 3 years, but less than 8 years	License lapsed 8 or more years
(a) Application and fee: submit to the department a completed application on a form provided by the department, with the requisite fee.	X	X	X
(b) Good moral character: establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to MCL 338.47.	X	X	X
(c) Submit fingerprints: submit fingerprints as required under section 16174(3) of the code, MCL 333.16174(3).		X	X
(d) Continuing education: submit proof of having completed 30 hours of continuing education that satisfy R 338.3041 to R 338.3045 in the 2 years immediately preceding the date of application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application will be held and the license will not be issued until the continuing education requirements have been met.	X	X	X
(e) Submit proof of having completed both a 1-time training in identifying victims of human trafficking as required in R 338.511 and a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.	X	X	X
(f) Examination: retake and pass the MPJE as provided in R 338.519.		X	X
(g) Verification: submit verification from the licensing agency of all other states of the United States in which the applicant holds or has ever held a license to practice pharmacy. Verification must include the record of any disciplinary action taken or pending against the applicant.	X	X	X

History: 2020 MR 24, Eff. Dec 22, 2020.

PART 3. PHARMACY LICENSES

R 338.531 Pharmacy license; applications; requirements.

Rule 31. (1) An applicant for a pharmacy license shall submit to the department a completed application on a form provided by the department together with the requisite fee.
(2) An applicant shall submit all of the following information:
(a) Certified copies of articles of incorporation or partnership certificates and certified copies of assumed name certificates, if applicable.
(b) Submission of fingerprints for the purpose of a criminal history background check required under section 17748(6) of the code, MCL 333.17748(6).
(c) Proof of registration or licensure from every state or province where the pharmacy is currently licensed or has ever held a license or registration.
(d) The name and license number of the pharmacist in this state designated as the pharmacist in charge (PIC) pursuant to section 17748(2) of the code, MCL 333.17748(2), who must have a valid and unrestricted license.
(e) The identity and address of each partner, officer, or owner, as applicable.
(f) A completed self-inspection form.
(g) If the applicant intends to provide compounding services, proof of application with an entity that satisfies the requirements of R 338.532.
(h) An inspection report that satisfies the requirements of R 338.534.
(i) If the applicant is an in-state pharmacy that intends to compound pharmaceutical products, the applicant shall submit to an inspection from an approved accrediting organization under R 338.532.
(j) If the applicant is a governmental entity, an individual must be designated as the licensee. The licensee and the pharmacist on duty shall be responsible for complying with all federal and state laws regulating the practice of pharmacy and the dispensing of prescription drugs.
(3) The department shall issue only 1 pharmacy license per address. If an applicant has more than 1 location at which drugs are prepared or dispensed, each address location shall obtain a separate license.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.532 Compounding accrediting organizations; board approval; inspection entities.
Rule 32. (1) The board shall approve, under section 17748a of the code, MCL 333.17748a, accrediting organizations or inspection entities for pharmacies that compound-pharmaceuticals according to standards adopted by reference in R 338.533.
(2) The department shall post on its website, the list of organizations approved under subrule (1) of this rule.
(3) An organization may petition the board for approval under subrule (1) of this rule. The petition must include, but not be limited to, all of the following:
(a) Requirements for accreditation or compliance.
(b) Requirements for inspectors.
(c) Training provided to inspectors.
(d) Copy of the most current inspection form.
(e) The length of accreditation.
(f) Agreement and plan to share results of inspections with the department.
(4) If the board approves the petition, the approval is valid for 3 years from the date of approval. The organization may submit a petition that complies with subrule (3) of this rule to seek continuing approval.
(5) The board may rescind approval of an organization upon just cause. The rescission will not immediately affect the compliance of a pharmacy using the accreditation. Within 12 months of the rescission date or by the next licensure renewal date, whichever is later, the accreditation is void, and a pharmacy shall obtain accreditation or an inspection from an organization that satisfies subrule (1) of this rule.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.533 Compounding standards and requirements; outsourcing facilities; requirements.
Rule 33. (1) The board approves and adopts by reference the compounding standards of the United States Pharmacopeia (USP), published by the United States Pharmacopeial Convention, 12601 Twinbrook Parkway, Rockville, MD 20852-1790. This includes, but is not limited to, USP Chapters 795 and 797.
(2) The standards adopted by reference in subrule (1) of this rule are available at cost at http://www.usp.org/compounding, or at cost from the Board of Pharmacy, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, Ottawa Building, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.
(3) A pharmacy that provides compounding services shall comply with all current standards adopted in subrule (1) of this rule.
(4) An outsourcing facility located in this state or that dispenses, provides, distributes, or otherwise furnishes compounded pharmaceuticals in this state must be inspected and registered as an outsourcing facility by the United States Food and Drug Administration (FDA) prior to applying for a pharmacy license in this state.

(5) A licensed outsourcing facility shall submit to the board a copy of the biannual report it provided to the FDA that identifies the drugs compounded in the previous 6-month period, including a drug's active ingredients, strength, and dosage form.
(6) An outsourcing facility shall do all of the following:
(a) Compound drugs by or under the supervision of a licensed pharmacist.
(b) Compound drugs pursuant to current good manufacturing practices for finished pharmaceuticals set forth in 21 CFR 211.1 to 211.208 (1978).
(c) Ensure that a pharmacist or pharmacists who conducts or oversees compounding at an outsourcing facility is proficient in the practice of compounding and has acquired the education, training, and experience to maintain that proficiency by doing any of the following:
(i) Participating in seminars.
(ii) Studying appropriate literature.
(iii) Consulting with colleagues.
(iv) Being certified by a compounding certification program approved by the board.
(d) Label compounded drugs with all of the following and label compounded drugs that are patient specific with all of the following and consistent with the requirements in R 338.582:
(i) Required drug and ingredient information.
(ii) Facility identification.
(iii) The following or similar statement: "This is a compounded drug. For office use only" or "Not for resale."
(e) Ensure that bulk drug substances used for compounding meet specified FDA criteria.
(7) An outsourcing facility may compound drugs that appear on an FDA shortage list, if the bulk drug substances used to compound the drugs comply with the criteria specified in this rule.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.534 Inspections.
Rule 34. (1) A pharmacy located outside of this state that applies for licensure in this state as a pharmacy that will not ship compounded sterile pharmaceutical products into this state, shall submit to the department a copy of its most recent pharmacy inspection that was performed within the last 2 years.
(2) An applicant for a new pharmacy located in this state shall have an inspection conducted by the department or its designee prior to licensure.
(3) An applicant for licensure of a pharmacy that will provide sterile compounded pharmaceuticals shall have all of the following:
(a) An onsite physical inspection conducted by any of the following:
(i) The department.
(ii) The national association of boards of pharmacy verified pharmacy program (NABP-VPP).
(iii) An accrediting organization according to R 338.532.
(iv) A state licensing agency of the state in which the applicant is a resident and in accordance with the NABP's multistate pharmacy inspection blueprint program.
(b) A physical inspection and corresponding report completed within 18 months of application.
(c) A physical inspection and corresponding report that demonstrates compliance with all applicable standards that are adopted by reference in R 338.533.
(4) An out-of-state pharmacy that intends to ship sterile compounded pharmaceutical products into this state shall obtain an inspection from a board approved accrediting organization every 18 months.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.535 Discontinuing sterile compounding services; requirements to resume sterile compounding services.
Rule 35. (1) A sterile compounding pharmacy or outsourcing facility that ceases to provide sterile compounding services in this state shall notify the department within 30 days of ceasing to provide sterile compounding services.
(2) A pharmacy shall not resume providing sterile compounding services in this state until the pharmacy is approved by the department and is accredited or an organization satisfying the requirements of R 338.532(1) verifies that the pharmacy is USP compliant.
(3) A pharmacy shall apply for approval to resume sterile compounding services by submitting to the department an application on a form provided by the department together with the requisite fee.
(4) An outsourcing facility shall not resume providing sterile compounding services in this state until the outsourcing facility is approved by the department and verifies that it is compliant with the requirements of R 338.533(4) to (7).
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.536 Housing of a pharmacy.
Rule 36. (1) All professional and technical equipment and supplies and prescription drugs must be housed in a suitable, well-lighted, and well-ventilated room or department with clean and sanitary surroundings.
(2) All pharmacies shall have a prescription department that is devoted primarily to the practice of pharmacy that occupies not less than 150 square feet of space, and that includes a prescription counter that provides not less than 10 square feet of free working surface. For each additional pharmacist who is on duty at any 1 time, the free working space must be increased by not less than 4 square feet. The prescription counter must be kept orderly and clean. The space behind the prescription counter must be sufficient to allow free movement within the area and must be free of obstacles.
(3) All pharmacies that occupy less than the entire area of the premises owned, leased, used, or controlled by the licensee must be permanently enclosed by partitions from the floor to the ceiling. All partitions must be of substantial construction and must be securely lockable so that drugs and devices that can be sold only by a pharmacist will be unobtainable during the absence of the pharmacist. Only the area of the premises owned, leased, used, or controlled by the licensee may be identified by the terms "drugstore," "apothecary," or "pharmacy," or by use of a similar term or combination of terms as listed in section 17711(2) of the code, MCL 333.17711(2). A pharmacy department must be locked when the pharmacist is not on the premises.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.537 Professional and technical equipment and supplies.
Rule 37. A pharmacy must be equipped with all of the following:
(a) Drawers, shelves, and storage cabinets.
(b) A sink that has hot and cold running water.
(c) A refrigerator of reasonable capacity located in the pharmacy department.
(d) Current editions or revisions of the Michigan pharmacy laws and rules, and not less than 2 current or revised pharmacy reference texts that pertain to pharmacology, drug interactions, or drug composition. A current electronic version of pharmacy laws, rules, and pharmacy reference texts, including accessible internet versions, meets the requirements of this subrule.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.538 Closing pharmacy.
Rule 38. (1) A pharmacy that is ceasing operations shall return to the department the pharmacy license and the controlled substance license, if applicable, and shall provide the department with written notification of all of the following at least 15 days prior to closing:
(a) The effective date of closing.
(b) The disposition of controlled substances.
(c) The disposition of non-controlled substances.
(d) The disposition of records and prescription files.
(2) A pharmacy shall comply with all applicable federal requirements for discontinuing operation as a pharmacy that dispenses controlled substances.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.539 Relicensure.
Rule 39. (1) An applicant for relicensure of a pharmacy license shall submit to the department a completed application on a form provided by the department with the requisite fee.
(2) A pharmacy that has an expired license shall satisfy the requirements of R 338.531 to be relicensed.
History: 2020 MR 24, Eff. Dec 22, 2020.

PART 4. MANUFACTURER LICENSE

R 338.551 Manufacturer license; application.
Rule 51. (1) An applicant for a manufacturer license shall submit to the department a completed application on a form provided by the department with the requisite fee.
(2) An applicant shall provide all of the following information:
(a) A criminal history background check required pursuant to section 17748(6) of the code, MCL 333.17748(6).
(b) Verification or certification from every state or province where the applicant is currently licensed or has ever held a license.
(c) Certified copies of articles of incorporation or certificates of partnership and assumed name certificates, if applicable.
(d) The identity and address of each partner, officer, or owner, as applicable.
(e) A completed compliance checklist for manufacturers.
(f) A list or a catalog of all drug products or devices to be manufactured by the facility.

(g) Unless exempt under section 17748(2) of the code, MCL 333.17748(2), the name and license number of the pharmacist designated as the pharmacist in charge (PIC).
(h) A copy of the FDA certification for the site to be licensed, if an applicant is a manufacturer of biologicals.
(i) An inspection from the manufacturer's resident state board of pharmacy or verified-accredited wholesale distributors (VAWD) accreditation dated not more than 2 years prior to the application.
(3) A separate license is required for each location where prescription drugs or devices are manufactured.
(4) A pharmacy is a manufacturer and shall obtain a manufacturer license if it prepares or compounds prescription drugs for resale, compounding, or dispensing by another person in an amount that exceeds 5% of the total number of dosage units of prescription drugs prepared by the pharmacy during a consecutive 12-month period.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.553 Persons to whom prescription drugs or devices may be sold.
Rule 53. A manufacturer may only supply, distribute, sell, barter, or otherwise transfer prescription drugs or devices to persons who are licensed by the board to distribute, prescribe, or dispense prescription drugs or devices in or outside this state.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.555 Federal regulation on good manufacturing practice for finished pharmaceuticals; adoption by reference; compliance.
Rule 55. (1) The board approves and adopts by reference the current good manufacturing practice for finished pharmaceuticals regulations set forth in 21 CFR 211.1 to 211.208 (1978).
(2) A manufacturer shall comply with the standards adopted in subrule (1) of this rule.
(3) The standards adopted by reference in subrule (1) of this rule are available at no cost at https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfCFR/CFRSearch.cfm?CFRPart=211, or at 10 cents per page from the Board of Pharmacy, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, Ottawa Building, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.557 Closure of a manufacturer.
Rule 57. (1) A manufacturer that is ceasing operations shall return the manufacturer license and the controlled substance license, if applicable, to the department, and provide the department with written notification of all of the following at least 15 days prior to closing:
(a) The effective date of closing.
(b) The disposition of controlled substances.
(c) The disposition of non-controlled substances.
(d) The disposition of records and prescription files.
(2) A manufacturer shall comply with all applicable federal requirements for discontinuing a controlled substance business.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.559 Relicensure.
Rule 59. (1) An applicant for relicensure of a manufacturer license shall submit to the department a completed application on a form provided by the department with the requisite fee.
(2) A manufacturer that has an expired license shall satisfy the requirements of R 338.551 in order to be relicensed.
History: 2020 MR 24, Eff. Dec 22, 2020.

PART 5. WHOLESALE DISTRIBUTOR LICENSE

R 338.561 Pharmacy as wholesale distributor; licensure.
Rule 61. A pharmacy that transfers prescription drugs or devices shall obtain a wholesale distributor license if it distributes more than 5% of the total dosage units of prescription drugs dispensed during any consecutive 12-month period, except in the following circumstances:
(a) The distribution of a drug among hospitals or other health care entities which are under common control.
(b) Intracompany distribution of any drug between members of an affiliate, defined pursuant to section 360eee(1) of the Federal Food, Drug, and Cosmetic Act, 21 USC section 360eee(1), or within a manufacturer.
(c) Distribution of a drug by a charitable organization to a nonprofit affiliate of the organization, defined pursuant to section 360eee(1) of the Federal Food, Drug, and Cosmetic Act, 21 USC section 360eee(1).
(d) Distribution of a product for emergency medical reasons including a public health emergency declaration pursuant to section

319 of the Public Health Service Act, 42 USC 247d.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.563 Wholesale distributor; application for licensure; requirements.
Rule 63. (1) An applicant for a wholesale distributor license shall submit to the department a completed application on a form provided by the department with the requisite fee. A wholesale distributor includes virtual manufacturers.
(2) An applicant shall provide all of the following information:
(a) A criminal history background check required pursuant to section 17748(6) of the code, MCL 333.17748(6).
(b) Proof of registration or licensure from every state where the applicant currently holds or has ever held a license or registration.
(c) Certified copies of articles of incorporation or certificates of partnership and assumed names if applicable.
(d) The identity and address of each partner, officer, or owner as applicable.
(e) A completed compliance checklist.
(f) A list or catalog of all drug products and devices to be distributed.
(g) A copy of the FDA certification for the site to be licensed, if the applicant is distributing biologicals.
(h) Unless exempt under section 17748(2) of the code, MCL 333.17748(2), the name and the license number of the pharmacist designated as the pharmacist in charge (PIC) or the name of the facility manager. For individuals designated as a facility manager, the applicant shall provide the following:
(i) Proof, in the form of an affidavit, that the facility manager has achieved the following:
(A) A high school equivalency education, or higher, defined as 1 of the following:
(I) A high school diploma.
(II) A general education development certificate (GED).
(III) A parent-issued diploma for home schooled individuals.
(IV) Completion of post-secondary education, including an associate's, bachelor's, or master's degree.
(B) Completion of a training program that-includes, but is not limited to, all of the following subjects:
(I) Knowledge and understanding of laws in this state and federal laws relating to the distribution of drugs and devices.
(II) Knowledge and understanding of laws in this state and federal laws relating to the distribution of controlled substances.
(III) Knowledge and understanding of quality control systems.
(IV) Knowledge and understanding of the USP standards relating to the safe storage and handling of prescription drugs.
(V) Knowledge and understanding of pharmaceutical terminology, abbreviations, dosages, and format.
(C) Experience equal to either of the following:
(I) A minimum of 1 year of work experience related to the distribution or dispensing of prescription drugs or devices where the responsibilities included, but were not limited to, recordkeeping.
(II) Previous or current employment as a designated representative of a wholesale distributor certified by the VAWD of NABP.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.565 Persons to whom prescription drugs and devices may be sold.
Rule 65 A wholesale distributor of prescription drugs or devices may supply, distribute, sell, barter, or otherwise transfer prescription drugs or devices only to persons who are licensed by the board to distribute, prescribe, or dispense prescriptions drugs or devices in or outside this state.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.567 Wholesale distributor practices; control of prescription drugs or devices; inspections.
Rule 67. (1) A wholesale distributor that does not physically touch prescription drugs or devices shall file an affidavit with the department signed by the PIC or facility manager attesting to this fact.
(2) A wholesale distributor that previously filed an affidavit under subrule (1) of this rule shall not obtain custody and control of drugs or devices until both of the following have occurred:
(a) The licensee provides written notification to the department of physical custody.
(b) The department conducts an inspection of the premises.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.569 Wholesale distributor recordkeeping and policy requirements.
Rule 69. (1) A wholesale distributor shall establish and maintain inventories and records of transactions regarding the receipt, if applicable, and the distribution or other disposition of prescription drugs or devices. These records must include all of the following information:
(a) The source of the prescription drugs or devices, including the name and principal address of the seller or transferor and the

address from which the prescription drugs or devices were shipped.
(b) The identity and quantity of the prescription drugs or devices received, if applicable, and distributed or disposed of.
(c) The dates of receipt, if applicable, and distribution of the prescription drugs or devices.
(2) A wholesale distributor shall establish and maintain a list of officers, directors, managers, and other persons who are in charge of wholesale drug distribution, storage, and handling, including a description of their duties and a summary of their qualifications.
(3) A wholesale distributor shall have written policies and procedures that include all of the following:
(a) A procedure whereby the oldest stock of a prescription drug is distributed first. The procedure may permit deviation from this requirement if the deviation is temporary and appropriate.
(b) A procedure for handling recalls and withdrawals of the prescription drugs or devices. The procedure must deal with recalls and withdrawals due to any of the following:
(i) Any action initiated at the request of the FDA, other federal state or local law enforcement agency, or other governmental agency.
(ii) Any voluntary action by the manufacturer to remove defective or potentially defective prescription drugs or devices from the market.
(iii) Any action undertaken to promote public health and safety by replacing existing merchandise with an improved product or new package design.
(c) A procedure to ensure that a wholesale distributor prepares for, protects against, and handles, any crises that affects security or operation of any facility in the event of employee strike, flood, fire, or other natural disaster, or other local, state, or national emergency.
(d) A procedure to ensure that any outdated prescription drugs or devices will be segregated from other prescription drugs or devices and either returned to the manufacturer or destroyed. This procedure must include a provision for the written documentation of the disposition of outdated prescription drugs or devices that must be maintained for 2 years after the disposition of the outdated prescription drugs or devices.
(e) Procedures for identifying, recording, and reporting losses or thefts of prescription drugs or devices and for correcting errors and inaccuracies in inventory.
(4) The records described in subrules (1) and (2) of this rule must be made available for inspection and photocopying by authorized federal, state, or local law enforcement agency officials. The records that are kept on-site or that are immediately retrievable by computer or other electronic means must be readily available for an authorized inspection during the retention period described in subrule (5) of this rule. Records that are kept at a central location apart from the site must be made available for inspection within 2 working days of a request.
(5) The records described in this rule must be maintained for a minimum of 2 years after the disposition of the prescription drugs or devices.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.571 Facility requirements.
Rule 71. (1) A wholesale distributor that has physical custody or control of the prescription drugs or devices shall satisfy all of the following facility requirements:
(a) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations.
(b) Have storage areas that are designed to provide for adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions.
(c) Have a quarantine area for the storage of prescription drugs or devices that are outdated, damaged, deteriorated, misbranded, adulterated, or that are in immediate or sealed secondary containers that have been opened.
(d) Be maintained in a clean and orderly condition.
(e) Be free from infestation by insects, rodents, birds, or vermin of any kind.
(f) Be secure from unauthorized entry by complying with all of the following:
(i) Access from outside the premises must be kept to a minimum and be well-controlled. The outside perimeter of the premises must be well-lighted. Entry into areas where prescription drugs or devices are held must be limited to authorized personnel.
(ii) Be equipped with an alarm system to detect entry after hours.
(iii) Be equipped with a security system that will provide protection against theft and diversion. When appropriate, the security system must provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.
(2) All prescription drugs or devices must be stored at temperatures and under appropriate conditions pursuant to the label requirements or pursuant to the requirements set forth in the current edition of the USP compendium. If storage requirements are not established for a prescription drug, the drug may be held at a controlled room temperature to help ensure that its identity, strength, quality, and purity are not adversely affected. Appropriate manual, electromechanical, or electronic temperature and

humidity recording equipment devices, or logs must be utilized to document the proper storage of prescription drugs or devices.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.573 Examination of materials; returned, damaged and outdated prescription drugs or devices.
Rule 73. (1) A wholesale distributor shall comply with both of the following provisions that pertain to the examination of materials:
(a) Each outside shipping container must be visually examined upon receipt for the identity of the prescription drug or devices and to prevent the acceptance of contaminated prescription drugs or devices or prescription drugs or devices otherwise unfit for distribution. The examination must be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.
(b) Each outgoing shipment must be visually inspected for identity of the prescription drug products and to ensure that prescription drugs or devices that have been damaged in storage or held under conditions that are inconsistent with USP compendium standards are not delivered.
(2) All of the following provisions apply to returned, damaged, and outdated prescription drugs or devices:
(a) Prescription drugs or devices that are outdated, damaged, deteriorated, misbranded, or adulterated, must be quarantined and physically separated from other prescription drugs or devices until they are destroyed or returned to the supplier.
(b) Any immediate or sealed outer or sealed secondary containers of any prescription drugs or devices that have been opened or used must be identified as such and the drugs or devices must be quarantined and physically separated from other prescription drugs or devices until they are either destroyed or returned to the supplier.
(c) If the conditions under which a prescription drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, then the drug must be destroyed or returned to the supplier, unless examination, testing, or other investigation proves that the drug meets appropriate standards of safety, identity, strength, quality, and purity. In determining whether the conditions under which the drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, the wholesale distributor shall consider the conditions under which the drug has been held, stored, or shipped before or during its return and the condition of the drug and its container, carton, or labeling as a result of storage or shipping.
(3) The recordkeeping requirements of R 338.569 must be followed.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.575 Closing a wholesale distributor.
Rule 75. (1) A wholesale distributor that is ceasing operations shall return the wholesale distributor license and controlled substance license, if applicable, to the department, and shall provide the department with written notification of all of the following at least 15 days prior to closing:
(a) The effective date of closing.
(b) The disposition of controlled substances.
(c) The disposition of noncontrolled substances.
(d) The disposition of records and prescription files.
(2) A wholesale distributor shall comply with all applicable federal requirements for discontinuing a business that handles a controlled substance.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.577 Relicensure.
Rule 77. (1) An applicant for relicensure of a wholesale distributor license shall submit to the department a completed application on a form provided by the department with the requisite fee.
(2) An applicant for relicensure of a wholesale distributor license that has expired must satisfy the requirements of R 338.563 in order to be relicensed.

PART 6. PRACTICE OF PHARMACY

R 338.582 Prescription drug labeling and dispensing.
Rule 82. (1) All labeling of prescription drugs must comply with the requirements of the code and sections 351 to 399f of the Federal Food, Drug, and Cosmetic Act, 21 USC 351 to 399f.
(2) All containers in which prescription medication is dispensed must bear a label that contains, at a minimum, all of the following information:
(a) Pharmacy name and address.
(b) Prescription number.
(c) Patient's name.

(d) Date the prescription was most recently dispensed.
(e) Prescriber's name.
(f) Directions for use.
(g) The name of the medication and the strength, unless the prescriber indicates "do not label."
(h) The quantity dispensed, if applicable.
(i) The name of the manufacturer or supplier of the drug if the drug has no brand name, unless the prescriber indicates “do not label.”
(3) If a drug is dispensed that is not the brand prescribed, the pharmacy shall notify the purchaser and the prescription label must indicate both the name of the brand prescribed and the name of the brand dispensed. If the dispensed drug does not have a brand name, the prescription label must indicate the name of the brand prescribed followed by the generic name of the drug dispensed. This subrule does not apply if the prescriber indicates "do not label."
(4) If drug product selection takes place, the brand name or the name of the manufacturer or supplier of the drug dispensed must be noted on the prescription.
(5) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.583 Prescription drug receipts.
Rule 83. (1) The purchaser of a prescription drug shall receive, at the time the drug is delivered to the purchaser, a receipt that contains all of the following information:
(a) The brand name of the drug dispensed, if applicable, unless the prescriber indicates "do not label."
(b) The name of the manufacturer or supplier of the drug if the drug has no brand name, unless the prescriber indicates "do not label."
(c) The strength of the drug, if significant, unless the prescribed indicates "do not label."
(d) The quantity dispensed, if applicable.
(e) The name and address of the pharmacy.
(f) The serial number of the prescription.
(g) The date the prescription was most recently dispensed.
(h) The name of the prescriber.
(i) The name of the patient for whom the drug was prescribed.
(j) The price for which the drug was sold to the purchaser.
(2) Notwithstanding R 338.582, the information required in this rule must appear on either the prescription label or on a combination label and receipt.
(3) For prescription services that are covered by a third-party pay contract, the price included in the receipt is the amount paid by the patient.
(4) A pharmacist shall retain a copy of the receipt for a period of 90 days. The inclusion of the information required in this rule in the automated data processing system or on the written prescription form and the retention of the form constitutes retaining a copy of the receipt. The physical presence of the prescription form in the pharmacy or the ability to retrieve the information from the automated data processing system constitutes compliance with the requirement of having the name and address of the pharmacy on the form.
(5) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.584 Noncontrolled prescriptions.
Rule 84. (1) A prescriber who issues a prescription for a noncontrolled prescription drug shall date the prescription; provide a manual signature on the prescription, as defined in R 338.501(1)(h) of these rules; and ensure that the prescription contains all of the following information:
(a) The full name of the patient for whom the drug is being prescribed.
(b) The prescriber’s printed name and address.
(c) The drug name and strength.
(d) The quantity prescribed.
(e) The directions for use.
(f) The number of refills authorized.
(2) A prescriber shall ensure that a prescription is legible and that the information specified in subrule (1)(c) to (f) of this rule is clearly separated.
(3) A prescriber shall not prescribe more than either of the following on a single prescription form as applicable:
(a) For a prescription prescribed in handwritten form, up to 4 prescription drug orders.

(b) For a prescription prescribed on a computer-generated form or a preprinted list or produced on a personal computer or typewriter, up to 6 prescription drug orders.
(4) A prescription is valid for 1 year from the date the prescription was issued.
(5) A prescriber may electronically transmit a noncontrolled substance prescription to the pharmacy of the patient's choice by utilizing a system that includes all of the following:
(a) A combination of technical security measures such as, but not limited to, those listed in security standards for the protection of electronic protected health information set forth in 45 CFR 164.312 (2013) that implements the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), to ensure all of the following:
(i) Authentication of an individual who prescribes or dispenses.
(ii) Technical non-repudiation.
(iii) Content integrity.
(iv) Confidentiality.
(b) An electronic signature as defined in R 338.501(1)(g). An electronic signature is valid when it is used to sign a noncontrolled prescription.
(c) Appropriate security measures to invalidate a prescription if either the electronic signature or prescription record to which it is attached or logically associated is altered or compromised following transmission by the prescriber. The electronic prescription may be reformatted to comply with industry standards provided that no data is added, deleted, or changed.
(6) The electronic prescription must meet all requirements of the HIPAA.
(7) The electronic prescription must permit the prescriber to instruct the pharmacist to dispense a brand name drug product provided that the prescription includes both of the following:
(i) The indication that no substitute is allowed, such as "dispense as written" or "DAW."
(ii) The indication that no substitute is allowed and that it is a unique element in the prescription.
(8) If the prescription is transmitted electronically, the prescriber shall generate and transmit the prescription in a format that can be read and stored by a pharmacy in a retrievable and readable form. The electronic prescription must identify the name of the pharmacy intended to receive the transmission, and must include the information identified in subrule (1) of this rule.
(9) The electronic prescription must be preserved by a licensee or dispensing prescriber for not less than 5 years. A paper version of the electronic prescription must be made available to an authorized agent of the board upon request. A secured copy must be retained for a minimum of 1 year by the transaction service vendor for record-keeping purposes and must be shared only with the parties involved in the transaction except as otherwise permitted by state or federal law.
(10) An electronic signature that meets the requirements of this rule has the full force and effect of a handwritten signature on a paper-based written prescription.
(11) A pharmacy shall keep the original prescription record for 5 years. After 3 years, a pharmacy may make an electronic duplicate of the original paper prescription, which will become the original prescription. A pharmacy shall present a paper copy of the electronic duplicate of the prescription to an authorized agent of the board upon request.
(12) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.585 Customized patient medication package.
Rule 85. (1) A pharmacist may, with the consent of the patient, or the patient's caregiver, or a prescriber, provide a customized patient medication package (CPMP). A CPMP is a package that is prepared by a pharmacist for a specific patient and that contains 2 or more prescribed solid oral dosage forms. The CPMP is designed and labeled to indicate the day and time or period of time that the contents within each CPMP are to be taken. The person who dispenses the medication shall instruct the patient or caregiver on the use of the CPMP.
(2) If medication is dispensed in a CPMP, all of the following conditions must be met:
(a) Each CPMP must bear a readable label that states all of the following information:
(i) A serial number for the CPMP and a separate identifying serial number for each of the prescription orders for each of the drug products contained in the CPMP.
(ii) The name, strength, physical description, and total quantity of each drug product contained in the CPMP.
(iii) The name of the prescriber for each drug product.
(iv) The directions for use and cautionary statements, if any, contained in the prescription order for each drug product in the CPMP.
(v) The date of the preparation of the CPMP.
(vi) An expiration date for the CPMP. The date must not be later than the earliest manufacturer's expiration date for any medication included in the CPMP or 60 days after the date of dispensing.
(vii) The name, address, and telephone number of the dispenser.
(viii) Any other information, statements, or warnings required for any of the drug products contained in the CPMP.

(b) A CPMP must be accompanied by any mandated patient information required under federal law. Alternatively, required medication information may be incorporated by the pharmacist into a single educational insert that includes information regarding all of the medications in the CPMP.
(c) At a minimum, each CPMP must be in compliance with the United States Pharmacopeia (USP) and national formulary, as defined in section 17706(2) of the code, MCL 333.17706(2), for moisture permeation requirements for a class b single-unit or unit-dose container. Each container must be either non-reclosable or so designed as to show evidence of having been opened. Each CPMP must comply with all of the provisions of the poison prevention packaging act of 1970, 15 USC 1471 to 1477.
(d) When preparing a CPMP, the dispenser shall take into account any applicable compendial requirements or guidelines, the physical and chemical compatibility of the dosage forms placed within each container, and any therapeutic incompatibilities that may attend the simultaneous administration of the medications. Medications must not be dispensed in CPMP packaging in any of the following situations:
(i) The USP monograph or official labeling requires dispensing in the original container.
(ii) The drugs or dosage forms are incompatible with packaging components or each other.
(iii) The drugs are therapeutically incompatible when administered simultaneously.
(iv) The drug products require special packaging.
(e) If 2 medications have physical characteristics that make them indistinguishable from each other, then the medication must not be packaged together in the same CPMP.
(f) Medications that have been dispensed in CPMP packaging shall not be returned to stock or dispensed to another patient when returned to the pharmacy for any reason. If a prescription for any drug contained in the CPMP is changed, then a new appropriately labeled CPMP must be prepared for the patient.
(g) In addition to all individual prescription filing requirements, a record of each CPMP dispensed must be made and filed. At a minimum, each record must contain all of the following information:
(i) The name and address of the patient.
(ii) The serial number of the prescription order for each drug product contained in the CPMP.
(iii) Information identifying or describing the design, characteristics, or specifications of the CPMP sufficient to allow subsequent preparation of an identical CPMP for the patient.
(iv) The date of preparation of the CPMP and the expiration date assigned.
(v) Any special labeling instructions.
(vi) The name or initials of the pharmacist who prepared the CPMP.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.586 Prescription records; nonapplicability to inpatient medical institution service.
Rule 86. (1) A prescription must be numbered, dated, and initialed or electronically initialed by the pharmacist who performs the final verification prior to dispensing at the time of the first filling at the pharmacy.
(2) If the drug that is dispensed is other than the brand prescribed or if the prescription is written generically, the name of the manufacturer or supplier of the drug dispensed must be indicated on the prescription.
(3) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.587 Prescription refill records; manual systems; profile systems; automated pharmacy data systems; nonapplicability to medical institution service; record confidentiality; and access.
Rule 87. (1) A pharmacist shall record prescription refills using only 1 of the systems described in subrule (2), (3), or (4) of this rule and in compliance with the provisions of subrule (2), (3), or (4) of this rule, as applicable.
(2) A pharmacy may utilize a manual system of recording refills if the system is in compliance with both of the following criteria:
(a) The amount and date dispensed must be entered on the prescription in an orderly fashion and the dispensing pharmacist initials the entry. If the pharmacist only initials and dates the prescription, then the full face amount of the prescription must be deemed dispensed.
(b) If the drug that is dispensed is other than the brand prescribed or if the prescription is written generically, then the name of the manufacturer or supplier of the drug dispensed must be indicated on the prescription.
(3) A pharmacy may utilize a uniform system of recording refills if the system is in compliance with all of the following criteria:
(a) Records must be created and maintained in written form. All original and refill prescription information for a particular prescription appears on single documents in an organized format. The pharmacy shall preserve the records for 5 years. The records are subject to inspection by the board or its agents.
(b) The following information for each prescription must be entered on the record:
(i) The prescription number.

(ii) The patient's name and address.
(iii) The prescriber's name.
(iv) The prescriber's federal drug enforcement administration (DEA) number, if appropriate.
(v) The number of refills authorized.
(vi) The "dispense as written" instructions, if indicated.
(vii) The name, strength, dosage form, quantity, and name of the manufacturer of the drug prescribed, and the drug dispensed originally and upon each refill. If the drug dispensed is other than the brand prescribed or if the prescription is written generically, then the name of the manufacturer or supplier of the drug dispensed must be indicated.
(viii) The date of issuance of the prescription.
(ix) The date and identifying designation of the dispensing pharmacist for the original filling and for each refill.
(c) Prescription entries must be made on the record at the time the prescription is first filled and at the time of each refill, except that the format of the record may be organized so that information already entered on the record may appear for a prescription or refill without reentering the information. The dispensing pharmacist is responsible for the completeness and accuracy of the entries and must initial the record each time a prescription is filled or refilled.
(d) The information required by subdivision (b) of this subrule must be entered on the record for all prescriptions filled at a pharmacy, including nonrefillable prescriptions. This requirement is in addition to the requirements set forth in R 338.586.
(4) A pharmacy may utilize a uniform automated data processing system of recording refills if the system is in compliance with all of the following criteria:
(a) All information that is pertinent to a prescription must be entered on the record, including all of the following information:
(i) The prescription number.
(ii) The patient's name and address.
(iii) The prescriber's name.
(iv) The prescriber's federal DEA number, if appropriate.
(v) The number of refills authorized.
(vi) Whether the drug must be dispensed as written.
(vii) The name, strength, dosage form, quantity, and name of the manufacturer of the drug prescribed and the drug dispensed originally and upon each refill. If the drug dispensed is other than the brand prescribed or if the prescription is written generically, then the name of the manufacturer or supplier of the drug dispensed must be indicated.
(viii) The date of issuance of the prescription.
(ix) The date and identifying designation of the dispensing pharmacist for the original filling and for each refill.
(b) Prescription entries must be made on the record at the time the prescription is first filled and at the time of each refill, except that the format of the record may be organized so that information already entered on the record may appear for a prescription or refill without reentering the information. The dispensing pharmacist is responsible for the completeness and accuracy of the entries. The pharmacy shall preserve the records on-site for 5 years. The records are subject to inspection by the board or its agents. A procedure must be established to facilitate inspections.
(c) The required information must be entered on the record for all prescriptions filled at the pharmacy, including nonrefillable prescriptions. This requirement is in addition to the requirements set forth in R 338.586.
(d) The recording system must provide adequate safeguards against improper manipulation, the alteration of records, and the loss of records.
(e) The recording system must have the capability of producing a printout of all original and refilled prescription data, including a prescription-by-prescription and refill-by-refill audit trial for any specified strength and dosage form of a controlled substance by either brand or generic name or an audit trail of controlled substance prescriptions written for a particular patient or by a particular practitioner. A printout of an audit trail or other required information must be made available to an authorized agent of the board upon request. The prescription data must be maintained for 5 years. Data older than 16 months must be provided within 72 hours of the time the request is first made by the agent. Prescription data for the most current 16 months must be readily retrievable on site and available for immediate review.
(f) If the automated data processing system is inoperative for any reason, then the pharmacist shall ensure that all refills are authorized and that the maximum number of refills is not exceeded. When the automated data processing system is restored to operation, the pharmacist shall enter the information regarding prescriptions filled and refilled during the inoperative period into the automated data processing system within 48 hours.
(g) A pharmacy shall make arrangements with the supplier of data processing services or materials to ensure that the pharmacy continues to have adequate and complete prescription and dispensing records if the relationship with the supplier terminates for any reason. A pharmacy shall ensure continuity in the maintenance of records.
(h) The automated data processing system must be an integrated system that is capable of complying with all of the requirements of these rules.
(5) This rule does not apply to pharmacy services provided in a medical institution.

(6) Records that are created under subrule (2), (3) or (4) of this rule are subject to the same requirements regarding confidentiality and access that apply to original prescriptions.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.588 Automated devices.

Rule 88. (1) "Automated device" means a mechanical system that performs an operation or activity, other than compounding or administration, relating to the storage, packaging, dispensing, or delivery of a drug and that collects, controls, and maintains transaction information.

(2) An automated device may be used only in the following locations:

(a) A pharmacy, or at the same physical address as the pharmacy provided that the location of the automated device is owned and operated by the same legal entity as the pharmacy.

(b) A hospital.

(c) A county medical care facility.

(d) A hospice.

(e) A nursing home.

(f) Other skilled nursing facility as defined in section 20109(4) of the code, MCL 333.20109(4).

(g) An office of a dispensing prescriber.

(h) A location affiliated with a hospital, but not at the same physical address as the pharmacy, that is owned and operated by the hospital, consistent with section 17760 of the code, MCL 333.17760.

(3) A pharmacy that operates an automated device under this section to deliver a drug or device directly to an ultimate user or health care provider shall notify the department of the automated device's location on a form provided by the department. An automated device located within a licensed pharmacy must be used only by a pharmacist or his or her pharmacy personnel under the personal charge of a pharmacist.

(4) If an automated device is used in a dispensing prescriber's office, the device must be used only to dispense medications to the dispensing prescriber's patients and only under the control of the dispensing prescriber. A pharmacy shall not own, control, or operate an automatic dispensing device in a dispensing prescriber's office, unless the prescriber's office is affiliated with a hospital consistent with section 17760 of the code, MCL 333.17760 and subrule (2)(h) of this rule. All of the following apply to the use of an automated device in a dispensing prescriber's office:

(a) If a dispensing prescriber delegates the stocking of the automated device, then technologies must be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing a board-approved error prevention technology that complies with R 338.3154.

(b) A dispensing prescriber operating an automated device is responsible for all medications that are stocked and stored in that device as well as removed from that device.

(c) If any medication or device is dispensed from an automated device in a dispensing prescriber's office, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility must be maintained by the dispensing prescriber for review by an agent of the board. This documentation must include at least all of the following information:

(i) Manufacturer name and model.

(ii) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.

(iii) Policy and procedures for system operation that addresses at a minimum all of the following:

(A) Accuracy.

(B) Patient confidentiality.

(C) Access.

(D) Data retention or archival records.

(E) Downtime procedures.

(F) Emergency procedures.

(G) Medication security.

(H) Quality assurance.

(5) An automated device that is to be used for furnishing medications for administration to registered patients in any hospital, county medical care facility, nursing home, hospice, or any other skilled nursing facility, as defined in section 20109(4) of the code, MCL 333.20109(4), must be supplied and controlled by a pharmacy that is licensed in this state. The use of an automated device in these locations is not limited to the provisions of subrule (3) of this rule. If a pharmacist delegates the stocking of the device, then technologies must be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing bar-coding or another board-approved error-prevention technology. Each automated device must comply with all of the following provisions:

(a) A pharmacy operating an automated device is responsible for all medications that are stocked and stored in that device as

well as removed from that device.
(b) If any medication or device is dispensed from an automated device, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility must be maintained by the pharmacy for review by an agent of the board. The documentation must include at least all of the following information:
(i) Name and address of the pharmacy responsible for the operation of the automated device.
(ii) Name and address of the facility where the automated device is located.
(iii) Manufacturer name and model number.
(iv) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.
(v) Policy and procedures for system operation that address at a minimum all of the following:
(A) Accuracy.
(B) Patient confidentiality.
(C) Access.
(D) Data retention or archival records.
(E) Downtime procedures.
(F) Emergency procedures.
(G) Medication security.
(H) Quality assurance.
(I) Ability to provide on demand to an agent of the board a list of medications qualifying for emergency dose removal without pharmacist prior review of the prescription or medication order.
(6) An automated device that is operated at a location affiliated with a hospital, but not at the same physical address as the pharmacy, that is owned and operated by the hospital, must comply with section 17760 of the code, MCL 333.17760.
(7) Records and electronic data kept by automated devices must meet all of the following requirements:
(a) All events involving access to the contents of the automated devices must be recorded electronically.
(b) Records must be maintained for 5 years by the pharmacy or dispensing prescriber and must be retrievable on demand for review by an agent of the board. The records must include all of the following information:
(i) The unique identifier of the automated device accessed.
(ii) Identification of the individual accessing the automated device.
(iii) The type of transaction.
(iv) The name, strength, dosage form, quantity, and name of the manufacturer of the drug accessed.
(v) The name of the patient for whom the drug was ordered.
(vi) Identification of the pharmacist responsible for the accuracy of the medications to be stocked or restocked in the automated device.
(8) Policy and procedures for the use of the automated device must include a requirement for pharmacist review of the prescription or medication order before system profiling or removal of any medication from the system for immediate patient administration. This subrule does not apply to the following situations:
(a) The system is being used as an after-hours cabinet for medication dispensing in the absence of a pharmacist as provided in R 338.486(4)(j).
(b) The system is being used in place of an emergency kit as provided in R 338.486(4)(c).
(c) The system is being accessed to remove medication required to treat the emergent needs of a patient as provided in R 338.486(4)(c). A sufficient quantity to meet the emergent needs of the patient may be removed until a pharmacist is available to review the medication order.
(d) In each of the situations specified in subdivisions (a) to (c) of this subrule, a pharmacist shall review the orders and authorize any further dispensing within 48 hours
(e) The automated device is located in a dispensing prescriber's office.
(9) A copy of all policies and procedures related to the use of an automated device must be maintained at the pharmacy responsible for the device's specific location or at the dispensing prescriber's office and be available for review by an agent of the board.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.589 Professional responsibility; “caregiver” defined.
Rule 89. (1) A pharmacist has a professional responsibility for the strength, quality, purity, and the labeling of all drugs and devices dispensed under a prescription. In discharging this responsibility, a pharmacist shall utilize only those drugs and devices that are obtained from manufacturers and wholesale distributors licensed under section 17748 of the code, MCL 333.17748, or from other lawful channels of distribution.
(2) A pharmacist shall not fill a prescription order if, in the pharmacist's professional judgment, any of the following provisions apply:

(a) The prescription appears to be improperly written.
(b) The prescription is susceptible to more than 1 interpretation.
(c) The pharmacist has reason to believe that the prescription could cause harm to the patient.
(d) The pharmacist has reason to believe that the prescription will be used for other than legitimate medical purposes.
(3) A prescription drug must be dispensed only when the pharmacy is open and under the personal charge of a pharmacist.
(4) To encourage intended, positive patient outcomes, a pharmacist shall communicate to the patient, or the patient's caregiver, necessary and appropriate information regarding safe and effective medication use at the time a prescription is dispensed. As used in this subrule, "caregiver" means the parent, guardian, or other individual who has assumed responsibility for providing a patient's care. All of the following provisions apply to communicating medication safety and effectiveness information:
(a) The information must be communicated orally and in person, except when the patient or patient's caregiver is not at the pharmacy or when a specific communication barrier prohibits oral communication. In either situation, providing printed or electronic/digital material designed to help the patient use the medication safely and effectively satisfies the requirements of this subrule.
(b) The information must be provided with each prescription for a drug not previously prescribed for the patient.
(c) If the pharmacist deems it appropriate, the information must be provided with prescription refills.
(d) The information must be provided if requested by the patient or patient's caregiver or agent for any prescription dispensed by the pharmacy. This subrule does not require that a pharmacist provide consultation if a patient or a patient's caregiver refuses consultation.
This subrule does not apply to prescriptions dispensed for administration to a patient while the patient is in a medical institution.
(5) Pharmacist delegation of acts, tasks, or functions shall be in compliance with section 16215 of the code, MCL 333.16215, and under the personal charge of the delegating pharmacist, except as provided in R 338.486. A pharmacist who delegates acts, tasks, or functions to a licensed or unlicensed person shall do all of the following:
(a) Determine the knowledge and skill required to safely and competently complete the specific act, task, or function to be delegated.
(b) Before delegating an act, task, or function, make a determination that the delegate has the necessary knowledge and skills to safely and competently complete the act, task, or function.
(c) Provide written procedures or protocols, or both, to be followed by the delegatee in the performance of the delegated act, task, or function.
(d) Supervise and evaluate the performance of the delegatee.
(e) Provide remediation of the performance of the delegatee if indicated.
(6) A delegating pharmacist shall bear the ultimate responsibility for the performance of delegated acts, tasks, and functions performed by the delegatee within the scope of the delegation.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.590 Hospice emergency drug box.
Rule 90. (1) A pharmacy that establishes a medication box exchange program for hospice emergency care services rendered in patients' homes pursuant to the provisions of section 17746 of the code, MCL 333.17746, shall establish drug boxes that are in compliance with this rule. Before providing drug boxes for a hospice emergency care system, the pharmacist in charge shall ensure that the hospice has developed policies and procedures that require all of the following:
(a) Maintenance by the hospice of a drug box exchange log that accounts for the hospice's receipt of the boxes from the pharmacy, assignment of the boxes to registered nurses or physicians' assistants, and return of the boxes to the pharmacy for restocking.
(b) A procedure to ensure that the drug boxes are inspected at least weekly to determine if they have expired or have been opened.
(c) Procedures for the storage and control of a drug box while it is assigned to, and being used by, the prescriber, a registered nurse, or a physician's assistant.
(d) A procedure for implementing the hospice medical director's responsibility for ensuring that prescriptions for drugs removed from the drug boxes are obtained from an appropriate prescriber.
(2) A pharmacy shall stock drug boxes for a hospice emergency care system in accordance with the policies and procedures developed by the hospice and approved by the hospice medical director.
(3) The drugs contained in each drug box must be listed inside the front cover of the box. Each box must be equipped with only 1 nonreusable, tamper-evident seal or sealing system which is a color that designates that the box has not been opened and several nonreusable, tamper-evident seals or sealing systems which are a different color that designates that the box has been opened.
(4) A drug box must be numbered. A permanent record of all drug boxes must be maintained at the pharmacy.
(5) A label that contains all of the following information must be attached to the drug box so that it is visible from the outside

of the box:
(a) The name and address of the pharmacy.
(b) The name and address of the hospice.
(c) The name of the pharmacist who last inspected and restocked the drug box.
(d) The date the drug box was last restocked.
(e) The date on which the drug box must be returned to the pharmacy for the replacement of expired drugs.
(f) The number of the drug box.
(6) After the drug box has been stocked and labeled, the pharmacist shall seal it with the nonreusable, tamper-evident seal or sealing system which is the color that designates that the box has not been opened.
(7) A drug box must be kept in a substantially constructed, securely locked storage compartment when not under the direct control of the pharmacist, prescriber, registered nurse, or physician's assistant. The box must be stored under conditions that will maintain the stability, integrity, and effectiveness of the drugs. Access to the storage compartment and to the drug box must be limited to individuals who are authorized to stock the drug box or to dispense drugs from the drug box on the order of an appropriate prescriber.
(8) The drug box must remain sealed at all times, except when in use. All drugs removed from the box must be recorded on a medication use form. After completing the form, the physician, registered nurse or physician's assistant who removed the drug must place the form in the drug box and seal the box with a nonreusable, tamper-evident seal or sealing system which is a color that designates that the box has been opened.
(9) Each drug box under the control of the pharmacy must be examined at least weekly to ensure that the seal which designates that the box has not been opened is still intact and the expiration date has not been exceeded. If the expiration date has been exceeded or the box has been opened, the box must be returned to the pharmacy. The written prescription for all drugs that have been administered from the drug box must accompany the drug box when it is returned to the pharmacy after opening.
(10) The pharmacy shall maintain a permanent record of drug box exchanges on a drug box exchange log. The record must contain all of the following information:
(a) The number of the box.
(b) The name of the hospice to which the box is released.
(c) The date the box is released to the hospice.
(d) The name and signature of the pharmacist who releases the box to the hospice.
(e) The expiration date assigned.
(f) The date the box is returned to the pharmacy for restocking.
(g) The name and signature of the pharmacist who received the box for restocking.
(11) Upon return of the drug box to the pharmacy, the pharmacist shall reconcile the drugs dispensed from the drug box with the prescriptions of the appropriate prescriber or medical director of the hospice. The pharmacist shall note that the prescriptions were dispensed from the hospice drug box on the back of the prescriptions. The prescriptions must be filed in the same manner as other prescriptions are maintained at the pharmacy.
History: 2020 MR 24, Eff. Dec 22, 2020.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SPEECH-LANGUAGE PATHOLOGY - GENERAL RULES

R 338.601
Source: 2016 AACS**.**

338.602
Source: 2016 AACS**.**

R 338.603
Source: 2011 AACS.

R 338.604
Source: 2016 AACS**.**

R 338.605
Source: 2011 AACS.

R 338.607
Source: 2016 AACS.

R 338.609
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R 338.611
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R 338.613
Source: 2016 AACS.

R 338.615
Source: 2011 AACS.

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Source: 2016 AACS.

R 338.619
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R 338.621
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R 338.623
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R 338.647
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R 338.649
Source: 2016 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MASSAGE THERAPY - GENERAL RULES

PART 1. GENERAL RULES

R 338.701
Source: 2019 AACS.

R 338.703
Source: 2017 AACS**.**

R 338.704
Source: 2019 AACS.

R 338.705
Source: 2019 AACS.

R 338.707
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R 338.719
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R 338.721
Source: 2017 AACS**.**

PART 2. EDUCATION

R 338.722
Source: 2019 AACS.

R 338.723
Source: 2019 AACS.

R 338.724
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R 338.725
Source: 2017 AACS**.**

R 338.726
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R 338.727
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PART 3. LICENSURE

R 338.731
Source: 2019 AACS.

R 338.732
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R 338.739
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PART 4. CONTINUING EDUCATION

R 338.741
Source: 2019 AACS.

PART 5. STANDARDS OF PRACTICE

R 338.751
Source: 2019 AACS.

R 338.752
Source: 2019 AACS.

BOARD OF EXAMINERS IN MORTUARY SCIENCE

GENERAL RULES

R 338.863
Source: 1997 AACS.

R 338.864
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R 338.866
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R 338.881
Source: 1997 AACS.

DIRECTOR'S OFFICE

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R 338.901
Source: 2014 AACS.

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R 338.1002
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R 338.1003
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R 338.1088
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R 338.1099a
Source: 1994 AACS.

STATE BOARD OF PHYSICAL THERAPY REGISTRATION

GENERAL RULES

R 338.1131
Source: 1997 AACS.

R 338.1132
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R 338.1133
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R 338.1134
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R 338.1151
Source: 1997 AACS.

DIRECTOR'S OFFICE

PHYSICAL THERAPY

PART 3. ADMINISTRATIVE HEARINGS

R 338.1161
Source: 1997 AACS.

R 338.1162
Source: 1997 AACS.

R 338.1163
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R 338.1164
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R 338.1185
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OCCUPATIONAL THERAPISTS

R 338.1191
Source: 2014 AACS.

R 338.1192
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R 338.1194
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R 338.1196
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R 338.1197
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R 338.1197a
Source: 2014 AACS.

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R 338.1200
Source: 2014 AACS.

PART 1. DEFINITIONS

R 338.1211
Source: 2014 AACS.

PART 2. GENERAL PROVISIONS

R 338.1212
Source: 2014 AACS.

R 338.1213
Source: 2014 AACS.

R 338.1215
Source: 2017 AACS.

PART 3. OCCUPATIONAL THERAPISTS

R 338.1221
Source: 2014 AACS.

R 338.1222
Source: 2014 AACS.

R 338.1223
Source: 2017 AACS.

R 338.1223a
Source: 2017 AACS.

R 338.1224
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R 338.1229
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R 338. 1229a
Source: 2014 AACS.

PART 4. OCCUPATIONAL THERAPY ASSISTANTS

R 338.1231
Source: 2014 AACS.

R 338.1233

Source: 2017 AACS.

R 338.1233a
Source: 2017 AACS.

R 338.1234
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R 338.1235
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R 338.1236
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R 338.1237
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R 338.1238
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PART 4. ADMINISTRATIVE HEARINGS

R 338.1241
Source: 1997 AACS.

R 338.1242
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R 338.1243
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PART 5. CONTINUING EDUCATION

R 338.1251
Source: 2017 AACS.

R 338.1252

Source: 2017 AACS.

R 338.1253
Source: 1997 AACS.

R 338.1254
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R 338.1264
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R 338.1265
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULTORY AFFAIRS

DIRECTOR'S OFFICE

ATHLETIC TRAINING - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.1301
Source: 2019 AACS.

PART 2. LICENSURE

R 338.1303
Source: 2019 AACS.

R 338.1305
Source: 2017 AACS.

R 338.1309
Source: 2019 AACS.

R 338.1313
Source: 2017 AACS.

R 338.1317
Source: 2019 AACS.

R 338.1321
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R 338.1321a
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R 338.1345
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R 338.1349
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R 338.1353
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PART 3. EDUCATIONAL AND TRAINING AND CERTIFICATION PROGRAMS

R 338.1354 E
Source: 2019 AACS.

R 338.1355
Source: 2019 AACS.

PART 4. CONTINUING EDUCATION

R 338.1357
Source: 2019 AACS.

R 338.1361
Source: 2014 AACS.

R 338.1365

Source: 2017 AACS.

R 338.1369
Source: 2017 AACS.

R 338.1373
Source: 2017 AACS.

R 338.1377
Source: 2017 AACS.

PART 5. DELEGATION AND ADOPTION BY REFERENCE OF PROFESSIONAL STANDARDS

R 338.1378
Source: 2019 AACS.

DIRECTOR'S OFFICE

HOROLOGY

R 338.1401
Source: 1997 AACS.

R 338.1402
Source: 1997 AACS.

R 338.1403
Source: 1997 AACS.

R 338.1404
Source: 1997 AACS.

R 338.1405
Source: 1997 AACS.

R 338.1406
Source: 1997 AACS.

R 338.1407
Source: 1997 AACS.

R 338.1408
Source: 1997 AACS.

R 338.1409
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R 338.1410
Source: 1997 AACS.

R 338.1411
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R 338.1412
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R 338.1413

Source: 1997 AACS.

R 338.1414
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R 338.1415
Source: 1997 AACS.

R 338.1416
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R 338.1417
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R 338.1418
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R 338.1419
Source: 1997 AACS.

R 338.1420
Source: 1997 AACS.

R 338.1421
Source: 1997 AACS.

R 338.1422
Source: 1997 AACS.

R 338.1423
Source: 1997 AACS.

R 338.1424
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

RESIDENTIAL BUILDERS AND MAINTENANCE AND ALTERATION CONTRACTORS

PART 1. GENERAL

R 338.1511
Source: 2006 AACS.

R 338.1512
Source: 1998-2000 AACS.

R 338.1519
Source: 1990 AACS.

R 338.1511
Source: 2014 AACS.

R 338.1521
Source: 2014 AACS.

R 338.1521a

Source: 2014 AACS.

PART 2. LICENSES AND BONDS

R 338.1522
Source: 1997 AACS.

R 338.1523
Source: 1997 AACS.

R 338.1523a
Source: 1998-2000 AACS.

R 338.1524
Source: 2014 AACS.

R 338.1525
Source: 2006 AACS.

R 338.1526
Source: 2006 AACS.

R 338.1531
Source: 2014 AACS.

R 338.1532
Source: 2014 AACS.

R 338.1533
Source: 2006 AACS.

R 338.1534
Source: 2014 AACS.

R 338.1535
Source: 2006 AACS.

R 338.1536
Source: 2006 AACS.

PART 5. COMPLAINTS AND HEARINGS

R 338.1551
Source: 2019 AACS.

R 338.1554
Source: 1997 AACS.

R 338.1555
Source: 2019 AACS.

PART 6. EDUCATION

R 338.1560
Source: 2019 AACS.

R 338.1562
Source: 2011 AACS.

R 338.1564
Source: 2019 AACS.

R 338.1565
Source: 2019 AACS.

R 338.1566
Source: 2011 AACS.

DIRECTOR'S OFFICE

HEALTH CODE BOARDS DISCIPLINARY PROCEEDINGS

R 338.1601
Source: 2015 AACS.

R 338.1602
Source: 2015 AACS.

R 338.1603
Source: 1996 AACS.

R 338.1604
Source: 1996 AACS.

R 338.1605
Source: 1996 AACS.

R 338.1606
Source: 1996 AACS.

R 338.1607
Source: 1996 AACS.

R 338.1608
Source: 1996 AACS.

R 338.1609
Source: 1996 AACS.

R 338.1610
Source: 2015 AACS.

R 338.1611
Source: 2015 AACS.

R 338.1612
Source: 1996 AACS.

R 338.1614
Source: 2015 AACS.

R 338.1615
Source: 1996 AACS.

R 338.1616

Source: 2015 AACS.

R 338.1617
Source: 2015 AACS.

R 338.1618
Source: 2015 AACS.

R 338.1619
Source: 2015 AACS.

R 338.1620
Source: 2015 AACS.

R 338.1621
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R 338.1622
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R 338.1623
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R 338.1624
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R 338.1625
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R 338.1626
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R 338.1627
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R 338.1628
Source: 2015 AACS.

R 338.1629
Source: 2015 AACS.

R 338.1630
Source: 1996 AACS.

R 338.1631
Source: 1996 AACS.

R 338.1632
Source: 1996 AACS.

R 338.1633
Source: 2015 AACS.

R 338.1634
Source: 2015 AACS.

R 338.1635
Source: 2015 AACS.

R 338.1636
Source: 2015 AACS.

R 338.1637
Source: 2015 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COUNSELING - GENERAL RULES

R 338.1751
Source: 2012 AACS.

Rule 338.1751a
Source: 2016 AACS**.**

R 338.1752
Source: 2012 AACS.

R 338.1752a
Source: 2012 AACS.

R 338.1753
Source: 2012 AACS.

R 338.1753a
Source: 2012 AACS.

R 338.1753b
Source: 2012 AACS.

R 338.1753c
Source: 2012 AACS.

R 338.1754
Source: 2012 AACS.

R 338.1755
Source: 2012 AACS.

R 338.1756
Source: 2012 AACS.

R 338.1757
Source: 2012 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BEHAVIOR ANALYSTS - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.1801
Source: 2019 AACS.

PART 2. LICENSURE

R 338.1821
Source: 2019 AACS.

R 338.1823
Source: 2019 AACS.

R 338.1825
Source: 2019 AACS.

R 338.1827
Source: 2019 AACS.

PART 3. STANDARDS OF PRACTICE

R 338.1831
Source: 2019 AACS.

R 338.1833
Source: 2019 AACS.

R 338.1835
Source: 2019 AACS.

MARRIAGE COUNSELORS

R 390.1801
Source: 2003 AACS.

PART 1. ORGANIZATION OF BOARD

R 338.1811
Source: 1997 AACS.

R 338.1812
Source: 1997 AACS.

R 338.1813
Source: 1997 AACS.

R 338.1814
Source: 1997 AACS.

R 338.1815
Source: 1997 AACS.

PART 2. CERTIFICATION

R 338.1821
Source: 1997 AACS.

R 338.1822
Source: 1997 AACS.

R 338.1823
Source: 1997 AACS.

R 338.1824
Source: 1997 AACS.

R 338.1825
Source: 1997 AACS.

PART 3. HEARINGS

R 338.1831
Source: 1997 AACS.

R 338.1832
Source: 1997 AACS.

R 338.1833
Source: 1997 AACS.

R 338.1834
Source: 1997 AACS.

R 338.1835
Source: 1997 AACS.

R 338.1836
Source: 1997 AACS.

R 338.1837
Source: 1997 AACS.

R 338.1841
Source: 1998-2000 AACS.

R 338.1842
Source: 1998-2000 AACS.

R 338.1843
Source: 1998-2000 AACS.

R 338.1844
Source: 1998-2000 AACS.

R 338.1861
Source: 1998-2000 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTORS OFFICE

HEARING AID DEALERS

PART 1. LICENSING

R 338.1901
Source: 2014 AACS.

R 338.1905
Source: 2014 AACS.

R 338.1906
Source: 1998-2000 AACS.

R 338.1907
Source: 1998-2000 AACS.

R 338.1908
Source: 2014 AACS.

R 338.1909
Source: 2014 AACS.

R 338.1910
Source: 2014 AACS.

R 338.1911
Source: 2014 AACS.

R 338.1912
Source: 2014 AACS.

R 338.1913
Source: 2014 AACS.

R 338.1914
Source: 1998-2000 AACS.

PART 2. CONDUCT OF BUSINESS

R 338.1921
Source: 2014 AACS.

R 338.1922
Source: 2014 AACS.

HEARING AID DEALERS

PART 3. COMPLAINTS AND HEARINGS

R 338.1941
Source: 1997 AACS.

R 338.1942
Source: 1997 AACS.

R 338.1943
Source: 1997 AACS.

BARBER EXAMINERS

R 338.2001
Source: 1997 AACS.

R 338.2002
Source: 1997 AACS.

R 338.2003
Source: 1997 AACS.

R 338.2004
Source: 1997 AACS.

R 338.2005
Source: 1997 AACS.

R 338.2006
Source: 1997 AACS.

R 338.2007
Source: 1997 AACS.

R 338.2008
Source: 1997 AACS.

R 338.2009
Source: 1997 AACS.

R 338.2010
Source: 1997 AACS.

R 338.2011
Source: 1997 AACS.

R 338.2012
Source: 1997 AACS.

R 338.2013
Source: 1997 AACS.

R 338.2014
Source: 1997 AACS.

R 338.2015
Source: 1997 AACS.

R 338.2016
Source: 1997 AACS.

R 338.2017
Source: 1997 AACS.

R 338.2018
Source: 1997 AACS.

R 338.2019
Source: 1997 AACS.

R 338.2020
Source: 1997 AACS.

R 338.2021
Source: 1997 AACS.

R 338.2022
Source: 1997 AACS.

R 338.2023
Source: 1997 AACS.

R 338.2024
Source: 1997 AACS.

R 338.2025
Source: 1997 AACS.

R 338.2026
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R 338.2027
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R 338.2028
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R 338.2029
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R 338.2030
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R 338.2031
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R 338.2032
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R 338.2033
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R 338.2034
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R 338.2035
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R 338.2036
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R 338.2037
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R 338.2038
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R 338.2039
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R 338.2040
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R 338.2041
Source: 1997 AACS.

R 338.2042
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R 338.2043
Source: 1997 AACS.

R 338.2044
Source: 1997 AACS.

R 338.2045
Source: 1997 AACS.

R 338.2046
Source: 1997 AACS.

R 338.2047
Source: 1997 AACS.

R 338.2048
Source: 1997 AACS.

R 338.2049
Source: 1997 AACS.

R 338.2050
Source: 1997 AACS.

R 338.2051
Source: 1997 AACS.

R 338.2052
Source: 1997 AACS.

R 338.2053
Source: 1997 AACS.

R 338.2054
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COSMETOLOGY

PART 1. GENERAL PROVISIONS

R 338.2101
Source: 2017 AACS.

R 338.2102
Source: 2014 AACS.

R 338.2103
Source: 1998-2000 AACS.

R 338.2106
Source: 1998-2000 AACS.

R 338.2107
Source: 1998-2000 AACS.

R 338.2109
Source: 1979 AC.

PART 2. LICENSES AND PERMITS

R 338.2121
Source: 1998-2000 AACS.

R 338.2122
Source: 2014 AACS.

R 338.2123
Source: 2014 AACS.

R 338.2124
Source: 1998-2000 AACS.

R 338.2125
Source: 1998-2000 AACS.

R 338.2126
Source: 1998-2000 AACS.

R 338.2127
Source: 2006 AACS.

R 338.2128
Source: 1979 AC.

PART 3. FACILITIES AND EQUIPMENT

R 338.2131
Source: 1998-2000 AACS.

R 338.2132
Source: 1998-2000 AACS.

R 338.2132a
Source: 1998-2000 AACS.

R 338.2133
Source: 1998-2000 AACS.

R 338.2134
Source: 2006 AACS.

R 338.2135
Source: 2014 AACS.

R 338.2136
Source: 1998-2000 AACS.

R 338.2137
Source: 1998-2000 AACS.

R 338.2138
Source: 1998-2000 AACS.

R 338.2139
Source: 2004 AACS.

R 338.2139a
Source: 2014 AACS.

PART 4. SCHOOL TRAINING PROGRAMS

R 338.2141
Source: 2014 AACS.

R 338.2142
Source: 2014 AACS.

R 338.2143
Source: 2014 AACS.

R 338.2144
Source: 2014 AACS.

R 338.2145
Source: 2014 AACS.

R 338.2146
Source: 1998-2000 AACS.

R 338.2147
Source: 1997 AACS.

R 338.2148
Source: 1998-2000 AACS.

R 338.2149
Source: 1998-2000 AACS.

PART 5. CURRICULUM

R 338.2151
Source: 2004 AACS.

R 338.2151a
Source: 1998-2000 AACS.

R 338.2152
Source: 1998-2000 AACS.

R 338.2153
Source: 1998-2000 AACS.

R 338.2155
Source: 1997 AACS.

R 338.2156
Source: 1998-2000 AACS.

PART 6. HEALTH AND SAFETY

R 338.2161
Source: 1998-2000 AACS.

R 338.2161a
Source: 2004 AACS.

R 338.2161b
Source: 2004 AACS.

R 338.2162
Source: 1998-2000 AACS.

R 338.2162a
Source: 2004 AACS.

R 338.2163
Source: 1998-2000 AACS.

R 338.2163a
Source: 2004 AACS.

R 338.2163b
Source: 1998-2000 AACS.

R 338.2163c
Source: 2004 AACS.

R 338.2166
Source: 1998-2000 AACS.

R 338.2167
Source: 1998-2000 AACS.

R 338.2168
Source: 1998-2000 AACS.

R 338.2169
Source: 1998-2000 AACS.

PART 7. INSTRUCTORS AND DEMONSTRATORS

R 338.2171
Source: 1998-2000 AACS.

R 338.2172
Source: 1998-2000 AACS.

R 338.2173
Source: 1998-2000 AACS.

R 338.2174
Source: 1998-2000 AACS.

R 338.2175
Source: 1998-2000 AACS.

R 338.2176
Source: 1998-2000 AACS.

R 338.2178
Source: 1998-2000 AACS.

R 338.2179
Source: 2017 AACS.

R 338.2179a
Source: 1998-2000 AACS.

R 338.2179b
Source: 1998-2000 AACS.

R 338.2179c
Source: 1998-2000 AACS.

R 338.2179d
Source: 1998-2000 AACS.

R 338.2179e
Source: 2004 AACS.

R 338.2179f
Source: 1998-2000 AACS.

R 338.2179g
Source: 2004 AACS.

R 338.2179h
Source: 1998-2000 AACS.

PART 8. STUDENTS

R 338.2181
Source: 1998-2000 AACS.

R 338.2182
Source: 1998-2000 AACS.

R 338.2183
Source: 1998-2000 AACS.

R 338.2184
Source: 1998-2000 AACS.

R 338.2185
Source: 1998-2000 AACS.

R 338.2186
Source: 1998-2000 AACS.

PART 9. HEARINGS

R 338.2191
Source: 1997 AACS.

R 338.2192
Source: 1997 AACS.

R 338.2193
Source: 1997 AACS.

R 338.2194
Source: 1997 AACS.

R 338.2195
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

RESPIRATORY CARE - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.2201
Source: 2019 AACS.

R 338.2201a
Source: 2019 AACS.

PART 2. LICENSURE

R 338.2202
Source: 2019 AACS.

R 338.2202a
Source: 2019 AACS.

R 338.2202b
Source: 2019 AACS.

R 338.2203
Source: 2019 AACS.

R 338.2204
Source: 2019 AACS.

R 338.2205
Source: 2019 AACS.

PART 3. EDUCATION

R 338.2206
Source: 2019 AACS.

PART 4. RELICENSURE

R 338.2207
Source: 2019 AACS.

CHIROPRACTIC

R 338.2208
Source: 1997 AACS.

R 338.2209
Source: 1997 AACS.

R 338.2210
Source: 1997 AACS.

R 338.2211
Source: 1997 AACS.

R 338.2212
Source: 1997 AACS.

R 338.2213
Source: 1997 AACS.

R 338.2214
Source: 1997 AACS.

R 338.2215
Source: 1997 AACS.

R 338.2216
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R 338.2217
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R 338.2218
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R 338.2219
Source: 1997 AACS.

R 338.2220
Source: 1997 AACS.

R 338.2221
Source: 1997 AACS.

R 338.2222
Source: 1997 AACS.

R 338.2223
Source: 1997 AACS.

R 338.2224
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R 338.2225
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R 338.2226
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R 338.2227
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R 338.2228
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R 338.2229
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R 338.2230
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R 338.2231
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R 338.2232
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R 338.2233
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R 338.2234
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R 338.2235
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R 338.2236
Source: 1997 AACS.

R 338.2237
Source: 1997 AACS.

R 338.2238
Source: 1997 AACS.

R 338.2239
Source: 1997 AACS.

R 338.2240
Source: 1997 AACS.

R 338.2241

Source: 1997 AACS.

R 338.2242
Source: 1997 AACS.

R 338.2243
Source: 1997 AACS.

R 338.2244
Source: 1997 AACS.

R 338.2245
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MEDICINE - GENERAL RULES

R 338.2301
Source: 2016 AACS**.**

R 338.2302
Source: 2016 AACS**.**

R 338.2303
Source: 2013 AACS.

R 338.2304
Source: 2016 AACS**.**

R 338.2305
Source: 2016 AACS**.**

R 338.2308
Source: 2016 AACS**.**

R 338.2309
Source: 1979 AC.

PART 2. LICENSES

R 338.2311
Source: 1997 AACS.

R 338.2312
Source: 1997 AACS.

R 338.2313
Source: 2016 AACS**.**

R 338.2314
Source: 2016 AACS**.**

R 338.2315
Source: 1997 AACS.

R 338.2316
Source: 2016 AACS**.**

R 338.2317
Source: 2016 AACS**.**

R 338.2318
Source: 2016 AACS**.**

R 338.2319
Source: 2016 AACS**.**

R 338.2320
Source: 1997 AACS.

R 338.2322
Source: 1997 AACS.

R 338.2323
Source: 1997 AACS.

R 338.2325
Source: 1997 AACS.

R 338.2326
Source: 2016 AACS**.**

R 338.2327
Source: 1997 AACS.

R 338.2327a
Source: 2016 AACS**.**

R 338.2328
Source: 1997 AACS.

R 338.2329
Source: 1997 AACS.

R 338.2329a
Source: 2016 AACS**.**

PART 3. ADMINISTRATIVE HEARINGS

R 338.2330
Source: 1997 AACS.

R 338.2331
Source: 1997 AACS.

R 338.2332
Source: 1997 AACS.

R 338.2333
Source: 1997 AACS.

R 338.2334

Source: 1997 AACS.

R 338.2335
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R 338.2336
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R 338.2337
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R 338.2338
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R 338.2339
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R 338.2340
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R 338.2342
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R 338.2344
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R 338.2345
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R 338.2346
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R 338.2348
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R 338.2349
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R 338.2350
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R 338.2351
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R 338.2352
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R 338.2353
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R 338.2354
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R 338.2355
Source: 1997 AACS.

R 338.2371
Source: 2016 AACS.

R 338.2372
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R 338.2373
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R 338.2374
Source: 2016 AACS.

R 338.2375
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R 338.2376
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R 338.2377
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R 338.2378
Source: 2016 AACS.

R 338.2379
Source: 2016 AACS.

R 338.2380
Source: 2016 AACS.

R 338.2381
Source: 2016 AACS.

R 338.2382
Source: 2016 AACS.

PART 1. GENERAL PROVISIONS

R 338.2401
Source: 2016 AACS.

R 338.2403
Source: 2016 AACS.

R 338.2405
Source: 2016 AACS.

Rule 338.2409
Source: 2016 AACS.

Rule 338.2411
Source: 2016 AACS.

R 338.2413
Source: 2016 AACS.

PART 2. LICENSES

R 338.2421
Source: 2016 AACS.

Rule 338.2423
Source: 2016 AACS.

R 338.2425
Source: 2016 AACS.

R 338.2427
Source: 2016 AACS.

R 338.2429
Source: 2016 AACS.

R 338.2431
Source: 2016 AACS.

R 338.2433
Source: 2016 AACS.

R 338.2435
Source: 2016 AACS.

R 338.2437
Source: 2016 AACS.

PART 3. CONTINUING EDUCATION

Rule 338.2441
Source: 2016 AACS.

Rule 338.2443
Source: 2016 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PSYCHOLOGY - GENERAL RULES

R 338.2501

Source: 2015 AACS.

R 338.2502
Source: 2015 AACS.

R 338.2503
Source: 2007 AACS.

R 338.2504
Source: 2015 AACS.

R 338.2505
Source: 2015 AACS.

R 338.2505a
Source: 2015 AACS.

R 338.2506
Source: 2015 AACS.

R 338.2507
Source: 2015 AACS.

R 338.2507a
Source: 2015 AACS.

R 338.2508
Source: 2003 AACS.

R 338.2509
Source: 2003 AACS.

R 338.2510
Source: 2015 AACS.

R 338.2510a
Source: 2015 AACS.

R 338.2511
Source: 2015 AACS.

R 338.2511a
Source: 2015 AACS.

R 338.2512
Source: 1997 AACS.

R 338.2513
Source: 2015 AACS.

R 338.2514
Source: 2015 AACS.

R 338.2515
Source: 2015 AACS.

R 338.2516

Source: 2015 AACS.

PART 1. GENERAL PROVISIONS

R 338.2521
Source: 2019 AACS.

R 338.2523
Source: 2019 AACS.

R 338.2525
Source: 2019 AACS.

R 338.2527
Source: 2019 AACS.

R 338.2529
Source: 2019 AACS.

PART 2. PSYCHOLOGISTS

R 338.2541
Source: 2019 AACS.

R 338.2543
Source: 2019 AACS.

R 338.2545
Source: 2019 AACS.

R 338.2547
Source: 2019 AACS.

R 338.2549
Source: 2019 AACS.

R 338.2551
Source: 2019 AACS.

R 338.2553
Source: 2019 AACS.

R 338.2555
Source: 2019 AACS.

PART 3. LIMITED LICENSED PSYCHOLOGISTS

R 338.2561
Source: 2019 AACS.

R 338.2563
Source: 2019 AACS.

R 338.2565
Source: 2019 AACS.

R 338.2567
Source: 2019 AACS.

R 338.2569
Source: 2019 AACS.

R 338.2571
Source: 2019 AACS.

R 338.2573
Source: 2019 AACS.

PART 4. CONTINUING EDUCATION

R 338.2581
Source: 2019 AACS.

R 338.2583
Source: 2019 AACS.

R 338.2585
Source: 2019 AACS.

REAL ESTATE SCHOOLS

R 338.2601
Source: 1997 AACS.

R 338.2602
Source: 1997 AACS.

R 338.2603
Source: 1997 AACS.

R 338.2604
Source: 1997 AACS.

R 338.2605
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R 338.2606
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R 338.2607
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R 338.2608
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R 338.2609
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R 338.2610
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R 338.2611
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R 338.2612
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R 338.2613
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R 338.2614
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R 338.2615
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R 338.2616
Source: 1997 AACS.

R 338.2617
Source: 1997 AACS.

R 338.2618
Source: 1997 AACS.

R 338.2619
Source: 1997 AACS.

REAL ESTATE BROKERS AND SALESMEN

R 338.2701
Source: 1997 AACS.

R 338.2703
Source: 1997 AACS.

R 338.2721
Source: 1997 AACS.

R 338.2722
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R 338.2786
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NURSING HOME ADMINISTRATORS

R 338.2801
Source: 1997 AACS.

R 338.2802
Source: 1997 AACS.

R 338.2803
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R 338.2804
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R 338.2805
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R 338.2817
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R 338.2818
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R 338.2819
Source: 1997 AACS.

NURSING HOME ADMINISTRATORS—CONTINUING EDUCATION

R 338.2841
Source: 1997 AACS.

R 338.2842
Source: 1997 AACS.

R 338.2843
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R 338.2844
Source: 1997 AACS.

R 338.2845
Source: 1997 AACS.

R 338.2846
Source: 1997 AACS.

R 338.2847
Source: 1997 AACS.

R 338.2848
Source: 1997 AACS.

R 338.2849
Source: 1997 AACS.

DEPARTMENT LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SOCIAL WORK - GENERAL RULES

R 338.2901
Source: 2016 AACS**.**

R 338.2902
Source: 1997 AACS.

R 338.2903
Source: 1997 AACS.

R 338.2904
Source: 1997 AACS.

R 338.2905
Source: 2003 AACS.

R 338.2906
Source: 2016 AACS**.**

R 338.2906a
Source: 2005 AACS.

R 338.2907
Source: 1997 AACS.

R 338.2907a
Source: 2016 AACS**.**

R 338.2907b
Source: 2016 AACS.

R 338.2908
Source: 2005 AACS.

R 338.2908a
Source: 2003 AACS.

R 338.2908b
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R 338.2908c
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R 338.2908d
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R 338.2908e
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R 338.2908f
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R 338.2908g
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R 338.2908j
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R 338.2908k
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R 338.2908l
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R 338.2908m
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R 338. 2908n
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R 338.2908o
Source: 2016 AACS.

R 338.2909
Source: 2016 AACS.

R 338.2910
Source: 2016 AACS.

R 338.2911
Source: 1997 AACS.

R 338.2912
Source: 1997 AACS.

R 338.2913
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R 338.2914
Source: 1997 AACS.

R 338.2915
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SOCIAL WORK - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.2921
Source: 2016 AACS**.**

R 338.2923
Source: 2019 AACS.

R 338.2925
Source: 2019 AACS.

R 338.2929
Source: 2016 AACS**.**

PART 2. SOCIAL SERVICE TECHNICIAN REQUIREMENTS

R 338.2931
Source: 2019 AACS.

R 338.2933
Source: 2019 AACS.

R 338.2935
Source: 2019 AACS.

R 338.2937
Source: 2016 AACS**.**

PART 3. BACHELOR'S SOCIAL WORKER REQUIREMENTS

R 338.2939
Source: 2019 AACS.

R 338.2941
Source: 2019 AACS.

R 338.2943
Source: 2019 AACS.

R 338.2945
Source: 2019 AACS.

PART 4. MASTER'S SOCIAL WORKER REQUIREMENTS

R 338.2947
Source: 2019 AACS.

R 338.2949
Source: 2019 AACS.

R 338.2951
Source: 2019 AACS.

R 338.2953
Source: 2019 AACS.

R 338.2955
Source: 2019 AACS.

R 338.2957
Source: 2019 AACS.

PART 5. CONTINUING EDUCATION

R 338.2961
Source: 2019 AACS.

R 338. 2963
Source: 2019 AACS.

R 338.2965
Source: 2019 AACS.

BOARD OF PHARMACY - RADIOPHARMACEUTICALS

R 338.3001
Source: 2015 AACS.

R 338.3002
Source: 2015 AACS.

R 338.3003
Source: 2015 AACS.

R 338.3004
Source: 2015 AACS.

R 338.3005
Source: 2015 AACS.

R 338.3006
Source: 2015 AACS.

R 338.3007
Source: 2015 AACS.

PHARMACY - PUBLIC PARTICIPATION AT OPEN BOARD MEETINGS

R 338.3031

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY – PHARMACIST CONTINUING EDUCATION

R 338.3041 License renewals; continuing education requirements; applicability.
Rule 1. (1) These rules apply to applications for renewal of a pharmacist's license and a special retired volunteer pharmacist's license under sections 16201 and 16184 of the code, MCL 333.16201 and 333.16184. A licensee seeking renewal shall comply with all of the following:
(a) Submit a completed application on a form provided by the department, together with the requisite fee.
(b) Beginning with renewals on January 1, 2020, an applicant for license renewal shall have completed a 1-time training identifying victims of human trafficking as required in R 338.511 and section 16148 of the code, MCL 333.16148.
(c) An applicant for license renewal, who also applies for a controlled substance license, shall have completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.
(d) An applicant for license renewal, who has been licensed for the 2-year period immediately preceding the end of the license cycle, shall furnish the board with satisfactory evidence that the applicant completed not less than 30 hours of continuing education approved by the board, under R 338.3043 and R 338.3044, during the 2 years immediately preceding the application for renewal, which must comply with all of the following:
(i) An applicant for license renewal shall complete at least 1 hour of the 30 required hours of continuing education in pharmacy ethics and jurisprudence. This paragraph applies only to renewals after December 30, 2020.
(ii) An applicant for license renewal shall complete a minimum of 10 hours of the 30 required hours of continuing education by attending live courses or programs that provide for direct interaction between faculty and participants, including but not limited to, lectures, symposia, live teleconferences, and workshops.
(iii) An applicant for license renewal shall complete at least 1 hour of the 30 required hours of continuing education in pain and symptom management, as required under section 16204(2) of the code, MCL 333.16204(2). Continuing education in pain and symptom management includes, but is not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interventions as they relate to professional practice.
(iv) An applicant for license renewal shall earn no more than 12 hours of continuing education during a 24-hour period.
(v) An applicant for license renewal shall not earn credit for taking the same continuing education course or program twice during 1 renewal period.
(2) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. An applicant shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. The board may require an applicant to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).
(3) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.
(4) Except as otherwise stated, this rule takes effect upon promulgation of the rules.
History: 1979 AC; 2007 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3042
Source: 1997 AACS.

R 338.3043 Continuing education courses and programs; standards for approval.
Rule 3. The board shall approve continuing education courses or programs pursuant to the following standards in this rule:
(a) A continuing education course or program sponsor shall submit a completed application on forms provided by the department and provide a "Patient Protection" form for any course or program that involves treatment of live patients.
(b) A completed application form shall be submitted to the department at least 70 days prior to the date the continuing education course or program is conducted and 70 days prior to the next regularly scheduled board meeting for the proposed continuing

education to be considered for approval by the board. A continuing education course or program conducted prior to board consideration will not be approved.
(c) A continuing education course or program must meet the standards and criteria for an acceptable category of continuing education under this rule and R 338.3044 and must be relevant to health care and advancement of the licensee's pharmacy education.
(d) A continuing education course or program must be a planned learning program designed to promote the continual development of knowledge, skills, and attitudes on the part of the pharmacist. The course or program must be an individual organized educational experience under responsible sponsorship and capable direction and must provide qualified instruction.
(e) A continuing education course or program shall be developed and presented by a sponsor and must provide all of the following:
(i) Administrative support that ensures maintenance and availability of adequate records of participation.
(ii) An adequate budget and resources.
(iii) Appropriate, qualified, competent teaching staff.
(iv) A statement of educational goals or measurable behavioral objectives, or both.
(v) Delivery methods that allow for active participation and involvement.
(vi) Appropriate, adequate facilities.
(vii) Evaluations of the participant and the provider.
(f) The continuing education course or program must include study in 1 or more of the following subjects:
(i) Social, psychological, economic, and legal aspects of health care delivery.
(ii) The properties and actions of drugs and dosage forms.
(iii) Etiology, characteristics, and therapeutics of the disease state.
(iv) Emergency skills related to the health and safety of the patient.
(v) Specialized professional services.
(vi) Other areas of study that the board finds are designed to maintain or enhance a pharmacist's ability to deliver competent pharmacy services.
(g) Board approval is valid for a 3-year term of approval from the date of approval.
(h) The board shall reevaluate an approved continuing education course or program prior to any changes during the approval term, including but not limited to, changes to either of the following:
(i) Instructors and speakers.
(ii) Course or program content, title, and number of continuing education hours to be awarded to participants.
(i) Subject to subdivision (j) of this rule, all changes to a previously approved course or program must be submitted on required department forms at least 70 days prior to the date the course or program is offered to participants and 70 days prior to the next regularly scheduled board meeting to be considered for approval by the board. Any changes to a submitted and previously approved course or program conducted prior to board reconsideration and approval will not be approved.
(j) Emergency changes to instructors and speakers that cannot be submitted to the board at least 70 days prior to the date of the course or program may be reviewed by the department in consultation with the board chair or a continuing education board committee member if proof that is acceptable to the department and that supports the nature of the emergency is submitted with the change.
(k) The specific dates that the course or program will be offered do not require further board approval and may be changed without review by the board if the presentation dates are within the board's original 3-year term of approval.
(l) A sponsor conducting the course or program shall record all of the following on a continuing education certificate or other proof prepared by that sponsor:
(i) The name of the sponsor.
(ii) Continuing education approval number assigned by the department.
(iii) Course title or name of the program.
(iv) Name of the speaker or instructor.
(v) Date the approved course or program was conducted.
(vi) Number and type of continuing education hours awarded.
(vii) Approved sponsor's signature.
(viii) Dates of the current approval term.
(ix) Name of participant.
(m) The board may revoke the approval status of any approved course or program at any time the course or program fails to comply with these rules.
History: 1979 AC; 2007 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3044 Acceptable continuing education for licensees.

Rule 4. The board shall consider all of the following as acceptable continuing education:

ACCEPTABLE CONTINUING EDUCATION ACTIVITIES		
(a)	Completion of an approved continuing education course or program related to the practice of pharmacy. A continuing education course or program is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following: A pharmacy program accredited by the Accreditation Council for Pharmacy Education (ACPE) or the Canadian Council for Accreditation of Pharmacy Programs (CCAPP). A continuing education sponsoring organization, institution, or individual approved by the ACPE. Another state board of pharmacy. If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held, or activity completed.	The number of hours earned will be the number of hours approved by the sponsor or the approving organization. If the activity was not approved for a set number of hours, then 1 credit hour for every 50 minutes of participation may be earned. No limitation on the number of hours earned.
(b)	Completion of postgraduate pharmacy practice or administration courses offered for credit in a pharmacy school accredited by the ACPE or the CCAPP. If audited, a licensee shall submit an official transcript that reflects completion of the postgraduate pharmacy practice or administration course and number of semester or quarter credit hours earned.	Twelve hours of continuing education will be earned for each academic quarter credit earned and 18 hours will be earned for each academic semester credit earned. No limitation on the number of hours earned.
(c)	Participation in a home study program offered through an ACPE-approved provider or other instructional approaches that include an evaluation component including, but not limited to, on-line continuing education programs and journal articles. If audited, a licensee shall submit an affidavit attesting to the number of hours the licensee spent participating in the home study program that includes a description of the activity.	One hour will be earned for each hour devoted to a home study program. A maximum of 20 hours per renewal period.
(d)	Participation as a preceptor for at least 1 pharmacy intern. A preceptorship shall be for a minimum of 120 hours in person and have a 1 intern - to - 1 preceptor ratio. This may involve multiple preceptor relationships at different times. If audited, a licensee shall submit written documentation from the educational institution or preceptor's supervisor verifying the dates and hours of the preceptorship.	Five hours of continuing education may be earned for a minimum of 120 hours in person of preceptorship in each renewal period. A maximum of 5 hours may be earned in each renewal period.
(e)	Renewal of a pharmacy license held in another state that requires continuing education for license renewal that is	Thirty hours will be earned.

	substantially equivalent in subject matter and total amount of required hours to that required in these rules if the licensee resides and practices in another state. If audited, a licensee shall submit proof of current licensure in another state and a copy of a letter or certificate of completion showing all of the following: the licensee's name, number of hours earned, the sponsor's name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or the activity was completed.	A maximum of 30 hours may be earned in each renewal period.
(f)	Initial publication of an article or a chapter related to the practice of pharmacy in either of the following: A pharmacy textbook. A peer reviewed journal. If audited, a licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	Ten hours will be earned per publication. A maximum of 10 hours may be earned in each renewal period.
(g)	Successful completion of a board certification national pharmacy examination through Board of Pharmacy Specialties (BPS). If audited, a licensee shall submit proof of a passing score on the examination.	Ten hours may be earned in the year in which the licensee achieves a passing score. A maximum of 20 hours may be earned in each renewal period. Credit will not be given for repeating the same examination twice in a renewal period.
(h)	Presentation of a continuing education program approved by the board under R 338.3043 or subdivision (a) of this rule that is not a part of the licensee's regular job description. If audited, a licensee shall submit a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.	Two hours for every 50 minutes devoted to presenting the program. A maximum of 10 hours will be earned in each renewal period.
(i)	Attendance at a pharmacy-related program that is approved by the board pursuant to R 338.3043. If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of hours earned, sponsor name or the name of the organization that approved the program or course for continuing education credit, and the date on which the program was held or the activity was completed.	The number of hours earned will be the number of hours approved by the sponsor or the approving organization. If the activity was not approved for a set number of hours, then 1 credit hour for every 50 minutes of participation may be earned. No limitation on the number of hours earned.

History: 1979 AC; 1982 AACS; 2007 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3045 Rescinded.

History: 1979 AC; 2020 MR 24, Eff. Dec 22, 2020.

CENTRALIZED PRESCRIPTION PROCESSING PHARMACIES

PART 1. GENERAL PROVISIONS

R 338.3051
Source: 2008 AACS.

R 338.3052
Source: 2008 AACS.

R 338.3053
Source: 2008 AACS.

R 338.3054
Source: 2008 AACS.

PART 2 . CONTROLLED SUBSTANCES PRESCRIPTIONS

R 338.3055
Source: 2008 AACS.

R 338.3056
Source: 2008 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BOARD OF PHARMACY

PHARMACY – CONTROLLED SUBSTANCES

PART 1. GENERAL PROVISIONS

R 338.3101
Source: 2004 AACS.

R 338.3102
Source: 2007 AACS.

R 338.3104
Source: 2002 AACS.

R 338.3108
Source: 1992 AACS.

R 338.3109
Source: 1979 AC.

PART 2. SCHEDULES

R 338.3111
Source: 1995 AACS.

R 338.3112
Source: 2013 AACS.

R 338.3113
Source: 2016 AACS.

R 338.3113a
Source: 2002 AACS.

R 338.3114
Source: 2013 AACS.

R 338.3114a
Source: 2013 AACS.

R 338.3116
Source: 2013 AACS.

R 338.3117
Source: 2013 AACS.

R 338.3118
Source: 2013 AACS.

R 338.3119
Source: 1992 AACS.

R 338.3119a
Source: 2002 AACS.

R 338.3119b
Source: 1994 AACS.

R 338.3120
Source: 2016 AACS**.**

R 338.3121
Source: 2016 AACS**.**

R 338.3121a
Source: 2002 AACS.

R 338.3122
Source: 2013 AACS.

R 338.3123
Source: 2016 AACS**.**

R 338.3125
Source: 2019 AACS.

R 338.3126
Source: 2002 AACS.

R 338.3127
Source: 2002 AACS.

R 338.3129
Source: 1992 AACS.

PART 3. LICENSES

R 338.3131

Source: 1997 AACS.

R 338.3132
Source: 2007 AACS.

R 338.3133
Source: 2002 AACS.

R 338.3134
Source: 2002 AACS.

R 338.3135
Source: 2019 AACS.

R 338.3136
Source: 2002 AACS.

R 338.3137
Source: 1992 AACS.

R 338.3138
Source: 2013 AACS.

R 338.3139
Source: 2013 AACS.

PART 4. SECURITY

R 338.3141
Source: 2002 AACS.

R 338.3143
Source: 2002 AACS.

R 338.3145
Source: 2002 AACS.

PART 5. RECORDS

R 338.3151
Source: 2002 AACS.

R 338.3152
Source: 2002 AACS.

R 338.3153
Source: 2013 AACS.

R 338.3153a
Source: 2013 AACS.

R 338.3154
Source: 2007 AACS.

PART 6. DISPENSING AND ADMINISTERING CONTROLLED SUBSTANCE PRESCRIPTIONS

R 338.3161

Source: 2013 AACS.

R338.3161a
Source: 2019 AACS.

R 338.3162
Source: 2007 AACS.

R 338.3162a
Source: 2002 AACS.

R 338.3162b
Source: 2007 AACS.

R 338.3162c
Source: 2007 AACS.

R 338.3162d
Source: 2013 AACS.

R 338.3162e
Source: 2002 AACS.

R 338.3164
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R 338.3165
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R 338.3167
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R 338.3168
Source: 2002 AACS.

R 338.3169
Source: 2013 AACS.

R 338.3170
Source: 2002 AACS.

PART 7. DISTRIBUTIONS

R 338.3181
Source: 1992 AACS.

R 338.3182
Source: 1992 AACS.

R 338.3183
Source: 1992 AACS.

R 338.3185
Source: 1992 AACS.

R 338.3186
Source: 1992 AACS.

PART 8. ADMINISTRATIVE AND DISCIPLINARY PROCEEDINGS

R 338.3191
Source: 1997 AACS.

R 338.3192
Source: 1997 AACS.

R 338.3193
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R 338.3194
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R 338.3199o
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R 338.3199p
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R 338.3199q
Source: 1997 AACS.

MOBILE HOME AND LAND RESOURCES DIVISION

LAND SALES

PART 1. GENERAL PROVISIONS

R 338.3201
Source: 2013 AACS.

R 338.3202
Source: 2013 AACS.

R 338.3204
Source: 2013 AACS.

R 338.3206
Source: 2013 AACS.

R 338.3208
Source: 2013 AACS.

PART 3. REGISTRATION OF NONEXEMPT SUBDIVIDED LANDS

R 338.3218
Source: 2013 AACS.

R 338.3219
Source: 2013 AACS.

R 338.3220

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R 338.3221
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R 338.3239
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PART 4. PROTECTION OF PURCHASERS

R 338.3241
Source: 2013 AACS.

R 338.3242
Source: 2013 AACS.

R 338.3243
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R 338.3251
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R 338.3259
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PART 5. ADVERTISING AND SALES PROMOTIONS

R 338.3261
Source: 2013 AACS.

R 338.3262
Source: 2013 AACS.

R 338.3263
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R 338.3292
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R 338.3295
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R 338.3301
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R 338.3302
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R 338.3303
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R 338.3304
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R 338.3307
Source: 2013 AACS.

R 338.3311
Source: 2013 AACS.

R 338.3312
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R 338.3331
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R 338.3332
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R 338.3335
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PART 8. TAXES AND ASSESSMENTS

R 338.3341
Source: 2013 AACS.

R 338.3345
Source: 2013 AACS.

PART 15. DECLARATORY RULINGS; INVESTIGATIONS; HEARINGS

R 338.3451
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R 338.3455
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R 338.3456
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R 338.3461
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R 338.3463
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Source: 2013 AACS.

DIRECTOR'S OFFICE

BOARD OF PHARMACY – ANIMAL EUTHANASIA AND SEDATION RULES

PART 1. GENERAL PROVISIONS

R 338.3501
Source: 2013 AACS.

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R 338.3502
Source: 2013 AACS.

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R 338.3504
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PART 5. ANIMAL SEDATION

R 338.3513
Source: 2013 AACS.

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R 338.3522
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R 338.3523
Source: 2013 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY – PROGRAM FOR UTILIZATION OF UNUSED PRESCRIPTION DRUGS

R 338.3601
Source: 2014 AACS.

R 338.3603
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R 338.3605
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R 338.3607
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R 338.3609
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R 338.3639
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R 338.3641
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R 338.3643
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY TECHNICIANS

R 338.3651
Source: 2016 AACS**.**

R 338.3653
Source: 2016 AACS**.**

R 338.3655
Source: 2016 AACS**.**

R 338.3657
Source: 2016 AACS**.**

R 338.3659
Source: 2016 AACS**.**

R 338.3661
Source: 2016 AACS**.**

R 338.3663
Source: 2016 AACS**.**

R 338.3665
Source: 2016 AACS**.**

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

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CONTINUING EDUCATION

R 338.3701
Source: 2014 AACS.

R 338.3702
Source: 2014 AACS.

R 338.3703
Source: 2014 AACS.

R 338.3704
Source: 2014 AACS.

R 338.3705
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R 338.3706
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R 338.3707
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R 338.3708
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R 338.3709
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R 338.3710
Source: 2014 AACS.

R 338.3711
Source: 2014 AACS.

R 338.3712
Source: 1979 AC.

BOARD OF VETERINARY MEDICINE

PUBLIC CONDUCT AT MEETINGS

R 338.3801
Source: 2015 AACS.

ADMINISTRATIVE HEARINGS—VETERINARY MEDICINE

R 338.3821
Source: 1997 AACS.

R 338.3822
Source: 1997 AACS.

R 338.3823
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R 338.3824
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R 338.3825
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R 338.3847
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R 338.3848
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SANITARIANS REGISTRATION – GENERAL RULES
PART 1. GENERAL PROVISIONS

R 338.3901 Definitions.
Rule 1. (1) As used in these rules:
(a) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
(b) "Department" means the department of licensing and regulatory affairs.
(2) A term defined in the code has the same meaning when used in these rules.
History: 1982 AACS; 1991 AACS; 2008 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3901a Rescinded.
History: 2016 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3902 Rescinded.
History: 1982 AACS; 1991 AACS; 2008 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3903 Rescinded.
History: 1982 AACS; 1991 AACS; 2008 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3904
Source: 1997 AACS.

R 338.3905 Rescinded.
History: 1982 AACS; 1991 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3906 Rescinded.
History: 1982 AACS; 1991 AACS; 2008 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3906a Rescinded.
History: 2008 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.3907
Source: 1997 AACS.

R 338.3908
Source: 2014 AACS.

R 338.3909
Source: 1982 AACS.

R 338.3910 Rescinded.

History: 2008 AACS; 2020 MR 24, Eff. Dec 22, 2020.

PART 2. EDUCATION

R 338.3911 Accreditation standards; adoption by reference.

Rule 11. (1) The department approves and adopts by reference the standards for accrediting environmental health baccalaureate programs developed and adopted by the National Environmental Health Science and Protection Accreditation Council (EHAC), effective January 1, 2017, and entitled "Requirements for the Accreditation of Environmental Health Science and Protection Baccalaureate Programs." The guidelines are available free of charge from The National Environmental Health Science and Protection Accreditation Council, P.O. Box 66057, Burien, Washington 98166, or from the council's website at https://www.nehspac.org/ at no cost. Copies of the guidelines are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

(2) The department approves and adopts by reference the standards for accrediting environmental health graduate programs developed and adopted by EHAC, revised 2012, updated August 22, 2018, and entitled "Guidelines for the Accreditation of Environmental Health Science and Protection: Graduate Programs." The guidelines are available free of charge from The National Environmental Health Science and Protection Accreditation Council, P.O. Box 66057, Burien, Washington 98166, or from the council's website at https//www.nehspac.org/ at no cost. Copies of the guidelines are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

(3) A baccalaureate program in environmental health or graduate program in environmental health accredited by the EHAC as an approved environmental health educational program under subrules (1) and (2) of this rule meets the qualifications for an environmental health educational program that is approved by the department.

(4) The department adopts by reference the recognition standards and criteria of the Council for Higher Education (CHEA), effective September 2018, and the procedures and criteria for recognizing postsecondary accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in 34 CFR part 602, subparts B and C (2018). Copies of the standards and criteria of CHEA and the United States Department of Education are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909. The CHEA recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, D.C. 20036-1110, or from the council's website at http://www.chea.org at no cost. The federal recognition criteria may be obtained from the United States Department of Education Office of Postsecondary Education, 1990 K Street, NW, Washington, D.C. 20006 or from the department's website at http://www.ed.gov/about/offices/list/OPE/index.html at no cost.

(5) A bachelor’s degree, master’s degree, or doctoral degree in any subject from a postsecondary institution that is accredited by a postsecondary accrediting agency that meets the recognition standards and criteria of CHEA under subrule (4) of this rule is an educational program that is approved by the department.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.3913 Sanitarian educational training requirements.

Rule 13. (1) An applicant shall complete an educational program that satisfies 1 of the following requirements:

(a) A bachelor’s degree, master’s degree, or doctoral degree in environmental health from an educational program approved by the department under R 338.3911(3).

(b) A bachelor’s degree, master’s degree, or doctoral degree in any subject from an educational program at an institution approved by the department under R 338.3911(5) that includes both of the following requirements:

(i) At least 30 semester hours or 45 quarter hours of college level credit in basic science coursework, including engineering sciences, environmental sciences, health sciences, life sciences, natural sciences, or physical sciences.

(ii) College level credit for coursework in mathematics or statistics.

(c) A bachelor’s degree, master’s degree, or doctoral degree from an educational program at an institution located outside the United States that is substantially equivalent to the educational requirements under subdivision (a) or (b) of this subrule.

(2) If an applicant is a graduate of an educational program under subrule (1)(b) of this rule, the applicant shall have his or her educational credentials evaluated by a curriculum evaluation conducted by the National Environmental Health Association (NEHA).

(3) If an applicant is a graduate of an educational program under subrule (1)(c) of this rule, the applicant shall have his or her educational credentials evaluated by a credential evaluation organization that is a current member organization of the National Association of Credential Evaluation Services (NACES).

(4) The educational program shall verify that the applicant has successfully completed the program by sending the applicant’s

official transcripts to the department.

History: 2020 MR 24, Eff. Dec 22, 2020.

PART 3. REGISTRATION

R 338.3921 Training standards for identifying victims of human trafficking; requirements.

Rule 21. (1) Under section 16148 of the code, MCL 333.16148, an individual who is seeking registration or is registered shall complete training in identifying victims of human trafficking that satisfies all of the following:

(a) Training content must cover all the following:

(i) Understanding the types and venues of human trafficking in Michigan or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized, health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the department for initial registration, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subrule (1)(a) of this rule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed under subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed under subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for registration renewals beginning with the 2017 renewal cycle and for initial registrations issued after March 17, 2021.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.3923 Examination; adoption.

Rule 23. The department approves and adopts the registered environmental health specialist/registered sanitarian examination developed by NEHA. The passing score for the registered environmental health specialist/registered sanitarian examination is the passing score established by NEHA.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.3925 Registration; requirements.

Rule 25. (1) An applicant for a sanitarian registration shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to satisfying the requirements of the code and the administrative rules promulgated under the code, an applicant shall satisfy 1 of the following:

(a) The requirements of R 338.3913(1)(a). No proof of prior work experience is required.

(b) The requirements of R 338.3913(1)(b) and verification by the employer sent to the department that the applicant has completed 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors that affect the health of the public.

(c) The requirements of R 338.3913(1)(c), subject to the following requirements:

(i) If the credential evaluation required under R 338.3913(3) determines that the applicant's educational credentials are substantially equivalent to R 338.3913(1)(a), no proof of prior work experience is required.

(ii) If the credential evaluation required under R 338.3913(3) determines that the applicant's educational credentials are

substantially equivalent to R 338.3913(1)(b), verification by the employer shall be sent to the department that the applicant has completed 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors that affect the health of the public.

(2) In addition to satisfying the requirements of subrule (1)(a), (b), or (c) of this rule, an applicant shall complete and pass the examination adopted under R 338.3923.

(3) If an applicant for a sanitarian registration submits proof that he or she is a current holder in good standing of the registered environmental health specialist/registered sanitarian (REHS/RS) credential from NEHA, then it is presumed that the applicant satisfies the requirements of subrule (1)(a), (b), or (c) of this rule and satisfies subrule (2) of this rule.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.3927 Registration by endorsement.

Rule 27. (1) An applicant for a Michigan registration by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to satisfying the other requirements of the code and administrative rules promulgated under the code, an applicant shall satisfy the educational and experiential requirements, as specified in R 338.3925(1)(a), (b), or (c) and satisfy the requirements of this rule.

(2) An applicant who was first licensed or registered in another state is presumed to have met the requirements of sections 16186(1)(a) and (b) of the code, MCL 333.16186, if he or she satisfies both of the following requirements:

(a) Verifies that he or she has been licensed or registered for a minimum of 3 years immediately before filing an application for registration as a sanitarian in this state. An applicant may submit either of the following as verification:

(i) Documentation of the applicant's employment verified by the employer of employment in another state as a licensed or registered sanitarian for the period specified under subdivision (a) of this subrule.

(ii) Documentation of the status of a license or registration from all other states in which the applicant currently holds or has ever held licensure or registration. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

(b) Completed and passed the examination adopted under R 338.3923.

(3) If an applicant for a sanitarian registration submits proof that he or she is a current holder in good standing of the REHS/RS credential from NEHA, then it is presumed that the applicant satisfies the educational and experiential requirements as specified in R 338.3925(1)(a), (b), or (c) of subrule (1) of this rule and satisfies subrule (2) of this rule.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.3929 Application for sanitarian re-registration; requirements.

Rule 29. (1) An applicant for re-registration as a sanitarian shall submit to the department a completed application on a form provided by the department, together with the requisite fee. In addition to satisfying the other requirements of the code and administrative rules promulgated under the code, an applicant shall satisfy 1 of the following requirements, as applicable:

(a) If the registration was lapsed for less than 3 years, an applicant shall satisfy all of the following requirements:

(i) Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.

(ii) Submit to the department on a form provided by the department verification of his or her license or registration by the agency of any state in which the applicant holds a current license or registration or ever held a license or registration as a sanitarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(b) If the registration was lapsed for 3 or more years, an applicant shall satisfy all the following requirements:

(i) Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.

(ii) Submit to the department fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.

(iii) Provide to the department proof of passing the examination adopted under R 338.3923.

(iv) Submit on a form provided by the department verification of his or her license or registration by the agency of any state in which the applicant holds a current license or registration or ever held a license or registration as a sanitarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(2) If an applicant for sanitarian re-registration submits proof that he or she is a current holder in good standing of the REHS/RS credential from NEHA, then it is presumed that the applicant satisfies the requirement of subrule (1)(b)(iii) of this rule.

History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.3931 Registration renewal; requirements.

Rule 31. An applicant for registration renewal who has been registered for the 2-year period immediately preceding the application for renewal shall submit to the department the required fee and a completed application on a form provided by the department.

History: 2020 MR 24, Eff. Dec 22, 2020.

ADMINISTRATIVE AND DISCIPLINARY PROCEDURE

PHARMACY PRACTICE

R 338.3971
Source: 1997 AACS.

R 338.3972
Source: 1997 AACS.

R 338.3973
Source: 1997 AACS.

R 338.3974
Source: 1997 AACS.

R 338.3974a
Source: 1997 AACS.

R 338.3975
Source: 1980 AACS.

PRIVATE EMPLOYMENT BUREAU

GENERAL RULES

R 338.4001
Source: 1997 AACS.

R 338.4002
Source: 1997 AACS.

R 338.4003
Source: 1997 AACS.

R 338.4004
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R 338.4005
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R 338.4006
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DIRECTOR'S OFFICE

DENTISTRY

PART 1. GENERAL PROVISIONS

R 338.4101
Source: 1997 AACS.

R 338.4102
Source: 1997 AACS.

R 338.4103
Source: 1997 AACS.

R 338.4104
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R 338.4105
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R 338.4110
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R 338.4111
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R 338.4125
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PART 2. PROFESSIONAL CONDUCT AND LICENSURE

R 338.4201
Source: 1997 AACS.

R 338.4202
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PART 3. DENTAL HYGIENISTS AND ASSISTANTS

R 338.4301
Source: 1997 AACS.

R 338.4302
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PART 4. GENERAL ANESTHESIA

R 338.4401
Source: 1997 AACS.

R 338.4402
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PART 5. SPECIALTIES

R 338.4501
Source: 1997 AACS.

R 338.4502
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PART 6. ADMINISTRATIVE HEARINGS

R 338.4601
Source: 1997 AACS.

R 338.4605
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R 338.4606
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R 338.4680
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R 338.4681
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R 338.4682
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R 338.4684
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R 338.4685
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R 338.4688
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R 338.4698
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

VETERINARY MEDICINE - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.4901
Source: 2016 AACS**.**

R 338.4902
Source: 2019 AACS**.**

R 338.4903
Source: 2019 AACS**.**

R 338.4904
Source: 1997 AACS.

R 338.4905
Source: 1997 AACS.

R 338.4906
Source: 2019 AACS**.**

R 338.4907
Source: 1997 AACS.

R 338.4908
Source: 2019 AACS**.**

R 338.4909
Source: 1997 AACS.

R 338.4910
Source: 2016 AACS**.**

R 338.4911
Source: 2011 AACS.

R 338.4912
Source: 1997 AACS.

R 338.4913
Source: 1981 AACS.

R 338.4914
Source: 1990 AACS.

R 338.4914a
Source: 2019 AACS**.**
R 338.4915
Source: 2019 AACS**.**

R 338.4916
Source: 1997 AACS.

R 338.4917
Source: 1997 AACS.

R 338.4918
Source: 2016 AACS**.**

R 338.4919
Source: 1981 AACS.

R 338.4920
Source: 1990 AACS.

R 338.4921
Source: 2016 AACS**.**

R 338.4922
Source: 2016 AACS**.**

R 338.4923

Source: 2016 AACS**.**

R 338.4924
Source: 2016 AACS**.**

R 338.4931
Source: 2019 AACS.

R 338.4933
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

VETERINARY TECHNICIAN LICENSURE

R 338.4971
Source: 2016 AACS**.**

R 338.4972
Source: 2019 AACS.

R 338.4973
Source: 2019 AACS.

R 338.4974
Source: 1997 AACS.

R 338.4975
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R 338.4976
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R 338.4977
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R 338.4978
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R 338.4979
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R 338.4980
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R 338.4981
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R 338.4982
Source: 2019 AACS.

R 338.4983
Source: 1997 AACS.

R 338.4984
Source: 1981 AACS.

R 338.4991
Source: 2019 AACS.

R 338.4993
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ACCOUNTANCY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.5101
Source: 2019 AACS.

R 338.5102
Source: 2019 AACS.

R 338.5103
Source: 2013 AACS.

R 338.5104
Source: 2013 AACS.

R 338.5105
Source: 2013 AACS.

R 338.5110
Source: 2013 AACS.

PART 2. LICENSURE REQUIREMENTS

R 338.5110a
Source: 2013 AACS.

R 338.5111
Source: 2013 AACS.

R 338.5112
Source: 2013 AACS.

R 338.5114
Source: 2013 AACS.

R 338.5115
Source: 2019 AACS.

R 338.5116
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R 338.5117
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R 338.5120

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R 338.5125
Source: 1997 AACS.

R 338.5130
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R 338.5135
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R 338.5139
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R 338.5140
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R 338.5145
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R 338.5147
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R 338.5150
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R 338.5155
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R 338.5160
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R 338.5165
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R 338.5170
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R 338.5201
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R 338.5205
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PART 3. CONTINUING EDUCATION

R 338.5210
Source: 2019 AACS.

R 338.5211
Source: 1998-2000 AACS.

R 338.5215
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R 338.5216
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R 338.5217
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R 338.5218
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R 338.5220
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R 338.5221
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R 338.5235
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R 338.5245
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R 338.5250
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R 338.5255
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R 338.5260
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R 338.5265
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R 338.5270
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R 338.5275
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R 338.5280
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R 338.5285
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R 338.5301
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R 338.5303
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R 338.5304
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R 338.5343
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R 338.5345
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R 338.5347
Source: 1997 AACS.

R 338.5349
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R 338.5351
Source: 1997 AACS.

PART 4. PROFESSIONAL CONDUCT

R 338.5401
Source: 2013 AACS.

R 338.5405
Source: 2017 AACS.

R 338.5410
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R 338.5415
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R 338.5420
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R 338.5425
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R 338.5430
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R 338.5435
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R 338.5440
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R 338.5445
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R 338.5446
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R 338.5450
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R 338.5460
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R 338.5465
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R 338.5470
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R 338.5475
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R 338.5480
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R 338.5501
Source: 2013 AACS.

R 338.5503
Source: 2013 AACS.

R 338.6001
Source: 2003 AACS.

R 338.6003
Source: 2003 AACS.

PART 3.SANITATION

R 338.6039
Source: 2003 AACS.

PART 4. BARBER COLLEGES

R 338.6045
Source: 2003 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

TASK FORCE ON PHYSICIAN'S ASSISTANTS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.6101
Source: 2019 AACS.

R 338.6102
Source: 1997 AACS.

R 338.6103
Source: 2019 AACS.

PART 2. PHYSICIANS' ASSISTANT PROGRAM APPROVAL

R 338.6201
Source: 2019 AACS.

R 338.6202
Source: 1997 AACS.

R 338.6203
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R 338.6204

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R 338.6205
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R 338.6206
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R 338.6207
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R 338.6208
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R 338.6209
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R 338.6210
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R 338.6211
Source: 1997 AACS.

PART 3. PHYSICIAN'S ASSISTANT LICENSE

R 338.6301
Source: 2019 AACS.

R 338.6302
Source: 1997 AACS.

R 338.6303
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R 338.6304
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R 338.6305
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R 338.6306
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R 338.6307
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R 338.6308
Source: 2019 AACS.

R 338.6309
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R 338.6311
Source: 2019 AACS.

PART 4. ADMINISTRATIVE HEARINGS

R 338.6401
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF PROFESSIONAL LICENSING

PUBLIC HEALTH CODE – GENERAL RULES

R 338.7001 Definitions.
Rule 1. As used in these rules:
(a) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
(b) "Department" means the department of licensing and regulatory affairs.
(c) "Issue date" means the date that the initial license was granted to the licensee by the department.
(d) "Limitation" means that term as defined in section 16106(4) of the code, MCL 333.16106.
(e) "Stark Law" means section 1877 of part e of title XVIII of the social security act, 42 USC 1395nn.
History: 1979 AC; 2009 AACS; 2014 AACS; 2017 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.7001a Biennial license and registration renewal; expiration.
Rule 1a. (1) The following licenses and registrations expire biennially and must be renewed every 2 years on or before the date indicated:

Acupuncture	10/1
Audiology	1/1
Chiropractic	12/1
Marriage and family therapy	2/1
Midwifery	Issue date
Nursing	Issue date
Nursing home administrators	11/1
Occupational therapy	6/1
Optometry	Issue date
Pharmacy	Issue date
Physical therapy	8/1
Physician's assistants	Issue date
Psychology	9/1
Respiratory care	1/1
Sanitarians	12/1
Speech-language pathology	10/1

(2) A license or registration having a limitation may be renewed for a term less than 2 years.
History: 2009 AACS; 2014 AACS; 2017 AACS; 2018 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.7002 Triennial license or registration renewal; expiration.
Rule 2. (1) The following licenses and registrations expire triennially and must be renewed every 3 years on or before the date indicated:

Athletic trainer	10/1
Counseling	6/1
Dentistry	Issue date
Massage therapy	11/1
Medicine	Issue date
Osteopathic medicine and surgery	Issue date
Podiatric medicine and surgery	Issue date
Social work	5/1
Veterinary medicine	Issue date

(2) A license having a limitation may be renewed for a term less than 3 years.
History: 1979 AC; 2009 AACS; 2014 AACS; 2017 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 338.7002a Quadrennial license renewal; expiration.
Rule 2a. (1) The following license expires quadrennially and must be renewed every 4 years on or before the date indicated:

Behavior Analysts	Issue date

(2) A license having a limitation may be renewed for a term less than 4 years.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.7002b Minimum English language standard.
Rule 2b. (1) Pursuant to section 16174(1)(d) of the code, MCL 333.16174, an applicant seeking licensure or registration must demonstrate a working knowledge of the English language under the minimum standards established by the department.
(2) To demonstrate a working knowledge of the English language, the applicant must establish that he or she meets 1 of the following:
(a) The applicant's health professional educational program was taught in English.
(b) The applicant supplies transcripts establishing that he or she earned not less than 60 college level credits from an English-speaking undergraduate or graduate school.
(c) The applicant obtained a passing score of 650 or higher on the Examination for the Certificate of Competency in English (ECCE) test developed by Michigan Language Assessment, as demonstrated by a certificate of competency or certificate of competency with honors.
(d) The applicant obtained a passing score of 650 or higher on the Examination for the Certificate of Proficiency in English (ECPE) test developed by Michigan Language Assessment, as demonstrated by a certificate of proficiency or certificate of proficiency with honors.
(e) The applicant obtained a total score of not less than 6.5 on the International English Language Testing System (IELTS) Academic test.
(f) The applicant obtained a total score of not less than 55 on the Michigan English Test (MET) developed by Michigan Language Assessment.
(g) The applicant obtained a total score of not less than 80 on the Test of English as a Foreign Language Internet-Based Test (TOEFL-IBT) administered by the Educational Testing Service.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 338.7003
Source: 2017 AACS.

R 338.7005
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF PHYSICAL THERAPY – GENERAL RULES

R 338.7101
Source: 2010 AACS.

R 338.7102
Source: 2010 AACS.

R 338.7103
Source: 2010 AACS.

R 338.7104
Source: 2010 AACS.

R 338.7105
Source: 2010 AACS.

R 338.7107
Source: 2010 AACS.

R 338.7107a
Source: 2010 AACS.

R 338.7107b
Source: 2010 AACS.

R 338.7110
Source: 2010 AACS.

R 338.7111
Source: 2010 AACS.

R 338.7112
Source: 2010 AACS.

R 338.7113
Source: 2010 AACS.

R 338.7114
Source: 2010 AACS.

PART 1. DEFINITIONS

R 338.7121
Source: 2019 AACS.

PART 2. GENERAL PROVISIONS

R 338.7122
Source: 2019 AACS.

R 338.7123
Source: 2015 AACS.

R 338.7124
Source: 2019 AACS.

R 338.7125
Source: 2015 AACS.

R 338.7126
Source: 2019 AACS.

PART 3. PHYSICAL THERAPISTS

R 338.7131
Source: 2019 AACS.

R 338.7132
Source: 2019 AACS.

R 338.7133
Source: 2019 AACS.

R 338.7134
Source: 2019 AACS.

R 338.7135
Source: 2019 AACS.

R 338.7136

Source: 2019 AACS.

R 338.7137
Source: 2019 AACS.

R 338.7138
Source: 2019 AACS.

R 338.7139
Source: 2019 AACS.

PART 4. PHYSICAL THERAPIST ASSISTANTS

R 338.7141
Source: 2019 AACS.

R 338.7142
Source: 2019 AACS.

R 338.7143
Source: 2015 AACS.

R 338.7144
Source: 2015 AACS.

R 338.7145
Source: 2019 AACS.

R 338.7146
Source: 2019 AACS.

R 338.7147
Source: 2019 AACS.

R 338.7148
Source: 2019 AACS.

R 338.7149
Source: 2019 AACS.

R 338.7150
Source: 2015 AACS.

PART 5. PROFESSIONAL DEVELOPMENT REQUIREMENTS

R 338.7161
Source: 2019 AACS.

R 338.7163
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MARRIAGE AND FAMILY THERAPY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.7201
Source: 2019 AACS.

R 338.7202
Source: 2019 AACS.

R 338.7203
Source: 2019 AACS.

R 338.7205
Source: 2019 AACS.

R 338.7207
Source: 2019 AACS.

R 338.7209
Source: 2019 AACS.

R 338.7211
Source: 2019 AACS.

R 338.7213
Source: 2019 AACS.

R 338.7215
Source: 2019 AACS.

R 338.7217
Source: 1998-2000 AACS.

R 338.7219
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PODIATRIC MEDICINE AND SURGERY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.8101
Source: 2019 AACS.

PART 2. LICENSURE

R 338.8102
Source: 2019 AACS.

R 338.8102a
Source: 2019 AACS.

R 338.8103
Source: 2019 AACS.

R 338.8104
Source: 2019 AACS.

R 338.8107
Source: 2019 AACS.

R 338.8108
Source: 2017 AACS.

R 338.8109
Source: 2019 AACS.

R 338.8110
Source: 2019 AACS.

R 338.8111
Source: 2019 AACS.

PART 3. EDUCATIONAL AND RESIDENCY PROGRAMS

R 338.8113
Source: 2019 AACS.

R 338.8114
Source: 2017 AACS.

R 338.8115
Source: 2014 AACS.

R 338.8125
Source: 1996 AACS.

PART 4. CONTINUING EDUCATION

R 338.8126
Source: 2019 AACS.

R 338.8127
Source: 2019 AACS.
R 338.8128
Source: 2019 AACS.

R 338.8129
Source: 2017 AACS.

R 338. 8130
Source: 2017 AACS.

R 338.8131
Source: 2017 AACS.

R 338.8132
Source: 2017 AACS.

R 338.8133
Source: 2017 AACS.

R 338.8134

Source: 2017 AACS.

R 338.8135
Source: 2017 AACS.

R 338.8136
Source: 2017 AACS.

PART 5. TELEHEALTH

R 338.8145
Source: 2019 AACS.

FORENSIC POLYGRAPH EXAMINERS

R 338.9001
Source: 2014 AACS.

R 338.9002
Source: 2014 AACS.

R 338.9003
Source: 2014 AACS.

R 338.9004
Source: 2014 AACS.

R 338.9005
Source: 1983 AACS.

R 338.9006
Source: 2014 AACS.

R 338.9007
Source: 2014 AACS.

R 338.9008
Source: 2014 AACS.

R 338.9009
Source: 2014 AACS.

R 338.9010
Source: 2014 AACS.

R 338.9011
Source: 2014 AACS.

R 338.9012
Source: 2014 AACS.

R 338.9013
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF NURSING - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.10101
Source: 2017 AACS.

R 338.10102
Source: 2017 AACS.

R 338.10103
Source: 2017 AACS.

R 338.10104
Source: 2003 AACS.

R 338.10105 Training standards for identifying victims of human trafficking; requirements.
Rule 105. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall complete training in identifying victims of human trafficking that meets the following standards:
(a) Training content must cover all of the following:
(i) Understanding the types and venues of human trafficking in this state or the United States.
(ii) Identifying victims of human trafficking in health care settings.
(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.
(iv) Identifying resources for reporting the suspected victims of human trafficking.
(b) Acceptable providers or methods of training include any of the following:
(i) Training offered by a nationally recognized or state-recognized health-related organization.
(ii) Training offered by, or in conjunction with, a state or federal agency.
(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.
(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.
(c) Acceptable modalities of training include any of the following:
(i) Teleconference or webinar.
(ii) Online presentation.
(iii) Live presentation.
(iv) Printed or electronic media.
(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:
(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:
(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.
(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning March 31, 2018 and for initial licenses issued after January 6, 2022.
History: 2017 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10199
Source: 1989 AACS.

R 338.10201
Source: 2017 AACS.

R 338.10202 Examination; adoption; passing scores.
Rule 202. The board approves and adopts the examinations developed by the National Council of State Boards of Nursing, Inc., hereafter identified as the "NCLEX-RN" for the registered nurse and the "NCLEX-PN" for the practical nurse. Examinees shall achieve a score of pass on the NCLEX computerized adaptive test (CAT).
History: 1990 AACS; 1994 AACS; 2003 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10203
Source: 2017 AACS.

R 338.10204 Examinations; registered professional nurse; eligibility; reexaminations.
Rule 204. (1) To determine eligibility for the NCLEX-RN examination, an applicant shall submit a completed application on forms provided by the department, together with the requisite fee.
(2) To be eligible to take the NCLEX-RN examination, an applicant must establish that he or she has successfully completed a registered nurse education program that satisfies 1 of the following:
(a) The applicant has successfully completed a registered professional nurse education program that is located in this state and is approved by the board.
(b) The applicant has successfully completed a registered professional nurse education program that is located in another state of the United States, and that program is substantially equivalent to the program requirements of article 15 of the code, MCL 333.16101 to 333.18838, and the rules promulgated by the board.
(c) The applicant is a graduate of a registered professional nurse education program or an equivalent education program that is outside the United States and has been certified pursuant to R 338.10208 by the Commission on Graduates of Foreign Nursing Schools (CGFNS) or its successor agency, to have substantially similar education credentials as a program approved by the board, or is exempt from CGFNS certification under R 338.10208(3) and (4).
(3) An applicant for licensure as a registered professional nurse shall comply with all of the following:
(a) Take the initial NCLEX-RN examination within 2 years of either graduation from a board-approved registered nurse education program under subrule (2)(a) or after obtaining certification from the certification program of the CGFNS.
(b) Successfully pass the NCLEX-RN examination within 12 months of the initial NCLEX-RN examination attempt in this state or another state.
(c) An applicant who fails the NCLEX-RN examination shall comply with the following provisions:
(i) An applicant who did not pass the NCLEX-RN examination on any attempt shall wait 45 days before taking the NCLEX-RN examination again.
(ii) An applicant who did not pass the NCLEX-RN examination by the third attempt is not eligible to repeat the NCLEX-RN examination until he or she has completed an approved NCLEX-RN review course with content pertaining specifically to the registered nurse scope of practice, and complies with the both of the following:
(A) An applicant shall submit to the department, before retesting, documentation of having completed an approved NCLEX-RN review course.
(B) An applicant who has completed the NCLEX-RN review course may sit for the NCLEX-RN examination a maximum of 3 times after completion of the review course, and must still meet the timing requirements of this subrule.
(d) An applicant who has not passed the NCLEX-RN examination after attempting the NCLEX-RN examination a maximum of 6 times within 3 years from the date of either graduation or after obtaining certification from the certification program of the CGFNS shall repeat an entire registered professional nurse education program that has been approved by the board pursuant to R 338.10303a and is in compliance with R 338.10303b.
(4) “Approved NCLEX-RN review course” means 1 of the following:
(a) A review course sponsored by a nursing education program that is approved by the board pursuant to R 338.10303a and is in compliance with R 338.10303b.
(b) A review course sponsored by 1 of the following providers:
(i) Assessment Technologies Institute Nursing Education.
(ii) Elsevier/Health Education System Incorporated.
(iii) Hurst Review Services.
(iv) Kaplan.
(v) National Council of State Boards of Nursing.
(c) A college or university provided NCLEX-RN review course that is approved by another state board of nursing.

(d) A review course approved by the board that includes NCLEX subject areas, NCLEX style questions, simulated examinations, and test taking strategies.

History: 1990 AACS; 1994 AACS; 1996 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10206 Licensure by endorsement; registered professional nurse; requirements.

Rule 206. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the code and the administrative rules promulgated pursuant to the code, an applicant who satisfies the requirements of this rule is considered to meet the requirements of section 16186(1) of the code, MCL 333.16186.

(2) An applicant for a registered nurse professional license by endorsement shall meet both of the following requirements:

(a) Complete a registered nurse education program specified in R 338.10204(2)(a) or (b).

(b) Is currently licensed in another state and was initially licensed by taking the NCLEX-RN examination in another state.

(3) An applicant who is a graduate of a nurse education program that is located outside the United States shall comply with the provisions of R 338.10208(3) or (4) and submit evidence of compliance with all of the following:

(a) Graduation from a registered nurse education program that is not less than 60 weeks in duration and that includes courses in both theory and clinical practice for registered nurse applicants.

(b) Completion of the core curriculum for registered nurse applicants.

(4) An applicant's license must be verified by the licensing agency of all other states of the United States in which the applicant holds a current license or ever held a license as a registered professional nurse. Verification must include the record of any disciplinary action taken or pending against the applicant.

History: 1990 AACS; 1994 AACS; 1996 AACS; 2003 AACS; 2017 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10207 Lapsed registered professional nurse license; relicensure requirements.

Rule 207. An applicant for relicensure whose Michigan registered professional nurse license has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements as noted by (√):

(1) For a registered professional nurse who has let his or her Michigan license lapse and who is not currently licensed in another state:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(a) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(d) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including at least 2 hours in pain and symptom management, all of which were earned within the 2-year period immediately preceding the date of the application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application will be held and the license will not be issued until the continuing education requirements have been met.	√		
(e) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including at least 2 hours in pain and symptom management, with a minimum of 3 hours in each of the following areas, all of which were earned within the 2-year		√	√

period immediately preceding the date of the application for relicensure: (i) Safe documentation for nurses. (ii) Critical thinking skills for nurses. (iii) Pharmacology. (iv) Preventing medication errors. (v) Professional and legal accountability for nurses. (vi) Delegation. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application will be held and the license will not be issued until the continuing education requirements have been met.			
(f) Certification of skill competency: Within 3 years of the period immediately preceding the application for relicensure, receive written certification of skill competency from a nurse education program approved pursuant to R 338.10303a. Certification of competency must cover the following skills utilizing nursing process: (i) Head-to-toe physical assessment, including vital signs. (ii) Medication administration. (iii) Documentation. (iv) Surgical asepsis and infection control. (v) Safety, including fall prevention, body mechanics, and transfers.		√	√
(g) NCLEX-RN Examination: Within 3 years of the period immediately following approval of the application for relicensure, retake and pass the NCLEX-RN examination.			√
(h) Proof of license verification from another state: An applicant's license must be verified by the licensing agency of all other states of the United States in which the applicant ever held a license as a registered professional nurse. Verification must include the record of any disciplinary action taken or pending against the applicant.	√	√	√
(2) For a registered professional nurse who has let his or her Michigan license lapse, but who holds a current and valid registered professional nurse license in another state:	Michigan license Lapsed 0-3 Years	Michigan license Lapsed more than 3 years, but less than 7 years	Michigan license Lapsed 7 or more years
(a) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(d) Continuing education: Submit proof of completion of 25 hours of continuing education, including at least 2 hours in pain and symptom management, earned within the 2-year period immediately preceding the date of the application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2		√	√

years from the date of the application to complete the deficient hours. The application will be held and the license will not be issued until the continuing education requirements have been met.			
(e) Proof of license verification from another state: An applicant's license must be verified by the licensing agency of all other states of the United States in which the applicant holds a current license or ever held a license as a registered professional nurse. Verification must include the record of any disciplinary action taken or pending against the applicant.	√	√	√

History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10208
Source: 2018 AACS.

R 338.10209
Source: 2018 AACS.

R 338.10210 Examinations; licensed practical nurse; eligibility; reexaminations.
Rule 210. (1) To determine eligibility for the NCLEX-PN examination, an applicant shall submit a completed application on forms provided by the department, together with he requisite fee.
(2) To be eligible to take the NCLEX-PN examination, an applicant shall establish that he or she has successfully completed a licensed practical nurse education program that satisfies 1 of the following:
(a) The applicant has successfully completed a practical nurse education program that is located in this state and is approved by the board.
(b) The applicant has successfully completed a practical nurse education program that is located in another state of the United States and that program is substantially equivalent to the program requirements of article 15 of the code, MCL 333.16101 to 333.18838, and the rules promulgated by the board.
(c) The applicant is a graduate of a practical nurse education program or an equivalent program that is located outside the United States and has been certified by either the CGFNS, the National Association of Credential Evaluation Services (NACES), or their successor agencies, to have substantially similar education credentials as a program approved by the board, or is exempt from CGFNS and NACES certification under R 338.10212(2) and (4).
(d) The applicant has successfully completed a registered nurse education program that meets the requirements of R 338.10204(2). The applicant shall be certified to take the NCLEX-PN examination by a practical nurse program that is approved by the board pursuant to subdivision (a) of this subrule.
(3) An applicant for licensure as a licensed practical nurse shall comply with all of the following:
(a) Take the initial NCLEX-PN examination within 2 years of either graduation from a board approved practical nurse education program under subrule (2)(a) or subrule (2)(b) of this rule, or after obtaining certification by CGFNS or NACES.
(b) Successfully pass the NCLEX-PN examination within 12 months of the initial NCLEX-PN examination attempt in this state or another state.
(c) An applicant who has not successfully passed the NCLEX-PN examination shall comply with the following provisions:
(i) An applicant who did not pass the NCLEX-PN examination on any attempt shall wait 45 days before taking the NCLEX-PN examination again.
(ii) An applicant who did not pass the NCLEX-PN examination by the third attempt is not eligible to repeat the NCLEX-PN examination until he or she has completed an approved NCLEX-PN review course with content pertaining specifically to the licensed practical nurse scope of practice
(A) An applicant shall submit to the department, before retesting, documentation of having completed an approved NCLEX-PN review course.
(B) An applicant who has completed the NCLEX-PN review course may sit for the NCLEX-PN examination a maximum of 3 times after completion of the review course and must still meet the timing requirements of this subrule.
(d) An applicant who has not passed the NCLEX-PN examination after attempting the NCLEX-PN examination a maximum of 6 times within 3 years from either the date of graduation or after obtaining certification from the certification program of the CGFNS shall repeat an entire practical nurse education program that has been approved by the board pursuant to R 338.10303a and is in compliance with R 338.10303b.
(4) "Approved NCLEX-PN review course" means 1 of the following:

(a) A review course sponsored by a nursing education program that is approved by the board pursuant to R 338.10303a and is in compliance with R 338.10303b.
(b) A review course sponsored by 1 of the following providers:
(i) Assessment Technologies Institute Nursing Education.
(ii) Elsevier/Health Education system Incorporated.
(iii) Hurst Review Services.
(iv) Kaplan.
(v) National Council of State Boards of Nursing.
(c) A college or university provided NCLEX-PN review course that is approved by another state board of nursing.
(d) A review course approved by the board that includes NCLEX subject areas, NCLEX style questions, simulated examinations, and test taking strategies.
History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10211 Licensure by endorsement; licensed practical nurse; requirements.
Rule 211. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the code and the administrative rules promulgated pursuant to the code, an applicant who satisfies the requirements of this rule is deemed to meet the requirements of section 16186(1) of the code, MCL 333.16186.
(2) An applicant for a practical nurse license shall meet both of the following requirements:
(a) Complete a practical nurse education program specified in R 338.10210(2).
(b) Be licensed in another state and initially licensed by taking the NCLEX-PN examination in another state.
(3) An applicant's license must be verified by the licensing agency of all other states of the United States in which the applicant holds a current license or ever held a license as a licensed practical nurse. Verification must include the record of any disciplinary action taken or pending against the applicant.
History: 2017 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10212
Source: 2018 AACS.

R 338.10213
Source: 2018 AACS.

R 338.10299
Source: 1990 AACS.

PART 3. NURSING EDUCATION PROGRAMS

R 338.10301 Definitions.
Rule 301. As used in this part:
(a) "Capstone course" means a clinical experience completed in the final year of the nursing education program that synthesizes the cognitive, affective, and psychomotor skills acquired throughout the program to prepare the student for professional nursing practice.
(b) "Clinical experience" means direct nursing care experiences with patients or clients that offer students the opportunity to integrate, apply, and refine specific skills and abilities that are based on theoretical concepts and scientific principles. Clinical experience may include simulated nursing experiences.
(c) "Clinical laboratory hours" means those hours of the curriculum that are assigned to laboratory practice, basic skills training, and observational experiences that offer the student the opportunity to meet educational outcomes.
(d) "Cohort" means a group of students admitted in the same academic semester or term with the intention of completing the nursing program at the same graduation date. Cohort includes students who transfer into the program at the same academic level.
(e) "Conceptual framework" means the distinct, systematic organization of concepts and planned student outcomes of the program that are consistent with relevant professional nursing standards and the mission, goals, philosophy, and purposes of the sponsoring institution, and which gives direction to the curriculum.
(f) "Cooperating agency" means an individual, organization, or institution that, by written agreement or letter of intent, accepts students and faculty for nursing educational experiences.

(g) "Core curriculum for licensed practical nurse applicants" means courses in didactic instruction and planned clinical experience, which encompass the LPN scope of practice, in each of the following areas of nursing:
(i) Adult health nursing, which must consist of the study of nursing care throughout the adult lifespan; providing care for the acute and chronic phases of a medical illness; health promotion; and disease prevention.
(ii) Maternal and reproductive nursing, which must consist of the study of nursing care for women and their families in the gynecological, antepartum, labor and delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant.
(iii) Children's nursing, which must consist of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons.
(iv) Surgical nursing, which must consist of the study of nursing care throughout the adult lifespan, providing care before, during, and after a surgical procedure, health promotion, and disease prevention.
(h) "Core curriculum for registered professional nurse applicants" means didactic instruction and planned clinical experience, which encompass the RN scope of practice, in each of the following areas of nursing:
(i) Adult health nursing, which must consist of the study of nursing care throughout the adult lifespan; providing care for the acute or chronic phases of a medical illness; health promotion; and disease prevention.
(ii) Maternal and reproductive nursing, which must consist of the study of nursing care for women and their families in the gynecological, antepartum, labor and delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant.
(iii) Children's nursing, which must consist of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons.
(iv) Psychiatric/mental health nursing, which must consist of the study of nursing care of individuals with an acute or chronic mental health or psychiatric disorder.
(v) Surgical nursing, which must consist of the study of nursing care throughout an adult lifespan, providing care before, during, and after a surgical procedure, health promotion, and disease prevention.
(i) "Course student learning outcomes" means statements of educational expectations written in measurable terms for the knowledge, skills, or behaviors students should demonstrate by the end of the course. The statements should reflect contemporary evidence-based nursing practice and enhance achievement of end of program student learning outcomes.
(j) "Curriculum" means implementation of appropriate learning experiences that accomplish measurable course and program outcomes, which incorporate the nursing program's purpose, philosophy, and conceptual framework of the nursing program through the systematic arrangement of courses. This includes outcomes stated in measurable terms and accomplished through appropriate learning experiences planned for a clearly defined group of students and extending over a defined period of time depending on the type of nursing education program. Systematic and ongoing evaluation within the context of measurable outcomes is inherent in the curriculum.
(k) "End of program student learning outcomes" means statements of educational expectations written in measurable terms for the knowledge, skills, or behaviors students should demonstrate by the end of the program. The statements should reflect professional standards, guidelines, contemporary nursing practice, guide the curriculum, and increase in complexity as students progress through the curriculum.
(l) "Final program approval report" means a self-study done after the graduation of the second cohort and before the graduation of the fourth cohort that is submitted to the board when the program is seeking full program approval.
(m) "Full program approval" means approval of a program granted after satisfactory demonstration to the board of compliance with these rules.
(n) "Initial approval" means approval that is granted by the board to inaugurate a program of nursing education.
(o) "Instruction" means educational methodology for achieving curriculum outcomes.
(p) "Learning experiences" means planned learning situations, which may include clinical experiences, clinical laboratory hours, or classroom instruction.
(q) "National accreditation" means a self-regulatory process that meets or exceeds educational quality standards and criteria set forth by a national nursing accreditation organization.
(r) "Nurse education consultant" means a nurse with expertise in curriculum development and nursing program administration or education that independently examines a nursing program under disciplinary review.
(s) "Nursing education program report" means a report completed and submitted between the self-study submissions. It provides the board with information as to the program's admissions, attrition, courses, clinical experience, faculty program evaluation, and outcomes and is submitted as follows:
(i) For programs that have received initial approval pursuant to R 338.10303, the report must be submitted each year during the program approval phase.
(ii) For programs that have received full approval pursuant to R 338.10303a, the report must be completed and submitted at the halfway point between the self-study submissions.

(t) "Nurse site reviewer" means a nurse with expertise in curriculum development and nursing program administration or education that independently examines a nursing program applying for program approval.
(u) "Nursing process" means the ongoing assessment, analysis, nursing diagnosis, planning, implementation, and evaluation of nursing care.
(v) "Observational experience" means a planned learning situation that is not direct patient care, does not require intervention by the student, meets preplanned stated outcomes, and provides for student evaluation.
(w) "Philosophy" means the stated beliefs of faculty about nursing education and practice that determine the design of the curriculum and the evaluation of the program and that are consistent with the educational philosophy of the sponsoring agency.
(x) "Practical nurse program" means a nursing program to prepare students for practical nurse licensure.
(y) "Preceptor" means an experienced nurse, paired in a 1-to-1 relationship with a nursing student, who actively participates in the education, mentoring, and evaluation of the nursing student in a clinical setting.
(z) "Probationary status" means the period when a program is under disciplinary action by the board.
(aa) "Program director" means a nurse who is delegated the authority and accountability for the nursing program by the sponsoring agency.
(bb) "Program of nursing education" means a plan or design indicating the relationship of the components necessary to achieve the goal of preparing persons for licensure as registered or practical nurses under the code.
(cc) "Program outcomes" means documented and measurable indicators that reflect the program's overall effectiveness.
(dd) "Registered professional nurse program" means a nursing program to prepare students for initial registered nurse licensure.
(ee) "Self-study report" means an in-depth written review of all aspects of a nursing education program that contains evidence of the program's compliance with all the requirements of these rules.
(ff) "Simulation laboratory" means activities that replicate patient care scenarios and are designed to foster clinical decision-making and critical thinking. Scenarios may include the use of medium- or high-fidelity mannequins, standardized patients, role playing, skills stations, and computer-based critical thinking simulations.
(gg) "Site visit" means a physical inspection of an institution and all the components of its program of nursing education for the purpose of determining compliance with the requirements of this part.
(hh) "Sponsoring agency" means the organization or institution of which the nursing program is a component.
History: 1989 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10302
Source: 2017 AACS.

R 338.10303 Initial program approval; procedure.
Rule 303. The following requirements are established for initial approval of a program of nursing education:
(a) The sponsoring agency shall submit all of the following to the board:
(i) A letter of intent to initiate a program of nursing education.
(ii) A feasibility study that clearly demonstrates all of the following, with supporting documentation relative to the proposed program location:
(A) Need for the program.
(B) Need for graduates of the proposed program.
(C) Availability of students.
(D) Impact on all existing nursing education programs in a 50-mile radius of the proposed program.
(E) Ability of proposed clinical education sites to provide students with clinical experiences that meet course outcomes, provide students the opportunity to practice skills with individuals or groups across the life span and meet the requirements of R 338.10307(5), (6), (7), and (8). Evidence must also include documentation of the effect on other schools utilizing the proposed clinical facilities and letters of intent from the proposed clinical education sites, signed by the chief nursing officer, or an equivalent position, outlining the plan to accommodate all of the sponsoring agency's students.
(iii) Evidence that the mission of the sponsoring agency is consistent with the philosophy and purpose of a program to prepare students for the practice of nursing as defined in section 17201(1)(c) of the code, MCL 333.17201.
(iv) Evidence that the sponsoring agency will provide funding and other support for the nursing education program that meets all of the following requirements:
(A) A 5-year budget in which the first 2 years of the budget do not include tuition and the remaining 3 years of the budget includes tuition.
(B) A financial statement prepared by an independent certified public accountant or auditor, a bank line of credit, or a surety bond that equals the total tuition for all students who have been enrolled for 2 years.

(C) Submission of evidence that the sponsoring agency will provide appropriate physical facilities and other support services for the nursing education program, in conjunction with other departments in the sponsoring agency, including faculty, administration, and student participation in governance of the sponsoring agency, a grievance or complaint process, counseling, academic advising, career placement, financial aid, and learning resource centers or library.

(v) Evidence of approval to provide financial aid for students, under Title IV of the Higher Education Act of 1965, 20 USC 1070 *et seq*.

(vi) A sponsoring agency that is an institution requiring approval from the department's proprietary schools unit, or its successor agency, to conduct a nursing education program or to confer a particular degree or certificate upon the graduates of the program shall submit to the board a copy of the approval. A proprietary school shall possess a state-issued license, be in operation for 2 years, offer health-related courses, and demonstrate student success by certifying that exam results meet or exceed state or national averages.

(vii) Proposed number of students to be enrolled in the program annually, the number of times that enrollment periods will be held per year, and the dates when enrollment periods will be held annually.

(viii) Proposed first date of admission of students to the nursing sequence of the program.

(ix) Plans to recruit and employ a program director and other faculty members sufficiently in advance of admitting students to the nursing sequence to ensure consistency in the planning and implementation of the curriculum. If already appointed, the names and qualifications of the director of the program and other faculty members must be provided.

(x) The sponsoring agency shall provide evidence of a tuition policy in which students pay as they proceed through the program either by semesters, terms, units, or other time frame as specified by the sponsoring agency. The sponsoring agency shall also provide evidence of a refund policy that adheres to the refund policies of applicable state, federal, and accrediting agencies.

(xi) Evidence that students possess the necessary prerequisite education before admissions to the program. The program shall not be the provider of the prerequisite education, unless it is a state-approved higher educational institution or has the approval of the state to offer prerequisite courses.

(xii) A student contract or enrollment application that outlines the nursing education program's admission requirements, a tuition refund policy that complies with paragraph (x) of this subdivision, a withdrawal and failure policy, and academic progression and program completion requirements.

(xiii) History of sponsoring agency.

(b) Following initial approval from the board and before admitting the first cohort, the program director shall submit a self-study report to be approved by the board. The report must set forth evidence of plans for and compliance with the following:

(i) History of sponsoring agency.

(ii) Philosophy.

(iii) Conceptual framework.

(iv) Curriculum to include end of program student learning outcomes and course student learning outcomes.

(v) Course descriptions and outlines.

(vi) Signed clinical contracts or letters of commitment for clinical placements.

(vii) Evaluation methods and tools.

(viii) Program outcomes.

(ix) Director and faculty credentials.

(x) Student policies and support services.

(c) The board shall require a site visit to the program by a board-approved nurse site reviewer. The report of the site visit must be prepared by the nurse site reviewer and provided to the board and the sponsoring agency.

(d) After the first cohort has been admitted and during the initial approval period, the program director shall submit an annual nursing education program report to the board. The nursing education program report must include information about each of the following:

(i) Admission, progression, and retention of students.

(ii) Student achievement on the required licensure NCLEX examination.

(iii) Systematic program evaluation results, including, but not limited to, student evaluations, faculty reviews, NCLEX evaluation results, and attrition rates.

(iv) Program changes.

(v) Faculty qualifications, assignments, and any faculty exceptions.

History: 1989 AACS; 2003 AACS; 2017 AACS 2017; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10303a Full program approval; procedure.

Rule 303a. (1) The sponsoring agency may apply to the board for full approval of the program after graduation of the second cohort, but shall apply no later than graduation of the fourth cohort. The sponsoring agency shall comply with the following requirements for full approval of a nursing education program:

(a) The sponsoring agency may apply to the board in the form of a letter.
(b) The sponsoring agency shall submit a final program approval report to the board. The report must provide an update of the self-study that was submitted for initial approval pursuant to R 338.10303(b), review the program's progress since initial approval was granted, and include a review and evaluation of program implementation.
(c) The board may require a subsequent site visit to the program by a board-approved nurse site reviewer before considering full approval. If conducted, a report of the site visit must be prepared by the nurse site reviewer and provided to the board and the sponsoring agency.
(2) NCLEX scores for the program up to the point of application of full approval must equate to the passage rates as required in R 338.10310.
(3) If by the end of the fourth cohort, a program does not satisfy the criteria for full approval set forth in this rule or has failed to apply for full approval as required under this rule, the board may begin the evaluation process of the program pursuant to section 17242 of the code, MCL 333.17242 and R 338.10310.
(4) When granted full approval for the program of nursing education, the sponsoring agency shall continue to meet all of the requirements of this part.
History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10303b Continued program approval; requirements.
Rule 303b. (1) After full approval has been granted under R 338.10303a, a sponsoring agency shall submit a comprehensive self-study report every 8 years for a non-accredited program or at the designated reporting times directed by the national accrediting organization for accredited programs. The report must include all of the following information for all of the years since the last self-study report was approved by the board.
(a) History of sponsoring agency.
(b) Philosophy.
(c) Conceptual framework.
(d) Curriculum to include end of program student learning outcomes and course student learning outcomes.
(e) Course descriptions and outlines.
(f) Signed clinical contracts or letters of commitment for clinical placements.
(g) Evaluation methods and tools.
(h) Program outcomes.
(i) Director and faculty credentials.
(j) Student policies and support services.
(2) A program may submit a letter of accreditation or reaccreditation from a nationally recognized accrediting organization of nursing education programs instead of a self-study report prepared for the board. The schedule for submission of a self-study report for accredited programs must follow the schedule of the nationally recognized accrediting organization. The accreditation letter must include documentation of decisions and recommendations from the accrediting organization and be submitted to the board within 1 month following receipt of the nationally recognized accrediting organization's decision on accreditation of the nursing education program. The board may request further documentation regarding accreditation from the sponsoring agency. Programs that have accreditation date changes shall notify the board of nursing to determine a submission date.
(3) After a program has been granted full approval under R 338.10303a, the sponsoring agency shall submit a nurse education program report to the board every 4 years for a non-accredited program or at the midpoint of the accreditation cycle for nationally accredited programs. The nursing education program report must include all of the following information for all of the years since the last self-study report was approved by the board:
(a) Admission, progression, and retention of students.
(b) Student achievement on the required licensure NCLEX examination.
(c) Systematic program evaluation results and action plan, including but not limited to, student evaluations, faculty reviews, NCLEX evaluation results, and attrition rates.
(d) Program changes.
(e) Faculty qualifications, assignments, and any faculty exceptions.
(4) The board shall notify the program director of the date by which a nursing education program report must be submitted.
History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10303c Program changes; requirements.
Rule 303c. (1) A major program change means any of the following:
(a) Revision of the program's philosophy, conceptual framework, curriculum, program outcomes, student learning outcomes, or changes that increase the use of simulation more than 10% of the total clinical hours in a program.

(b) Change in primary instruction delivery methods.
(c) Elimination of separate course content for an integrated approach.
(d) A permanent expansion in the number of students served.
(e) Increase or decrease in overall program credits.
(f) Providing the theory portion of the curriculum at an additional location that is separate from the primary campus using the same curriculum as the primary campus. Initial approval under R 338.10303 must be obtained if anything other than theory is taught at the additional location.
(2) A nursing education program shall submit major program changes to the board in writing and the major program changes must be approved by the board before implementation. All of the following information must be submitted when requesting approval of a major program change:
(a) A comparative description of the current and proposed program or portion of the program which is proposed for change.
(b) Rationale for the change.
(c) Plans to evaluate the effect of the change.
(d) Documents evidencing support for the requested change.
(3) A minor program change means a change that does not permanently affect the program's philosophy, conceptual framework, program outcomes, student learning outcomes, approved enrollment numbers, increase simulation experiences by more than 10%, change the primary instruction delivery methods, eliminate a separate course content for an integrated approach, permanently expand the number of students served, or increase or decrease the overall program credits.
(4) A nursing education program shall submit minor program changes to the board in writing before implementation. Minor program changes include, but are not limited to, all of the following:
(a) Changing prerequisites, co-requisites, or both.
(b) A temporary expansion of students. After 1 year, if the program desires to make the temporary increase in seats permanent, a major program change must be submitted pursuant to subrule (1) of this rule.
(c) Separation of 1 course into 2 courses.
(d) Moving a course from 1 semester to another.
(e) Combining 2 courses.
(f) Changing the sequence in which courses are offered.
(5) A nursing education program shall submit all of the following information if requesting approval of a minor program change:
(a) A comparative description of the current and proposed program or portion of the program that is proposed for change.
(b) Rationale for the change.
(c) Plans to evaluate the effect of the change.
(6) If a program closure occurs, the department may grant a temporary seat increase to another program to assist displaced students if the following criteria are met:
(a) Additional seats that are needed are identified.
(b) Documentation that there is sufficient faculty on staff to handle the increase in students is provided.
(c) Documentation that there is sufficient classroom and laboratory space to handle the increase in students is provided.
(d) Documentation from clinical sites that they can handle the increase of students in the program is provided.
(7) The type of program approval, initial or full, under which a program is conducted, shall not be altered when program changes are approved.
History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10303d Accreditation.
Rule 303d. (1) A nursing education program approved by the board shall be accredited pursuant to 1 of the following:
(a) A nursing education program that has received full board approval pursuant to R 338.10303a, before the promulgation of this rule, shall receive nursing accreditation by a board-recognized nursing accreditation organization no later than January 1, 2025.
(b) A nursing education program that has initial approval of the board shall receive nursing accreditation by a board-recognized nursing accreditation organization within 6 years of receiving full program approval pursuant to R 338.10303a.
(c) A nursing education program that fails to achieve nursing accreditation by a board-recognized nursing accreditation organization as set forth by this rule shall be removed from the list of approved programs pursuant to section 17242 of the code, MCL 333.17242.
(2) The board recognizes the following nursing education accrediting agencies or their successor organizations:
(a) Accreditation Commission for Education in Nursing (ACEN).
(b) Commission for Nursing Education Accreditation (CNEA).
(c) Commission on Collegiate Nursing Education (CCNE).

(3) Failure to maintain accreditation from an approved national nursing accrediting organization shall result in withdrawal of school approval pursuant to section 17242 of the code, MCL 333.17242, and R 338.10311.

History: 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10304 Program approval; decision.

Rule 304. (1) Within 90 days after all materials requested by the board have been received, the board shall do either of the following:

(a) Grant initial or full approval of the program or approve the program change when the board finds that the requirements of this part are substantially met.

(b) Deny initial or full approval or approval of the program change when the board finds that the requirements of this part are not substantially met.

(2) The board shall issue its decision in writing.

(3) If approval is denied, the sponsoring agency may request a hearing which shall be conducted pursuant to the provisions of the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 1989 AACS; 2003 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10305 Registered professional nurse and licensed practical nurse programs; program requirements.

Rule 305. Programs of registered professional nursing education and licensed practical nursing education shall meet all of the following requirements:

(a) Comply with the curriculum requirements established by the board and with other requirements set forth in this part.

(b) Contribute to the safe practice of nursing by including the standards of practice, nursing behaviors, and other skills and knowledge in the curriculum to prepare students for the practice of nursing as defined in section 17201(1)(c) of the code, MCL 333.17201.

(c) Prepare students to meet the requirements for eligibility to take the required licensure NCLEX examination.

(d) Establish requirements for admission, progression, and graduation which must be made known and available in written form to prospective and current students.

(e) Establish a system for the permanent maintenance of course descriptions and student and graduate transcripts.

History: 1989 AACS; 1996 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10305a Registered professional nursing education program; program requirements; faculty requirements.

Rule 305a. (1) The program director and all nurse faculty members shall hold a current unrestricted license to practice as a registered professional nurse in this state.

(2) If clinical experiences are offered by the nursing education program at sites that are not located in this state, then any nurse faculty members at those sites shall hold a current unrestricted license to practice as a registered nurse in the state or Canadian province where the clinical experience is located.

(3) The program director shall hold a minimum of a graduate degree with a major in nursing. Written notification of a change in director must be provided to the board within 30 days and include a copy of the new director's curriculum vitae and school contact information.

(4) A member of the nursing faculty who provides didactic/theory instruction shall hold a minimum of a graduate degree. The majority of the didactic/theory faculty shall hold a graduate degree with a major in nursing, unless an exception is granted under subrule (7) of this rule. If the graduate degree is not in nursing, the faculty member shall hold a minimum of a baccalaureate degree in nursing or an equivalent standing in a nationally nursing accredited Associate's Degree in Nursing to Master's of Science in Nursing (ADN to MSN) nursing education program with attestation of baccalaureate level competency from that educational program. Courses that are non-nursing in content but are health-related are exempt from the requirements of this subrule and may be taught by non-nurse faculty.

(5) A member of the nursing faculty who provides instruction in either the clinical or simulation laboratory shall hold a minimum of a baccalaureate degree in nursing or an equivalent standing in a nationally nursing accredited ADN to MSN nursing education program with attestation of baccalaureate level competency from that educational program.

(6) Notwithstanding section 16148(6) of the code, MCL 333.16148, all nursing faculty shall meet the requirements of subrules (4) and (5) of this rule by January 6, 2022.

(7) An exception may be made to the requirements of subrule (4) of this rule for full-time or part-time nursing faculty and shall be based on the faculty member's progress toward meeting the requirements of these rules during each year for which the exception is requested. Board approval for faculty exception requests must be received before the faculty member begins course instruction. A maximum of 5 yearly exceptions shall be granted to any full-time or part-time faculty member.

(8) Nursing faculty shall be sufficient in number to prepare students to achieve the outcomes of the program. The maximum ratio of students to faculty in clinical areas involving direct care of patients must be not more than 8 students to 1 faculty

member. The maximum ratio of students to faculty in clinical areas involving non-direct and precepted patient care must meet the clinical affiliate's guidelines and maintain patient and community safety.

History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10305b Licensed practical nursing education program; program requirements; faculty requirements.

Rule 305b. (1) The program director and all nurse faculty members shall hold a current unrestricted license to practice as a registered professional nurse in this state.

(2) If clinical experiences are offered by the nursing education program at sites that are not located in this state, then any nurse faculty members at those sites shall hold a current unrestricted license to practice as a registered professional nurse in the state or Canadian province where the clinical experience is located.

(3) The program director shall hold a minimum of a graduate degree in nursing. Written notification of a change in director must be provided to the board within 30 days and include a copy of the new director's curriculum vitae and school contact information.

(4) Every member of the nursing faculty shall hold a minimum of a baccalaureate degree in nursing, unless an exception is granted under subrule (6) of this rule. Courses that are non-nursing in content but are health-related are exempt from the requirements of this subrule and may be taught by non-nurse faculty.

(5) Notwithstanding section 16148(7) of the code, MCL 333.16148, all nursing faculty shall comply with the requirements of subrule (4) of this rule by January 6, 2022.

(6) An exception may be made to the requirements of subrule (4) of this rule for full-time or part-time nursing faculty and shall be based on the faculty member's progress toward meeting the requirements of these rules during each year for which the exception is requested. Board approval for faculty exception requests must be received before the faculty member begins course instruction. A maximum of 5 yearly exceptions shall be granted to any full-time or part-time faculty member.

(7) Nursing faculty shall be sufficient in number to prepare students to achieve the outcomes of the program. The maximum ratio of students to faculty in clinical areas involving direct care of patients must be not more than 8 students to 1 faculty member. The maximum ratio of students to faculty in clinical areas involving non-direct patient care must meet the clinical affiliate's guidelines and maintain patient and community safety.

History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10305c Registered professional nursing and licensed practical nursing education programs; preceptor requirements.

Rule 305c. (1) A program of nursing education that uses the personnel of a clinical facility as preceptors to facilitate the faculty-directed clinical experience of students to meet the requirements for an internship or to meet the clinical requirements in the capstone course, shall meet all of the following requirements:

(a) Each preceptor shall be approved by the faculty of the program of nursing education.–

(b) Each preceptor shall possess a minimum of 1 year of clinical nursing experience and supervisor recommendation.

(c) Each preceptor shall hold an unencumbered license in the state where the clinical experience occurs.

(d) The faculty of the program of nursing education shall ensure that each preceptor is provided education including the roles and responsibilities of students, faculty members, and preceptors. The program shall maintain documentation of preceptor education.

(e) Before the preceptor begins instruction of the students, the faculty of the program of nursing shall develop written learning outcomes for the clinical experience and provide a copy of those outcomes to each preceptor.

(f) The faculty member shall retain authority and responsibility for the student's learning experiences and shall confer routinely and periodically with the preceptor and student to monitor and evaluate the learning experiences.

(g) The maximum ratio of precepted students to a supervising faculty member must be not more than 10 students to 1 faculty member.

(h) If the faculty member is not physically present in the area in which students are practicing, he or she shall be immediately available by telephone or other means of telecommunication when students are engaged in clinical activities with a preceptor.

(i) Preceptors shall not be used to replace clinical faculty in prelicensure certificate, associate, or baccalaureate degree nursing programs.

(j) A preceptor shall supervise not more than 1 student during any 1 scheduled work time or shift.

(2) This rule does not apply to staff nurses used by faculty intermittently during non-precepted clinical experiences.

History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10306

Source: 2018 AACS.

R 338.10307 Registered professional nursing and licensed practical nursing education programs; curriculum; organization, development, implementation, control, and evaluation.

Rule 307. (1) The program director and faculty shall organize, develop, implement, control, and evaluate the curriculum on a regularly scheduled basis within the framework of the philosophy, purposes, and outcomes of the sponsoring agency and those approved by the board.

(2) The curriculum outcomes must identify the behavioral expectations of the graduate of the program and must be used for all of the following purposes:

(a) Developing, organizing, implementing, and evaluating the curriculum.

(b) Identifying outcomes for levels of progression and course and program completion.

(c) Providing to the student an organized pattern to follow in which the sequence of learning is from the simple to the complex and from the known to the unknown, with each learning experience built on previously learned information of nursing and related scientific knowledge.

(d) Organizing the courses to approximate, as closely as possible, the schedules of the sponsoring agency in terms, quarters, semesters, or trimesters.

(e) Distributing the courses throughout the curriculum so that an unreasonable overload does not exist in any segment of the sequence.

(3) The philosophy and conceptual framework or rationale for the program must be the basis for the organization of the nursing content of the curriculum.

(4) The course content and other learning experiences must promote student growth in all of the following areas:

(a) The understanding of the roles and responsibilities of the members of the nursing profession.

(b) The application of the principles of nursing and the sciences which are basic to nursing practice in the development of plans of care for the patient or client.

(c) The provision of direct and indirect nursing care.

(d) The understanding of effective human relations and demonstrating the ability to use these principles in nursing situations.

(e) The recognition of physical, psychosocial, and spiritual needs of diverse patient/client populations in the provision of nursing care.

(f) The understanding of health, including the manifestations of disease and the initiation, organization, and application of the principles underlying the nursing care provided.

(g) Developing skills and abilities in the administration of all aspects of nursing care using the nursing process, including all of the following:

(i) Communications.

(ii) Critical thinking, clinical reasoning, and problem solving.

(iii) Understanding legal and professional responsibilities.

(iv) Inter-professional relationships with other health care providers.

(v) Evidence-based practice.

(vi) Quality and safety.

(h) Understanding and protecting the rights of patients or clients.

(5) All cooperating agencies selected for clinical laboratory and simulation laboratory experiences shall have standards of nursing care that demonstrate concern for the patient or client and evidence the skillful application of all measures of quality and safe, evidence-based nursing practice.

(6) All cooperating agencies shall have a current license, if required, for their operation and adhere to the local zoning ordinances governing their operation.

(7) When a nurse site reviewer visits a site, he or she may survey cooperating agencies as a part of the review process to determine the contribution each makes to the course and program outcomes. Selection must be made by the nurse site reviewer.

(8) Each resource selected to provide clinical experience shall indicate a willingness to cooperate in the curriculum by providing a letter of intent, a written agreement, or a formal contract. Each cooperating agency shall provide experiences of a quality and quantity that will enable all students to meet the outcomes established for the clinical experience pursuant to R 338.10303.

History: 1989 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10308

Source: 2018 AACS.

R 338.10309 Licensed practical nursing education program; curriculum; implementation.

Rule 309. (1) The director and faculty of a program of nursing education leading to licensure as a licensed practical nurse shall comply with all of the following provisions:

(a) Select courses and ensure teaching concepts on which the theory and practice of practical nursing are based. The basic principles of the natural and applied sciences that are fundamental to the theory and practice of practical nursing and that are applied in the planning and implementation of nursing care must be included.
(b) Provide courses and clinical and simulation laboratory experiences in the care of individuals across diverse age groups, genders, races and cultures, in medical, surgical, pediatric, obstetrical, and geriatric nursing and provide supervised practice in the administration of medications. Clinical laboratory, simulation laboratory, and clinical experience hours must be sufficient to meet the outcomes of the curriculum.
(c) Ensure that courses include content relating to all of the following:
(i) The legal scope of practice of a licensed practical nurse.
(ii) The standards of conduct for members of the nursing profession and, in particular, a licensed practical nurse.
(iii) Historical perspectives of nursing and current legal-ethical issues.
(iv) Licensure requirements.
(d) Select cooperating agencies that meet the requirements of R 338.10307(5), (6), and (8).
(2) A licensed practical nursing education program may substitute up to 50% of clinical hours in any single course with simulation laboratory experiences, except for pediatric and obstetric clinical hours. A licensed practical nursing education program may substitute up to 100% of pediatric and obstetric clinical hours with simulation laboratory. For simulation laboratory experiences, the board adopts by reference the standards of the International Nursing Association for Clinical Simulation and Learning, as specified in the publication entitled, "Standards of Best Practice: Simulation" 2016. The standards are available from the International Nursing Association for Clinical Simulation and Learning's website at http://www.inacsl.org at no cost. Copies of the standards are available for inspection and distribution at cost from the Board of Nursing, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.
History: 1989 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10310 Board evaluation of a nursing education program.
Rule 310. The board may evaluate a program of nursing education when any of the following occurs:
(a) A request for initiating a program of nursing education is submitted.
(b) A request for full approval of a program is submitted.
(c) A request for approval of a major program change is submitted.
(d) The pass rate for first-time test takers on the required licensure NCLEX examination is less than 80% for any 1 year of compiled statistics provided from the National Council of State Boards of Nursing.
(e) Complaints regarding the conduct of the program are received and it is necessary to validate the complaints, pursuant to section 17242 of the code, MCL 333.17242.
(f) Failure of a nursing education program to submit a nursing education program report, or self-study report pursuant to the time frames set forth in R 338.10303b.
(g) Failure of a nursing education program to submit faculty exception requests before the start date of the semester under R 338.10305a and R 338.10305b.
(h) Program completion rate of less than 75% as submitted on a nursing education program report. The rate is calculated by determining the number of students who complete the nursing program in no more than 150% of the stated program length.
(i) Failure of the nursing education program to evaluate a program to apply for full approval by the end of the fourth cohort.
(j) Failure of a nursing education program to submit an annual nursing education program report pursuant to the time frames set forth in R 338.10303(d).
History: 1989 AACS; 1998-2000 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10310a Nursing education program; board action following evaluation.
Rule 310a. The board shall require a nursing education program evaluated pursuant to section 17242 of the code, MCL 333.17242, and R 338.10310 and determined to be in noncompliance with any provision of the code or the administrative rules to comply with all of the following, as applicable:
(a) An action plan or NCLEX improvement plan: The board shall require an action or NCLEX improvement plan as the first step for improvement of the identified problem areas. The sponsoring agency shall submit the action plan or NCLEX improvement plan within 6 months of the evaluation or with the next nursing education program report as defined in R 338.10303b, whichever comes first. All of the following apply:
(i) The plan must indicate that an evaluation of the nursing education program was conducted by the program's director and faculty to identify problem areas. The plan must include specific steps that are being taken to affect changes in the program. The action plan must also provide a method for the evaluation of the changes and further action to be taken, if program performance continues to be out of compliance.
(ii) The plan must include specific steps that are being taken to affect changes in the program.

(iii) The plan must focus on improvements to the curriculum, student admission and progression, faculty expertise in nursing and teaching, and institutional support.
(iv) The plan must provide a method for the evaluation of the changes and further action to be taken if program performance continues to be out of compliance.
(v) The program has 1 year from report submission to implement the changes that are specified in the action plan.
(vi) If there is no evidence of improvement 1 year from the plan's implementation, then the board shall place the program on "probationary status" and the program shall comply with subdivision (b) of this rule.
(b) A self-study: The board shall require a full self-study of the program of nursing education as the second step for improvement. The sponsoring agency shall submit the self-study within 6 months of notification from the board or department. All of the following apply:
(i) The self-study must be a complete review of the program including, but not limited to, admission policies, curriculum, teaching methods, faculty credentials, testing methods, remediation methods, and failure policies.
(ii) If the result of the self-study concludes that a major program change is necessary, a major program change must be developed by the sponsoring agency. The major program change must be submitted to the board for its review and approval before the changes taking effect.
(iii) If the result of the self-study concludes that a minor program change is necessary, a minor program change must be developed by the sponsoring agency. The minor program change must be submitted to the board for its review and approval before the changes take effect.
(iv) The program shall have 1 cohort cycle to demonstrate improvement.
(v) After the graduation and NCLEX testing of that cohort, if there is no evidence of improvement, the program shall comply with subdivision (c) of this rule.
(c) A nursing education consultant: The program shall employ the services of a nursing education consultant whose credentials must be submitted to the board. All of the following apply:
(i) The program shall require the consultant to conduct a full and comprehensive review of the nursing education program and prepare a report of the findings and recommendations for improvement.
(ii) The program shall submit the nursing education consultant's report of the findings and recommendations to the board. The program shall also submit a plan to implement the recommendations of the consultant to the board.
(iii) If the recommendation involves a major program change, the sponsoring agency shall submit it to the board for its approval before the implementation of the program change.
(iv) The program shall have 1 cohort cycle under the major program change to demonstrate improvement.
(v) If the recommendations do not involve a major program change, the school then has 1 year from report submission to implement the changes.
(vi) If there is no evidence of improvement after the NCLEX examination of the cohort or by the end of 1 year following report submission, the program shall comply with subdivision (d) of this rule.
(d) A reduction in admissions: The program shall reduce admissions to a board-recommended level. Both of the following apply:
(i) The program shall have 1 cohort cycle under the reduction in admissions to demonstrate improvement.
(ii) If there is no evidence of improvement, the board shall commence withdrawal of program approval pursuant to section 17242(2) of the code, MCL 333.17242.
History: 2017 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10311
Source: 2017 AACS.

R 338.10312 Program termination; interruption or reduction of admissions.
Rule 312. (1) The program director shall inform the board if a date is established for termination of the program of nursing education.
(2) The program director shall inform the board regarding the system of retention of student records which are needed for endorsement purposes and proof of scholastic achievement. The system of records retention must be in accordance with all applicable federal and state laws and regulations. The board shall retain this information so that graduates may be given the source of information upon request.
(3) The program director shall inform the board if admissions to the program of nursing education are to be reduced, suspended, or interrupted.
(4) A licensed practical nursing program that has suspended admissions for 2 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.
(5) A registered professional nursing program that is 2 years in duration that has suspended admissions for 2 years shall apply

for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.
(6) A registered professional nursing program that is 4 years in duration that has suspended admissions for 4 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.
(7) The board shall withdraw approval of any program that has suspended admissions for more than 4 years.
History: 1989 AACS; 2003 AACS; 2017 AACS; 2020 MR 7, Eff. April 6, 2020.

PART 4. NURSE SPECIALTY CERTIFICATION

R 338.10401
Source: 2018 AACS.

R 338.10401a
Source: 2017 AACS.

R 338.10402
Source: 1986 AACS.

R 338.10403
Source: 2018 AACS.

R 338.10404
Source: 2017 AACS.

R 338.10404a
Source: 2017 AACS.

R 338.10404b
Source: 2017 AACS.

R 338.10404c Specialty certification qualifications; clinical nurse specialist.
Rule 404c. (1) A specialty certification for a clinical nurse specialist must be granted to a registered professional nurse who satisfies all of the following requirements:
(a) Holds a current and valid license to practice nursing in this state.
(b) Submits an application for certification as a clinical nurse specialist, on a form provided by the department with the required fee.
(c) Possesses either of the following:
(i) An advanced practice certification from either of the following certification organizations, or successor organizations:
(A) The American Nurses Credentialing Center.
(B) The American Association of Critical Care Nurses Certification Corporation.
(ii) If an applicant is unable to take a national certification exam due to graduation from an accredited clinical nurse specialist master's or doctoral nursing program before the development of clinical nurse specialist core competencies and the requirement of 500 clinical practice hours, he or she may be granted a specialty certification as a clinical nurse specialist based upon submission of a portfolio of evidence that demonstrates knowledge and skill competence in the clinical nurse specialist role and population focus. The portfolio must include all of the following:
(A) Transcripts from an accredited master's or doctoral level educational program in clinical nursing with preparation as a clinical nurse specialist.
(B) Curriculum vitae demonstrating work history in a clinical nurse specialist position before April 9, 2017.
(C) Three letters of recommendation, including 1 from a clinical nurse specialist with national board certification and 2 letters from nursing administrators, nursing supervisors, or advanced practice nurses attesting that the applicant has at least 3,000 hours of practice as a clinical nurse specialist before April 9, 2017. These letters must provide evidence that the applicant engaged in practice consistent with the standards for a clinical nurse specialist as described by the National Association of Clinical Nurse Specialists (NACNS) in the publication entitled "Clinical Nurse Specialist and Core Competencies" 2010, which is adopted by reference. A copy of the standards and requirements is available at no cost from the association's website at www.nacns.org . A copy of the standards and requirements also is available for inspection and distribution at no cost from the Board of Nursing, Michigan Department of Licensing and Regulatory Affairs, 611 West Ottawa, Lansing, MI 48909

(2) Application for certification as a clinical nurse specialist granted under the criteria set forth in subrule (1)(c)(ii) of this rule is not permitted after March 8, 2020.
History: 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10405
Source: 2017 AACS.

R 338.10405a
Source: 2017 AACS.

R 338.10405b
Source: 2017 AACS.

R 338.10405c
Source: 2018 AACS.

R 338.10406
Source: 1986 AACS.

PART 6. CONTINUING EDUCATION

R 338.10601 License renewals; requirements; applicability.
Rule 601. (1) Pursuant to section 16201 of the code, MCL 333.16201, an applicant for license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license, shall accumulate at least 25 hours of continuing education that are approved by the board pursuant to these rules during the 2 years before the expiration of the license.
(2) An applicant for license renewal shall complete at least 2 hours, of the 25 required hours, of continuing education in pain and pain symptom management in each renewal period pursuant to section 16204(2) of the code, MCL 333.16204. Continuing education in pain and pain symptom management may include, but is not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interventions as they relate to professional practice.
(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. A nurse shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. The board may require an applicant to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.
(4) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.
(5) The requirements of this part do not apply to an applicant during an initial licensure cycle.
History: 1996 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10602 Acceptable continuing education; requirements; limitations.
Rule 602. (1) The 25 hours of continuing education required pursuant to R 338.10601(1) for the renewal of a license must comply with the following, as applicable:
(a) No more than 12 credit hours must be earned during a 24-hour period for online or electronic media, such as videos, internet web-based seminars, video conferences, online continuing education programs, and online journal articles.
(b) An applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period.
(2) The board shall consider the following as acceptable continuing education:

ACCEPTABLE CONTINUING EDUCATION ACTIVITIES		
(a)	Completion of an approved continuing education program or activity related to the practice of nursing or any non-clinical subject relevant to the practice of nursing. A continuing education program or activity is approved, regardless of the format in which it is	The number of hours approved by the sponsor or the approving organization. If the activity was not approved for a set number of hours, then 1 credit hour for

	offered, if it is approved or offered for continuing education credit by any of the following: • The American Association of Nurse Anesthetists (AANA). • The American Association of Nurse Practitioners (AANP). • The Accreditation Council for Continuing Medical Education (ACCME). • The American College of Nurse-Midwives (ACNM). • The American Nurses Credentialing Center (ANCC). • The American Osteopathic Association (AOA). • The National Association of Clinical Nurse Specialists. • The National Association for Practical Nurse Education and Service, Inc. (NAPNES). • The National League for Nursing (NLN). • Another state or provincial board of nursing. • A continuing nursing education program offered by a nursing education program that is approved by the board under R 338.10303a. If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.	each 60 minutes of participation may be earned. A minimum of 25 hours must be earned in each renewal period.
(b)	Completion of academic courses related to nursing practice offered by a nursing education program in Michigan approved by the board under part 3 of these rules or a post-licensure or graduate nursing program that is nationally accredited by a nursing education accrediting organization included in R 338.10303d(2). If audited, an applicant shall submit an official transcript that reflects completion of the academic course and number of semester or quarter credit hours earned.	Five hours of continuing education may be earned for each semester credit hour earned. Three hours of continuing education may be earned for each quarter credit hour earned.
(c)	Obtaining specialty certification or maintaining certification as 1 of the following: • Clinical nurse specialist. • Nurse anesthetist. • Nurse midwife. • Nurse practitioner. If audited, an applicant shall submit proof of certification or recertification.	Twenty-five hours, which includes 2 hours for pain and symptom management, may be credited for obtaining or maintaining specialty certification during the renewal period.
(d)	Successful completion of a national nursing specialty examination. If audited, an applicant shall submit proof of a passing score on the examination.	Ten hours may be earned in the year in which the applicant achieves a passing score.

		A maximum of 20 hours may be earned in each renewal period. Credit will not be given for repeating the same examination in a renewal period.
(e)	Initial publication of a chapter or an article related to the practice of nursing or allied health in any of the following: • A nursing or health care textbook. • A peer-reviewed textbook. • A nursing or health care peer-reviewed journal. If audited, an applicant shall submit a copy of the publication that identifies the applicant as the author or a publication acceptance letter.	Ten hours per publication. A maximum of 10 hours may be earned in each renewal period.
(f)	Independent reading of articles or viewing or listening to media related to nursing practice that do not include a self-assessment component. If audited, an applicant shall submit an affidavit attesting to the number of hours the applicant spent participating in these activities and that includes a description of the activity.	One hour for each 50 to 60 minutes of participation. A maximum of 4 hours may be earned in each renewal period.
(g)	Participation on a health care organization committee dealing with quality patient care or utilization review. If audited, an applicant shall submit a letter from an organization official verifying the applicant's participation and the number of hours the applicant spent participating on the committee.	One hour for each 60 minutes of participation. A maximum of 4 hours may be earned in each renewal period.
(h)	Presentation of an academic or continuing education program that is not a part of the applicant's regular job description. If audited, an applicant shall submit a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.	Three hours may be earned for each 60 minutes of presentation. A maximum of 6 hours may be earned in each renewal period.
(i)	Participation as a preceptor for at least 1 nursing student or a new employee undergoing orientation. A preceptorship must be for a minimum of 120 hours and have a 1 student/employee to 1 preceptor ratio. This may involve more than 1 student or employee. If audited, an applicant shall submit written documentation from the educational institution or preceptor's supervisor verifying the dates and hours of the preceptorship.	A maximum of 5 hours of continuing education may be earned in each renewal period.

History: 1996 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10603
Source: 2017 AACS.

PART 7. NURSING PROFESSIONAL FUND SCHOLARSHIP PROGRAM

R 338.10701
Source: 2017 AACS.

R 338.10702 Board determination of categories and areas of need for designating awards; department required to communicate board's determination of need to nursing programs; applications.
Rule 702. (1) The board shall annually determine categories and areas of need for designating scholarship awards to eligible programs of nursing. The board may consider any of the following in establishing categories and areas of need:
(a) Data generated from Michigan licensure renewal information and nursing surveys.
(b) National and state trends that have identified nursing shortages.
(c) Data identifying medically underserved areas, medically underserved populations, or health professional shortage areas.
(d) Health status and nursing care needs of the state's residents.
(2) The department shall communicate the board's determination as to categories and areas of need to approved nursing education programs in this state.
(3) The department shall provide applications to approved programs of nursing that meet the established eligibility criteria in R 338.10703.
History: 1998-2000 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10703 Eligibility of and allocation to nursing education programs.
Rule 703. (1) To be eligible for a scholarship award, a school shall meet 1 of the following criteria:
(a) Provide a prelicensure nursing program that complies with all of the following:
(i) Is approved by the Michigan board of nursing.
(ii) Has a primary campus located in this state.
(iii) Offers a program of nursing that meets the predetermined category and area of need as established by the board under R 338.10702.
(iv) Submits an application approved by the department declaring a notice of intent to participate in the scholarship.
(b) Provide a post-licensure nursing program that complies with all of the following:
(i) Is accredited by a national nursing education accrediting entity.
(ii) Has a primary campus located in this state.
(iii) Submits an application approved by the department declaring a notice of intent to participate in the scholarship.
(2) A school may submit an application for participation for only those programs that are included in the annual list of scholarship program categories and areas of need as determined by the board pursuant to R 338.10702.
(3) The department shall annually determine the allocation for each eligible education program.
History: 1998-2000 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10704 Nursing education program awards to eligible students; requirements~~,~~ ; procedures.
Rule 704. (1) An eligible nursing education program, upon receiving an allocation, shall award a scholarship to a full-time or part-time student who meets all of the following criteria:
(a) Is a permanent resident of this state.
(b) If licensed as a nurse, holds an unencumbered Michigan license to practice nursing.
(c) Is not in receipt of a full scholarship from another source.
(d) Maintains satisfactory progress as determined by the eligible nursing education program.
(2) A nursing education program shall apply a scholarship award first to the cost of tuition, books, and fees associated with the program. A nursing program shall then provide the remainder of the award, if any, to the student in the form of a stipend.
(3) The nursing education program shall complete the notice of intent to award the board of nursing scholarship form supplied by the department. The notice must contain all of the following information:
(a) The name, address, and date of birth of the recipient.
(b) Course of study or program in which the recipient is enrolled.
(c) Attestation that all criteria of subrule (1) of this rule have been met.
(d) Information regarding electronic funds transfer from the department to the program.
(e) Signature of the program director and financial aid director or other employee employed by the financial aid office who can attest to accuracy of the information on the form.
(4) A student may receive a scholarship award only once for each level of nursing education.
(5) If a recipient withdraws from the nursing education program, then within 30 days of withdrawal, the nursing education program shall notify the department, in writing, of its intent to do 1 of the following:
(a) Award the scholarship funds to a recipient who has been chosen to receive the scholarship for the current scholarship year.

(b) Select a new applicant and submit the recipient's application and the notice of intent to award the board of nursing scholarship form to the department.
(c) Return the unused funds to the department.
(6) The nursing education program shall account for all of the funds disbursed by the department no later than February 15 of the academic year in which the funds were distributed. Both of the following apply:
(a) The department shall supply the accounting form to each program that is participating in the nurse professional fund scholarship program.
(b) Failure of a program to submit an accounting statement to the department in accordance with subrule (6) of this rule will result in the department withholding future scholarship funds from the program until all past due accounting statements have been submitted and approved.
History: 1998-2000 AACS; 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020.

R 338.10705 School ineligibility; notification; hearing.
Rule 705. (1) If a school is deemed ineligible for a nursing scholarship award, then the department shall notify the school in writing.
(2) Upon receipt of notification of ineligibility, a school may request a hearing. The department shall conduct a hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
History: 1998-2000 AACS; 2020 MR 7, Eff. April 6, 2020.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

DENTISTRY - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.11101
Source: 2014 AACS.

R 338.11103
Source: 1984 AACS.

R 338.11105
Source: 1997 AACS.

R 338.11107
Source: 1984 AACS.

R 338.11109
Source: 2015 AACS.

R 338.11115
Source: 2015 AACS.

R 338.11117
Source: 1984 AACS.

R 338.11120
Source: 2014 AACS.

R 338.11121
Source: 1989 AACS.

R 338.11123

Source: 2017 AACS.

R 338.11199
Source: 1984 AACS.

PART 2. LICENSURE

R 338.11201
Source: 2006 AACS.

R 338.11202
Source: 2017 AACS.

R 338.11203
Source: 2006 AACS.

R 338.11205
Source: 1997 AACS.

R 338.11207
Source: 1997 AACS.

R 338.11211
Source: 1997 AACS.

R 338.11215
Source: 1997 AACS.

R 338.11217
Source: 1997 AACS.

R 338.11219
Source: 1997 AACS.

R 338.11221
Source: 2006 AACS.

R 338.11222
Source: 2006 AACS.

R 338.11223
Source: 2006 AACS.

R 338.11225
Source: 1997 AACS.

R 338.11227
Source: 1997 AACS.

R 338.11233
Source: 1984 AACS.

R 338.11235
Source: 1984 AACS.

R 338.11239
Source: 2011 AACS.

R 338.11241
Source: 1984 AACS.

R 338.11245
Source: 1984 AACS.

R 338.11247
Source: 2014 AACS.

R 338.11249
Source: 1998-2000 AACS.

R 338.11253
Source: 1984 AACS.

R 338.11255
Source: 2011 AACS.

R 338.11259
Source: 2011 AACS.

R 338.11261
Source: 2011 AACS.

R 338.11267
Source: 2011 AACS.

PART 3. EDUCATION

R 338.11301
Source: 2017 AACS.

R 338.11303
Source: 2017 AACS.

R 338.11307
Source: 2017 AACS.

PART 4. DELEGATION, SUPERVISION, ASSIGNMENT

R 338.11401
Source: 2014 AACS.

R 338.11402
Source: 2014 AACS.

R 338.11403
Source: 2014 AACS.

R 338.11404a
Source: 2014 AACS.

R 338.11405

Source: 2014 AACS.

R 338.11405a
Source: 2014 AACS.

R 338.11405b
Source: 2014 AACS.

R 338.11405c
Source: 2014 AACS.

R 338.11406
Source: 2014 AACS.

R 338.11408
Source: 2014 AACS.

R 338.11409
Source: 2014 AACS.

R 338.11410
Source: 2014 AACS.

PART 5. SPECIALTIES

R 338.11501
Source: 2017 AACS.

R 338.11503
Source: 2017 AACS.

R 338.11505
Source: 2017 AACS.

R 338.11507
Source: 2017 AACS.

R 338.11509
Source: 2017 AACS.

R 338.11511
Source: 2017 AACS.

R 338.11513
Source: 2011 AACS.

R 338.11515
Source: 2017 AACS.

R 338.11517
Source: 2011 AACS.

R 338.11519
Source: 2017 AACS.

R 338.11521
Source: 2011 AACS.

R 338.11523
Source: 2017 AACS.

R 338.11525
Source: 2011 AACS.

R 338.11527
Source: 2011 AACS.

PART 6. GENERAL ANESTHESIA AND INTRAVENOUS CONSCIOUS SEDATION AND ENTERAL SEDATION

R 338.11601
Source: 2017 AACS.

R 338.11602
Source: 2017 AACS.

R 338.11603
Source: 2017 AACS.

R 338.11604
Source: 2011 AACS.

R 338.11605
Source: 2017 AACS.

PART 7. CONTINUING EDUCATION

R 338.11701
Source: 2017 AACS.

R 338.11703
Source: 2011 AACS.

R 338.11704
Source: 2017 AACS.

R 338.11704a
Source: 2011 AACS.

R 338.11704b
Source: 2017 AACS.

R 338.11704c
Source: 2017 AACS.

R 338.11705
Source: 2017 AACS.

PART 8. DENTAL AMALGAM

R 338.11801
Source: 2012 AACS.

R 338.11811
Source: 2012 AACS.

R 338.11813
Source: 2012 AACS.

R 338.11815
Source: 2012 AACS.

R 338.11817
Source: 2012 AACS.

R 338.11819
Source: 2012 AACS.

R 338.11821
Source: 2012 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CHIROPRACTIC - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.12001
Source: 2019 AACS.

R 338.12001a
Source: 2019 AACS.

R 338.12002
Source: 2011 AACS.

R 338.12003
Source: 2019 AACS.

R 338.12004
Source: 2019 AACS.

R 338.12005
Source: 2019 AACS.

R 338.12006
Source: 2019 AACS.

R 338.12007
Source: 1998-2000 AACS.

R 338.12008
Source: 2019 AACS.

R 338.12008a
Source: 2019 AACS.

R 338.12008b
Source: 2019 AACS.

R 338.12009
Source: 2014 AACS.

R 338.12010
Source: 2019 AACS.

R 338.12011
Source: 2019 AACS.

R 338.12011a
Source: 2019 AACS.

R 338.12011b
Source: 2019 AACS.

R 338.12012
Source: 1997 AACS.

R 338.12013
Source: 1982 AACS.

R 338.12014
Source: 2019 AACS.

R 338.12015
Source: 2019 AACS.

PART 2. EDUCATION

R 338.12021
Source: 2019 AACS.

PART 3. LICENSURE

R 338.12031
Source: 2019 AACS.

R 338.12032
Source: 2019 AACS.

R 338.12033
Source: 2019 AACS.

R 338.12034
Source: 2019 AACS.

R 338.12035
Source: 2019 AACS.

R 338.12036
Source: 2019 AACS.

R 338.12037
Source: 2019 AACS.

PART 4. CONTINUING EDUCATION

R 338.12041
Source: 2019 AACS.

R 338.12042
Source: 2019 AACS.

PART 5. STANDARDS OF PRACTICE

R 338.12051
Source: 2019 AACS.

R 338.12052
Source: 2019 AACS.

R 338.12053
Source: 2019 AACS.

R 338.12054
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ACUPUNCTURE – GENERAL RULES

R 338.13001
Source: 2019 AACS.

R 338.13002
Source: 2019 AACS.

R 338.13003
Source: 2019 AACS.

R 338.13004
Source: 2019 AACS.

R 338.13005
Source: 2019 AACS.

R 338.13010
Source: 2019 AACS.

R 338.13015
Source: 2019 AACS.

R 338.13020
Source: 2019 AACS.

R 338.13025
Source: 2019 AACS.

R 338.13030
Source: 2019 AACS.

R 338.13035
Source: 2019 AACS.

R 338.13040
Source: 2019 AACS.

R 338.13045
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF MIDWIFERY

PART 1. GENERAL PROVISIONS

R 338.17101
Source: 2019 AACS.

PART 2. PRELICENSURE LICENSED MIDWIFERY EDUCATION

R 338.17111
Source: 2019 AACS.

R 338.17113
Source: 2019 AACS.

R 338.17115
Source: 2019 AACS.

PART 3. LICENSURE

R 338.17121
Source: 2019 AACS.

R 338.17122
Source: 2019 AACS.

R 338.17123
Source: 2019 AACS.

R 338.17125
Source: 2019 AACS.

R 338.17127
Source: 2019 AACS.

PART 4. PRACTICE, CONDUCT, AND CLASSIFICATION OF CONDITIONS

R 338.17131
Source: 2019 AACS.

R 338.17132
Source: 2019 AACS.

R 338.17133
Source: 2019 AACS.

R 338.17134
Source: 2019 AACS.

R 338.17135
Source: 2019 AACS.

R 338.17136
Source: 2019 AACS.

R 338.17137
Source: 2019 AACS.

PART 5. LICENSE RENEWAL AND CONTINUING EDUCATION

R 338.17141
Source: 2019 AACS.

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

PREPAID FUNERAL & CEMETERY SALES

PART 1. GENERAL PROVISIONS

R 339.11
Source: 2014 AACS.

PART 2. CONTRACTS

R 339.21
Source: 2006 AACS.

R 339.22
Source: 2014 AACS.

R 339.23
Source: 2006 AACS.

R 339.24
Source: 2014 AACS.

PART 3. STANDARDS OF OPERATION

R 339.31
Source: 2014 AACS.

R 339.32
Source: 2014 AACS.

R 339.33
Source: 2006 AACS.

R 339.34
Source: 2014 AACS.

R 339.35
Source: 2006 AACS.

R 339.36
Source: 2006 AACS.

R 339.37
Source: 2006 AACS.

PART 4.RECORD KEEPING

R 339.41
Source: 2014 AACS.

R 339.42
Source: 2014 AACS.

R 339.43
Source: 2014 AACS.

R 339.45
Source: 2006 AACS.

R 339.47
Source: 2006 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

CORPORATIONS, SECURITIES, AND COMMERCIAL LICENSING BUREAU

UNARMED COMBAT

PART 1. GENERAL PROVISIONS

R 339.101
Source: 2019 AACS.

R 339.102
Source: 2016 AACS**.**

R 339.103
Source: 2016 AACS**.**

PART 2. PROFESSIONAL BOXING, AMATEUR MIXED MARTIAL ARTS, AND PROFESSIONAL MIXED MARTIAL ARTS

R 339.201
Source: 2019 AACS.

R 339.202
Source: 2019 AACS.

R 339.202a
Source: 2009 AACS.

R 339.203
Source: 2019 AACS.

R 339.203a
Source: 2019 AACS.

R 339.203b
Source: 2019 AACS.

R 339.203c
Source: 2019 AACS.

R 339.203d
Source: 2016 AACS**.**

R 339.204
Source: 2019 AACS.

R 339.205
Source: 2019 AACS.

R 339.205a
Source: 2019 AACS.

R 339.205b
Source: 2019 AACS.

R 339.206
Source: 2016 AACS**.**

R 339.206a
Source: 2016 AACS**.**

R 339.207
Source: 2019 AACS.

R 339.209
Source: 2005 AACS.

R 339.210
Source: 2019 AACS.

R 339.211
Source: 2009 AACS.

R 339.213
Source: 2019 AACS.

R 339.215
Source: 2019 AACS.

R 339.217
Source: 2019 AACS.

R 339.219
Source: 2016 AACS**.**

R 339.221
Source: 2009 AACS.

R 339.223
Source: 2019 AACS.

R 339.223a
Source: 2016 AACS**.**

R 339.225

Source: 2009 AACS.

R 339.226
Source: 2019 AACS.

R 339.226a
Source: 2019 AACS.

R 339.227
Source: 2019 AACS.

R 339.229
Source: 2019 AACS.

R 339.230
Source: 2019 AACS.

R 339.231
Source: 2019 AACS.

R 339.232
Source: 2019 AACS.

R 339.233
Source: 2009 AACS.

R 339.234
Source: 2016 AACS**.**

R 339.234a
Source: 2016 AACS**.**

R 339.235
Source: 2019 AACS.

R 339.235a
Source: 2016 AACS**.**

R 339.237
Source: 2009 AACS.

R 339.239
Source: 2019 AACS.

R 339.241
Source: 2016 AACS**.**

R 339.243
Source: 2019 AACS.

R 339.245
Source: 2019 AACS.

Rule 339.246
Source: 2019 AACS.

Rule 339.246a
Source: 2019 AACS.

R 339.247
Source: 2016 AACS**.**

R 339.249
Source: 2019 AACS.

R 339.251
Source: 2019 AACS.

R 339.253
Source: 2019 AACS.

R 339.255
Source: 2019 AACS.

R 339.257
Source: 2016 AACS**.**

R 339.259
Source: 2016 AACS**.**

R 339.261
Source: 2016 AACS**.**

R 339.263
Source: 2005 AACS.

R 339.265
Source: 2019 AACS.

R 339.267
Source: 2016 AACS**.**

R 339.269
Source: 2019 AACS.

R 339.271
Source: 2016 AACS**.**

PART 3. FEES

R 339.301
Source: 2016 AACS**.**

R 339.303
Source: 2016 AACS**.**

PART 4.

R 339.401
Source: 2005 AACS.

R 339.403
Source: 2009 AACS.

OFFICE OF COMMERCIAL SERVICES

OCCUPATIONAL BOARDS

R 339.601
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL CODE RENEWALS

PART 1. LICENSE AND REGISTRATION RENEWALS

R 339.1001a Definitions.
Rule 1a. As used in these rules:
(a) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(b) "Department" means the department of licensing and regulatory affairs.
(c) "Issue date" means the date that the initial license or registration was granted to the licensee or registrant by the department.
(d) "Limitation" means a limitation relative to scope of practice as defined in section 105(3) of the code, MCL 339.105.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 339.1002 Annual license renewal; expiration.
Rule 2. The following licenses expire annually and must be renewed each year on or before the date indicated:
Barber student instructor…….....Issue date.
Collection practices.....6/30.
Mortuary science trainees.....1/31.
Personnel agencies. .....12/31.
History: 1981 AACS; 1993 AACS; 1998-2000 AACS; 2014 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 339.1003 Biennial license or registration renewal; expiration.
Rule 3. (1) The following licenses and registrations expire biennially and must be renewed every 2 years on or before the date indicated:
Accountancy.....7/31.
Architects.....10/31.
Barbers.....Issue date.
Barber establishments and schools…….....Issue date.
Cosmetology.....Issue date.
Cosmetology establishments and schools…….....Issue date.
Hearing aid dealers.....11/30.
Landscape architects.....7/31.
Mortuary science……10/31.
Professional engineers.....10/31.
Professional surveyors.....10/31.
Real estate appraisers.....7/31.
(2) A license or registration that has a limitation may be renewed for a term that is less than 2 years.
(3) For licenses that are to be renewed biennially, the department may initially renew half of the licenses for 1 year and half of the licenses for 2 years to provide equal numbers of renewals in each fiscal year.
History: 1981 AACS; 1989 AACS; 1998-2000 AACS; 2014 AACS; 2018 AACS; 2020 MR 24, Eff. Dec 22, 2020.

R 339.1003a Triennial license renewal; expiration.
Rule 3a. (1) The following licenses expire triennially and must be renewed every 3 years on or before the date indicated:
Real estate brokers and salespersons.....10/31.
Residential builder and maintenance and alteration contractor…….5/31.
(2) A license that has a limitation may be renewed for a term that is less than 3 years.
History: 2020 MR 24, Eff. Dec 22, 2020.

R 339.1004
Source: 2014 AACS.

R 339.1005
Source: 1997 AACS.

PART 7. DISCIPLINARY PROCEEDINGS

R 339.1701
Source: 2015 AACS.

R 339.1703
Source: 1990 AACS.

R 339.1705
Source: 2015 AACS.

R 339.1706
Source: 2006 AACS.

R 339.1707
Source: 1997 AACS.

R 339.1709
Source: 2015 AACS.

R 339.1711
Source: 1997 AACS.

R 339.1713
Source: 2015 AACS.

R 339.1715
Source: 1997 AACS.

R 339.1721
Source: 2015 AACS.

R 339.1725
Source: 1997 AACS.

R 339.1726
Source: 1990 AACS.

R 339.1727
Source: 1997 AACS.

R 339.1728
Source: 1997 AACS.

R 339.1731
Source: 1990 AACS.

R 339.1741
Source: 2015 AACS.

R 339.1743
Source: 2015 AACS.

R 339.1745
Source: 2015 AACS.

R 339.1746
Source: 1997 AACS.

R 339.1741
Source: 2015 AACS.

R 339.1743
Source: 2015 AACS.

R 339.1745
Source: 2015 AACS.

R 339.1753
Source: 1997 AACS.

R 339.1755
Source: 2015 AACS.

R 339.1757
Source: 2015 AACS.

R 339.1759
Source: 2015 AACS.

R 339.1761
Source: 2015 AACS.

R 339.1763
Source: 2015 AACS.

R 339.1765
Source: 2015 AACS.

R 339.1767
Source: 2015 AACS.

R 339.1771
Source: 2015 AACS.

ATHLETICS

PART 1. GENERAL PROVISIONS

R 339.3101
Source: 2005 AACS.

R 339.3102
Source: 2005 AACS.

R 339.3201
Source: 2005 AACS.

R 339.3202
Source: 2005 AACS.

R 339.3203
Source: 2005 AACS.

R 339.3204
Source: 2005 AACS.

R 339.3205
Source: 2005 AACS.

R 339.3206
Source: 2005 AACS.

R 339.3207
Source: 2005 AACS.

R 339.3207a
Source: 2005 AACS.

R 339.3208
Source: 2005 AACS.

R 339.3209
Source: 2005 AACS.

R 339.3210
Source: 2005 AACS.

R 339.3210a
Source: 2005 AACS.

R 339.3211
Source: 2005 AACS.

R 339.3212
Source: 2005 AACS.

R 339.3213
Source: 2005 AACS.

R 339.3214
Source: 2005 AACS.

R 339.3215
Source: 2005 AACS.

R 339.3216
Source: 2005 AACS.

R 339.3217
Source: 2005 AACS.

R 339.3218
Source: 2005 AACS.

R 339.3219
Source: 2005 AACS.

R 339.3220
Source: 2005 AACS.

R 339.3221
Source: 2005 AACS.

R 339.3222
Source: 2005 AACS.

R 339.3223
Source: 2005 AACS.

R 339.3224
Source: 2005 AACS.

R 339.3225
Source: 2005 AACS.

R 339.3226
Source: 2005 AACS.

R 339.3227
Source: 2005 AACS.

R 339.3228
Source: 2005 AACS.

R 339.3229
Source: 2005 AACS.

R 339.3230
Source: 2005 AACS.

R 339.3231
Source: 2005 AACS.

R 339.3232
Source: 2005 AACS.

R 339.3233
Source: 2005 AACS.

R 339.3234
Source: 2005 AACS.

R 339.3235
Source: 2005 AACS.

R 339.3236
Source: 2005 AACS.

R 339.3199
Source: 1985 AACS.

PART 2. PROFESSIONAL BOXING

R 339.3201
Source: 1995 AACS.

R 339.3202
Source: 1995 AACS.

R 339.3203
Source: 1995 AACS.

R 339.3204
Source: 1995 AACS.

R 339.3205
Source: 1995 AACS.

R 339.3206
Source: 1995 AACS.

R 339.3207
Source: 1995 AACS.

R 339.3207a
Source: 1995 AACS.

R 339.3208
Source: 1995 AACS.

R 339.3209
Source: 1995 AACS.

R 339.3210
Source: 1995 AACS.

R 339.3210a
Source: 1995 AACS.

R 339.3211
Source: 1995 AACS.

R 339.3212
Source: 1995 AACS.

R 339.3213
Source: 1995 AACS.

R 339.3214
Source: 1995 AACS.

R 339.3215
Source: 1995 AACS.

R 339.3216
Source: 1995 AACS.

R 339.3217
Source: 1995 AACS.

R 339.3218
Source: 1995 AACS.

R 339.3219
Source: 1995 AACS.

R 339.3220
Source: 1995 AACS.

R 339.3221
Source: 1995 AACS.

R 339.3222
Source: 1995 AACS.

R 339.3223
Source: 1995 AACS.

R 339.3224
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R 339.3225
Source: 1995 AACS.

R 339.3226
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R 339.3227
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R 339.3228
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R 339.3229
Source: 1995 AACS.

R 339.3230
Source: 1995 AACS.

R 339.3231
Source: 1995 AACS.

R 339.3232
Source: 1995 AACS.

R 339.3233
Source: 1995 AACS.

R 339.3234
Source: 1985 AACS.

R 339.3235
Source: 1995 AACS.

R 339.3236
Source: 1995 AACS.

DIRECTOR'S OFFICE

COLLECTION AGENCIES

R 339.4001
Source: 2014 AACS.

R 339.4003
Source: 2014 AACS.

R 339.4005
Source: 2014 AACS.

R 339.4007
Source: 2014 AACS.

R 339.4009
Source: 2014 AACS.

R 339.4011
Source: 2014 AACS.

PERSONNEL AGENCIES

PART 1. GENERAL PROVISIONS

R 339.5001
Source: 2014 AACS.

R 339.5005
Source: 2014 AACS.

R 339.5009
Source: 1996 AACS.

PART 2. LICENSING

R 339.5021
Source: 2014 AACS.

R 339.5023
Source: 2014 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.5031
Source: 2014 AACS.

R 339.5033
Source: 2014 AACS.

R 339.5035
Source: 2014 AACS.

R 339.5037
Source: 2014 AACS.

R 339.5039
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BARBERS

PART 1. GENERAL PROVISIONS

R 339.6001
Source: 2014 AACS.

R 339.6003
Source: 2014 AACS.

R 339.6019
Source: 1991 AACS.

PART 2. LICENSES

R 339.6021
Source: 1998 AACS.

PART 3. SANITATION

R 339.6031
Source: 2019 AACS.

R 339.6033
Source: 2019 AACS.

R 339.6035
Source: 1991 AACS.

R 339.6037
Source: 2019 AACS.

R 339.6039
Source: 2003 AACS.

PART 4. BARBER COLLEGES

R 339.6041
Source: 2019 AACS.

R 339.6045
Source: 2014 AACS.

R 339.6047
Source: 2019 AACS.

R 339.6049
Source: 1991 AACS.

R 339.6051
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

NURSING HOME ADMINISTRATORS

PART 1. GENERAL PROVISIONS

R 339.14001
Source: 2019 AACS.

R 339.14002
Source: 2019 AACS.

R 339.14003
Source: 2014 AACS.

PART 2. EDUCATION

R 339.14005
Source: 2019 AACS.

R 339.14007
Source: 2019 AACS.

PART 3. LICENSURE

R 339.14008
Source: 2019 AACS.

R 339.14009
Source: 2019 AACS.

R 339.14011
Source: 2019 AACS.

R 339.14012
Source: 2019 AACS.

R 339.14013
Source: 2019 AACS.

R 339.14015
Source: 2019 AACS.

R 339.14019
Source: 1992 AACS.

R 339.14020
Source: 2019 AACS.

R 339.14020a
Source: 2019 AACS.

R 339.14021
Source: 2014 AACS.

PART 4. CONTINUING EDUCATION

R 339.14022
Source: 2019 AACS.

R 339.14023
Source: 2019 AACS.

R 339.14024
Source: 2019 AACS.

R 339.14024a
Source: 2019 AACS.

R 339.14025
Source: 2019 AACS.

R 339.14026
Source: 2019 AACS.

R 339.14026a
Source: 2019 AACS.

R 339.14027
Source: 2019 AACS.

R 339.14029
Source: 2019 AACS.

R 339.14030
Source: 2019 AACS.

R 339.14031
Source: 2019 AACS.

R 339.14032
Source: 2019 AACS.

R 339.14033
Source: 2019 AACS.

R 339.14035
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ARCHITECTS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.15101 Definitions.
Rule 101. (1) As used in these rules:
(a) "Act" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(b) "Continuing education" means an instructional course or activity in an approved health, safety, and welfare subject that is designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.
(c) "Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation are not considered activities, except for employer compensated continuing education activities.

(d) "Department" means the department of licensing and regulatory affairs.
(e) "Distance learning" means any of the following:
(i) Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.
(ii) Courses, which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.
(iii) Monographs, which are distant learning courses that examine or investigate current and emerging topics in architecture and which can be in the form of an online quiz or test offered by a sponsor that may not require an instructor.
(f) Health, Safety, and Welfare (HSW) subjects" means technical and professional subjects related to the practice of architecture that safeguard the public and that include the continuing education subjects approved under R 339.15506.
(g) "Sponsor" means a person who represents to the public that any of its courses fulfill the requirements of section 2009 of the act for continuing education.
(2) Terms defined in the act have the same meanings when used in these rules.
History: 1985 AACS; 2006 AACS; 2013 AACS; 2014 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15102
Source: 1998-2000 AACS.

R 339.15103
Source: 2014 AACS.

R 339.15104
Source: 2001 AACS.

R 339.15105
Source: 1985 AACS.

PART 2. EDUCATION, EXPERIENCE, AND EXAMINATION STANDARDS

R 339.15201 Educational requirement; adoption by reference of educational standard.
Rule 201. (1) An applicant for an architect license shall submit 1 of the following to satisfy the educational requirements under the act:
(a) Transcripts verifying that he or she received a first professional degree from an architectural program that is accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB).
(b) An evaluation report from the Education Evaluation Services for Architects-National Council of Architectural Registration Boards (EESA-NCARB) that states the applicant for architect licensure has met the NCARB Education Standard established in the NCARB Education Guidelines.
(c) A credentials evaluation provided by a current member of the National Association of Credential Evaluation Services (NACES) that verifies the applicant for architect licensure received a degree that satisfies all of the categories, subject areas, and semester credit hour requirements established under the NCARB Education Standard adopted by reference under subrule (2) this rule.
(2) The board adopts by reference in these rules the NCARB Education Standard set forth in the "NCARB Education Guidelines," effective August 2018. This document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing at 611 W. Ottawa St., P.O. Box 30670, Lansing, MI 48909 and at no cost from NCARB at www.ncarb.org or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.
History: 1985 AACS; 2006 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15202 Experience requirement.
Rule 202. A valid certificate of completion of any internship program from NCARB is required to satisfy the professional experience in architectural work required under the act.
History: 1985 AACS; 1989 AACS; 2006 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15203
Source: 1998-2000 AACS.

R 339.15204 Examination requirement.
Rule 204. An applicant for an architect license shall submit proof of obtaining a passing score as determined by NCARB on

the NCARB Architectural Registration Examination.
History: 2006 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

PART 3. RELICENSURE

R 339.15301 Rescinded.
History: 1985 AACS; 2014 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15302
Source: 2014 AACS.

R 339.15304 Relicensure requirements.
Rule 304. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the act, MCL 339.411(3), by satisfying all of the following requirements:
(a) Submitting a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Submitting proof to the department verifying that he or she has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours submitted with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.
(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the act, MCL 339.411(4), by satisfying all of the following requirements:
(a) Submitting a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Establishing that he or she has met all of the requirements for initial licensure under the act and these rules.
(d) Submitting proof to the department verifying he or she has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours submitted with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.
History: 2020 MR 4, Eff. Feb. 20, 2020.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401 Model rules of conduct; adoption by reference.
Rule 401. (1) A licensee shall comply with the NCARB model rules of conduct adopted by reference in this rule.
(2) The board adopts by reference in these rules the NCARB model rules of conduct set forth in the document "Model Rules of Conduct 2018-2019" revised July 2018. This document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa St., P.O. Box 30670, Lansing, MI 48909 and at no cost from NCARB at www.ncarb.org or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.
History: 1985 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15402 Rescinded.
History: 1985 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15403 Rescinded.
History: 1985 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15404 Seal design, use, security, and validation.
Rule 404. (1) Effective 60 days after the promulgation of this rule, the seal of an architect must include the licensee's full name and license number, as shown on his or her state-issued architect license, and indicate "State of Michigan" and "Licensed Architect" in the legend surrounding the seal. The seal must have a design substantially similar to figure 404.
(2) A licensee's seal shall be used by the licensee whose name appears on the seal for so long as the license remains in effect. A licensee is responsible for the security of the licensee's seal.

FIGURE 404

History: 2020 MR 4, Eff. Feb. 20, 2020.

PART 5. LICENSE RENEWAL AND CONTINUING EDUCATION

R 339.15501 License renewal requirement; continuing education waiver.

Rule 501. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 24 hours of continuing education in activities approved under R 339.15502 during the 2-year period immediately preceding the expiration date of the license.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.15502.

(3) A licensee shall retain documentation of satisfying the requirements of this rule and R 339.15502 for a period of 4 years from the date of applying for license renewal.

(4) A licensee is subject to audit under this part and may be required to submit documentation as described under R 339.15502 upon request of the department.

(5) A request for a continuing education waiver pursuant to section 204(2) of the act, MCL 339.204(2), must be received by the department before the expiration date of the license.

History: 2013 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15502 Acceptable continuing education.

Rule 502. (1) The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Credits Earned for Activity and Allowed for Renewal Cycle
1	Completing a continuing education program or activity, regardless of the format in which it is offered, if it is in an HSW subject under R 339.15506 and is approved or offered for continuing education by any of the following: • Another state board of architects. • NCARB. • American Institute of Architects. • Construction Specifications Institute. • University of Michigan. • Lawrence Technological University. • University of Detroit Mercy.	The number of credits approved by the sponsor or the approving organization.

	• Andrews University. • United States Green Building Council. If audited, a licensee shall submit a copy of a letter or a certificate of completion issued by the relevant above-referenced sponsor or organization showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the continuing education program or activity, and the date or dates on which the program was held or the activity completed.	
2	Passing a postgraduate academic course in an HSW subject under R 339.15506 that is offered by an architectural program that is accredited by NAAB or CACB. If audited, a licensee shall submit a copy of the transcript issued by the NAAB-accredited or CACB-accredited architectural program showing the number of completed credit hours for the academic courses.	Fifteen continuing education hours are granted for each semester credit or 10 continuing education hours are granted for each quarter credit. A maximum of 15 continuing education hours are granted for this activity in each renewal period.
3	Attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference in which the subject matter is an HSW subject under R 339.15506. If audited, a licensee shall submit a copy of a letter or a certificate of completion issued by the sponsor or organization of the seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention or conference showing the licensee's name, sponsor name or the name of the organization, and the date or dates on which the above-referenced activity was held and attended by the licensee.	One continuing education hour is granted for every 50 minutes of continuous instruction. One-half (0.5 credit) of 1 continuing education hour is granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.
4	Teaching, instructing, or presenting a subject that is an HSW subject under R 339.15506. If audited, a licensee shall submit a letter issued by the course or activity sponsor or organization confirming licensee as the teacher, instructor or presenter of a course or activity, together with a copy of the course syllabus, or other program documentation, showing that licensee is the instructor, the name of the course or activity, and the date or dates the course or activity took place.	One continuing education hour is granted for every 50 minutes continuous instruction. One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.
5	Publishing a peer-reviewed paper, article, or book on a subject that is an HSW subject under R 339.15506.	Six continuing education hours are granted for this activity. Credit for continuing education hours is

	If audited, a licensee shall submit a copy of the publication that identifies the licensee as the author of the publication and the publication acceptance letter showing licensee's name, article name, and date of publishing.	not granted for multiple publications of the same peer-review paper, article, or book. A maximum of 12 continuing education hours are granted for this activity during each renewal period.
6	Serving as a voting member on a local, state, or national committee, board, council, or association, if it enhances the participant's knowledge and understanding of architecture. To receive credit, a licensee must participate in at least 50% of the regularly scheduled meetings of the committee, board, council, or association. If audited, a licensee shall submit documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association and provide verification of the licensee's status as a voting member on the committee, board, council, or association.	Three continuing education hours are granted for each committee, board, council, or association on which the licensee is a member. A maximum of 3 continuing education hours are granted for this activity during each renewal period.
7	Participating in a company-sponsored seminar or training that is on an HSW subject under R 339.15506. If audited, a licensee shall submit a copy of a letter or a certificate of completion issued by the company or organization presenting the seminar or training on its behalf, showing the licensee's name, company name or the name of the organization presenting the seminar or training on behalf of the company, subject of seminar or training, and the date or dates on which the above-referenced seminar or training was held and completed by the licensee.	One continuing education hour is granted for every 50 minutes of continuous instruction. One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.

(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education credit during the renewal period.
(3) Except as provided under subrule (1) of this rule, 50 minutes of continuous instruction is equal to 1 continuing education hour. For purpose of this rule, "continuous instruction" means the time participating in the activity, not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.
History: 2013 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15502a Rescinded.
History: 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15503 Rescinded.
History: 2013 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15504 Rescinded.
History: 2013 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15505
Source: 2018 AACS.

R 339.15506 HSW subjects for continuing education.

Rule 506. The following continuing education subjects are approved HSW Subjects: (a) Practice management in 1 of the following topics:

(i) Applicable laws and regulations.
(ii) Ethics.
(iii) Insurance to protect owner and public.
(iv) Business management.
(v) Risk management.
(vi) Design for community needs.
(vii) Supervisor training.

(b) Project management in 1 of the following topics:

(i) Project delivery methods.
(ii) Contract negotiation.
(iii) Pre-design services.
(iv) Site and soils analysis.
(v) Consultant management.
(vi) Project scheduling.
(vii) Quality control.
(viii) Economic assessment.
(ix) Value engineering.

(c) Programing and analysis in 1 of the following topics:

(i) Land-use analysis.
(ii) Programming.
(iii) Site selection.
(iv) Historic preservation.
(v) Adaptive reuse.
(vi) Codes, regulations, and standards.
(vii) Natural resources.
(viii) Hazardous materials.
(ix) Resiliency.
(x) Life safety.
(xi) Feasibility studies.

(d) Project planning and design in 1 of the following topics:

(i) Building systems.
(ii) Urban planning.
(iii) Master planning.
(iv) Building design.
(v) Site design.
(vi) Safety and security measures.
(vii) Energy efficiency.
(viii) Sustainability.
(ix) Indoor air quality.
(x) Ergonomics.
(xi) Lighting.
(xii) Acoustics.
(xiii) Accessibility.
(xiv) Construction systems.
(xv) Budget development.

(e) Project development and documentation in 1 of the following topics:

(i) Construction documents.
(ii) Materials and assemblies.
(iii) Fixtures, furnishings, and equipment.

(f) Construction and evaluation in 1 of the following topics:

(i) Construction contract administration.
(ii) Bidding and negotiation.

(iii) Post occupancy evaluation.
(iv) Building commissioning.
History: 2013 AACS; 2018 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

R 339.15507 Rescinded.
History: 2013 AACS; 2020 MR 4, Eff. Feb. 20, 2020.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROFESSIONAL ENGINEERS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.16001 Definitions.
Rule 1. (1) As used in these rules:
(a) "Act" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(b) "Board" means the Michigan board of professional engineers created under section 2002 of the act, MCL 339.2002.
(c) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.
(d) "Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice.
(e) "Department" means the Michigan department of licensing and regulatory affairs.
(2) Terms defined in the act have the same meanings when used in these rules.
History: 1985 AACS; 2008 AACS; 2013 AACS; 2014 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16002
Source: 1998-2000 AACS.

R 339.16003
Source: 2014 AACS.

R 339.16004
Source: 2001 AACS.

R 339.16006
Source: 1985 AACS.

PART 2. LICENSURE

R 339.16021 Educational requirement.
Rule 21. An applicant for licensure shall submit to the department 1 of the following to satisfy the educational requirement under the act:
(a) Transcripts verifying that he or she received a baccalaureate degree or higher degree in engineering from a program accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET) or the Canadian Engineering Accreditation Board (CEAB).
(b) Transcripts verifying that he or she received a master's degree or doctorate in engineering from a school and program with an EAC/ABET-accredited or a CEAB-accredited baccalaureate degree program that is in the same engineering discipline as his or her master's degree or doctorate.
(c) A credentials evaluation from the National Council of Examiners for Engineering and Surveying (NCEES) that verifies all of the following:
(i) The applicant for licensure received either of the following:
(A) A baccalaureate degree in engineering from a non-United States-based program.
(B) A master's degree or doctorate in engineering from a non-EAC/ABET-accredited program.
(ii) The applicant for licensure completed not less than 32 college semester credit hours in the areas of mathematics and

science.
(iii) The applicant for licensure completed not less than 48 college semester credit hours in engineering science or engineering design courses that satisfy the course requirements established under the NCEES Engineering Education Standard.
(d) A credentials evaluation that verifies he or she received a baccalaureate degree in engineering from an educational program that is substantially equivalent to an EAC/ABET-accredited baccalaureate degree program in engineering. The credentials evaluation must be generated by a company that is a current member of the National Association of Credential Evaluation Services (NACES).
History: 1985 AACS; 2008 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16022 Professional engineering experience; credit for work experience; credit for educational experience.
Rule 22. (1) Pursuant to section 2004(2)(a) of the act, MCL 339.2004(2)(a), an applicant for professional engineer licensure shall document at least 8 years of professional experience in engineering work, including not more than 5 years of education granted under subrule (4) of this rule. An applicant shall satisfy the requirements of this rule to receive credit for professional experience.
(2) An applicant for licensure shall submit either of the following to the department to receive credit for professional experience in engineering work:
(a) Proof acceptable to the department verifying that he or she has obtained not less than 4 years of experience practicing as a licensed or registered professional engineer in another state.
(b) All of the following:
(i) The dates of performing engineering work that qualifies as professional experience under subrule (3) of this rule.
(ii) The supervising individual's name and license or registration number and the state in which the supervising individual is licensed or registered as a professional engineer.
(iii) Documentation from the supervising individual attesting to the work experience, dates of work, and supervision.
(3) Engineering work that satisfies all of the following requirements qualifies as professional experience:
(a) The work involves the use of engineering principles and data.
(b) The work is in the form of consultation, investigation, evaluation, planning, design, or review of materials or completed phases of work in the construction, alteration, or repair in connection with a public or private utility, structure, building, machine, equipment, process, work, or project.
(c) The work is performed while under the direction of a professional engineer licensed in Michigan or licensed or registered in another state.
(4) The department shall grant not more than 5 years of professional experience credit to an applicant holding a degree that satisfies the requirements under R 339.16021. Credit shall be limited to the following amounts:
(a) Not more than 4 years of professional experience for a baccalaureate degree in engineering. Experience shall be granted for only 1 baccalaureate degree.
(b) Not more than 1 year of professional experience for a post-baccalaureate degree in engineering. Experience shall be granted for only 1 post-baccalaureate degree.
History: 1985 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16023
Source: 1998-2000 AACS.

R 339.16024 Rescinded.
History: 1985 AACS; 2014 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16025 Relicensure requirements.
Rule 25. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the act, MCL 339.411(3), by satisfying all of the following requirements:
(a) Submitting a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Submitting proof to the department verifying that he or she has completed 15 hours of continuing education in activities approved under R 339.16041 during the 12 months immediately preceding the date of filing the relicensure application. If the department determines that the amount of continuing education hours submitted with the application is deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.
(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the act, MCL 339.411(4), by satisfying all of the following requirements:
(a) Submitting a completed application on a form provided by the department.

(b) Paying the required fee to the department.
(c) Establishing that he or she has met all of the requirements for initial licensure under the act and these rules.
(d) Submitting proof to the department verifying that he or she has completed 30 hours of continuing education in activities approved under R 339.16041 during the 24 months immediately preceding the date of filing the relicensure application. If the department determines that the amount of continuing education hours submitted with the application is deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.
History: 1985 AACS; 2008 AACS; 2014 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

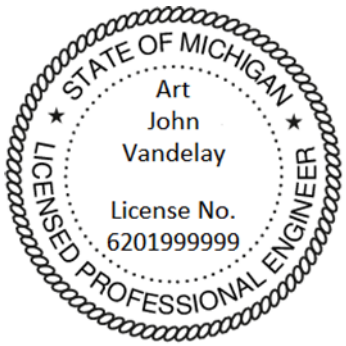
R 339.16026 Examination requirements.
Rule 26. An applicant for professional engineer licensure shall submit to the department both of the following to satisfy the examination requirements under the act:
(a) Verification that he or she achieved a passing score as determined by NCEES on either of the following examinations:
(i) The NCEES Principals and Practice of Engineering examination.
(ii) Both components of the NCEES Structural Engineering examination, known as SE-I and SE-II.
(b) Verification of either of the following:
(i) He or she achieved a passing score as determined by NCEES on the NCEES Fundamentals of Engineering examination.
(ii) He or she received a doctorate in engineering from a school and program with an EAC/ABET-accredited or a CEAB-accredited baccalaureate degree program that is in the same engineering discipline as his or her doctorate in engineering.
History: 2008 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

PART 3. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.16031 Professional conduct; requirements; restrictions.
Rule 31. (1) A licensee shall comply with all of the rules of conduct under this part.
(2) A licensee shall do all of the following:
(a) If he or she is the person in responsible charge, he or she shall notify his or her employer or client, and any other appropriate authority when his or her judgment is overruled under circumstances that endanger life or property.
(b) If he or she is not the person in responsible charge, he or she shall notify the person in responsible charge when his or her judgment is overruled under circumstances that endanger life or property.
(c) Participate in phases of a project in which he or she is competent.
(d) Undertake assignments in which he or she is qualified by education or experience in the specific technical field involved.
(e) Complete, sign, seal, or approve engineering documents that conform with the law and applicable professional standards.
(f) Be objective and truthful in professional reports, statements, or testimony and include all relevant and pertinent information in these reports, statements, or testimony.
(g) Disclose to an employer, client, or public body on which he or she serves all known or potential conflicts of interest that could influence or appear to influence his or her judgment or the quality of his or her services.
(3) A licensee shall not do any of the following:
(a) Disclose confidential information obtained in a professional capacity without the prior consent of the client or employer, unless authorized or required by law or these rules.
(b) Partner, practice, or offer to practice with any person or firm or assist any person or firm that he or she knows is engaged in fraudulent or dishonest business or professional practices or the unlawful practice of professional engineering.
(c) Falsify his or her qualifications or the qualifications of his or her associates or permit misrepresentations of his or her qualifications or the qualifications of his or her associates.
(d) Misrepresent or exaggerate his or her experience or qualifications.
(e) Knowingly make statements containing a material misrepresentation of fact or omitting a material fact or knowingly make statements that deceive the public.
(f) Attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensed professional engineers.
(g) Give or offer to give, directly or indirectly, to a client, potential client, the agent of a client, or the agent of a potential client, a commission, contribution, gift, or other valuable consideration to secure or retain engineering work. This restriction does not include payments to an employment agency for securing employment or employees for salaried positions.
(h) Solicit or accept a compensation, contribution, gift, or other valuable consideration, directly or indirectly, from more than 1 party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.
(i) Solicit or accept a commission, contribution, gift, or other valuable consideration, directly or indirectly, from other parties dealing with his or her clients or employers, or from outside agents who have no dealings with his or her client or employer, in

connection with the work for which he or she is responsible, unless the circumstances are fully disclosed and agreed to by all interested parties.
(j) Solicit or accept a commission, contribution, gift, or other valuable consideration, directly or indirectly, under circumstances in which his or her judgment may be compromised.
(k) Complete, sign, seal, or approve engineering documents that do not conform with the law or applicable professional standards.
(4) Work for which the licensee is responsible, the procedures followed, and the decisions made by persons under the licensee's supervision must be subject to sustained review and approval by the licensee.
History: 1985 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16032 Professional engineer seal.
Rule 32. (1) Effective 2 years after the promulgation of this rule, the seal of a professional engineer must include the licensee's full name and license number, as shown on his or her state-issued professional engineer license, and indicate "State of Michigan" and "Licensed Professional Engineer" in the legend surrounding the seal. The seal must have a design substantially similar to figure 32 below.
(2) A licensee's seal shall be used by the licensee whose name appears on the seal for as long as the license remains in effect. A licensee is responsible for the security of his or her seal.
FIGURE 32



History: 1985 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16033 Rescinded.
History: 1985 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16034 Rescinded.
History: 1985 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

PART 4. LICENSE RENEWAL AND CONTINUING EDUCATION

R 339.16040 Continuing education required for renewal; certification of compliance; document retention; continuing education waiver.
Rule 40. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 30 hours of continuing education in activities approved under R 339.16041 during the 2-year period immediately preceding the expiration date of the license.
(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.16041.
(3) A licensee shall retain documentation of satisfying the requirements of this rule and R 339.16041 for a period of 4 years from the date of filing the application for license renewal.
(4) A licensee is subject to audit under this part and may be required to submit documentation as described by R 339.16041 upon request of the department.
(5) A request for a continuing education waiver pursuant to section 204(2) of the act, MCL 339.204(2), must be received by the department before the expiration date of the license.
History: 2013 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16041 Acceptable continuing education; limitations.

Rule 41. (1) The department shall grant credit for in-person or online continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Continuing Education Hours Granted for Activity
(a)	Completing a continuing education program or activity related to professional engineering that is approved or offered for continuing education credit by any of the following: Another state's board of engineers. A professional engineering association, organization, or society. NCEES. ABET. If audited, a licensee shall submit documentation or certificate of completion showing the licensee's name, total continuing education credits earned, sponsor name and contact information, program title, and the date the program was held or completed.	The number of continuing education hours approved by the approving entity are granted for this activity.
(b)	Passing an academic course related to professional engineering offered by a college or university that offers a baccalaureate degree or higher degree in an engineering program that is accredited by EAC/ABET or CEAB. If audited, a licensee shall submit a copy of the transcript showing the number of credit hours of the academic courses related to professional engineering.	Fifteen continuing education hours are granted for each semester credit or 10 continuing education hours are granted for each quarter credit.
(c)	Attending a seminar, in-house course, workshop, or professional or technical presentation related to professional engineering. If audited, the licensee shall submit a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the presentation.	One continuing education hour is granted for every 50 minutes attending the activity.
(d)	Teaching, instructing, or presenting a subject related to professional engineering. If audited, a license shall submit documentation by the college or university confirming the licensee as the teacher, instructor, or presenter of the academic course, the dates of the course or presentation, the number of classroom hours spent teaching, instructing, or presenting, and the course title.	Two continuing education hours are granted for every 50 minutes of teaching, instruction or presenting. A maximum of 12 continuing education hours are granted for this activity during each renewal period.
(e)	Publication of a peer-reviewed paper, article, or book related to professional engineering. If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	Six continuing education hours are granted for this activity. Credit is not granted for multiple publications of the same peer-review paper, article, or book.

		A maximum of 18 continuing education hours are granted for this activity during each renewal period.
(f)	Serving as a voting member on a state or national committee, board, council, or association related to professional engineering. To receive credit, a licensee must participate in at least 50% of the regularly scheduled meetings of the committee, board, council, or association. If audited, a licensee shall submit documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association and provide verification of the licensee's status as a voting member on the committee, board, council, or association.	Three continuing education hours are granted for the year in which the licensee serves as a member. A maximum of 6 continuing education hours are granted for this activity during each renewal period.
(g)	Attending a Michigan board of professional engineers meeting. To receive credit, the licensee shall obtain a form provided by the department from a department employee present at the meeting and have that employee complete, sign, and date the form. The licensee shall present a valid government-issued photo identification to the department employee for verification. If audited, the licensee shall submit a copy of the form completed, signed, and dated by the department employee who was present at the meeting.	One continuing education hour is granted for each meeting attended. A maximum of 6 continuing education hour are granted for this activity during each renewal period.
(h)	Serving as a school-sponsored mentor to an engineering student in a school-sponsored program. To receive credit, this activity must not be part of the licensee's regular job description. If audited, the licensee shall submit a letter from an authorized official from the school verifying the licensee's role and the number of mentoring hours the licensee provided.	Four continuing education hours are granted for this activity. A maximum of 8 continuing education hours are granted for this activity during each renewal period.
(i)	Participating in a company-sponsored or hosted seminar or training that is designed to enhance professional development in the licensee's area of professional practice. If audited, a licensee shall submit documentation or a certificate of completion issued by the company presenting the seminar or training showing the licensee's name, company name, subject of seminar or training, and the date on which the seminar or training was held.	One continuing education hour is granted for every 50 minutes of the seminar or training.

(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education hours during the renewal period.
(3) Not more than 12 continuing education hours shall be earned during a 24-hour period.
History: 2013 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16042 Rescinded.
History: 2013 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16043 Rescinded.
History: 2013 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

R 339.16044 Rescinded.
History: 2013 AACS; 2020 MR 23, Eff. Dec. 10, 2020.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROFESSIONAL SURVEYORS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.17101 Definitions.
Rule 101. (1) As used in these rules:
(a) "Act" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(b) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.
(c) "Department" means the department of licensing and regulatory affairs.
(2) Terms defined in the act have the same meanings when used in these rules.
History: 1985 AACS; 1995 AACS; 2013 AACS; 2014 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17102
Source: 1997 AACS.

R 339.17103
Source: 2014 AACS.

R 339.17104
Source: 2001 AACS.

R 339.17105
Source: 1985 AACS.

PART 2. EDUCATION, EXPERIENCE, AND EXAMINATIONS

R 339.17201 Educational requirements.
Rule 201. An applicant for a professional surveyor license shall submit 1 of the following to satisfy the educational requirements under the act:
(a) Transcripts verifying that he or she received a baccalaureate degree or higher degree in a surveying program accredited by any of the following:
(i) The Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET).
(ii) The Engineering Technology Accreditation Commission of ABET (ETAC/ABET).
(iii) The Applied and Natural Science Accreditation Commission of ABET (ANSAC/ABET).
(b) A National Council of Examiners for Engineering and Surveying (NCEES) credentials evaluation that verifies he or she received a baccalaureate degree or higher degree and meets the NCEES surveying core program requirements found in the NCEES Surveying Education Standard.
(c) A credentials evaluation that verifies he or she received a baccalaureate degree or higher degree in surveying from an educational program that is substantially equivalent to a baccalaureate degree or higher degree program that is accredited by EAC/ABET, ETAC/ABET, or ANSAC/ABET. The credentials evaluation must be generated by a company that is a current member of the National Association of Credential Evaluation Services (NACES).
History: 1985 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17202 Professional surveying experience; verification; educational credit for experience.

Rule 202. (1) Pursuant to section 2004(3)(a) of the act, MCL 339.2004(3)(a), an applicant for a professional surveyor license shall document at least 8 years of professional experience in professional surveying, including not more than 5 years of education. An applicant shall satisfy the requirements of this rule to receive credit for professional experience.
(2) Professional surveying work that is performed while under the supervision of a professional surveyor who is licensed or registered in Michigan or another state and involves work in 1 or more of the following areas qualifies as professional experience:
(a) Providing professional services such as consultation, investigation, testimony, evaluation, planning, mapping, assembling, and interpreting reliable scientific measurements and information relative to the location, size, shape, or physical features of the earth, improvements on the earth, the space above the earth, or any part of the earth, and the utilization and development of these facts and interpretations into an orderly survey map, plan, report, description, or project.
(b) Land surveying, which is the surveying of an area for its correct determination or description for its conveyance or for the establishment or reestablishment of a land boundary and the designing or design coordination of the plotting of land and the subdivision of land.
(c) Geodetic surveying, which includes surveying for a determination of the size and shape of the earth, both horizontally and vertically, and the precise positioning of points on the earth utilizing angular and linear measurements through spatially oriented spherical geometry.
(d) Utilizing and managing land information systems through the establishment of datums and local coordinate systems and points of reference.
(e) Engineering and architectural surveying for design and construction layout of infrastructure.
(f) Cartographic surveying for the making of maps, including topographic and hydrographic mapping.
(3) An applicant for a professional surveyor license shall submit to the department 1 of the following to receive credit for professional experience:
(a) Proof acceptable to the department verifying that he or she has obtained not less than 4 years of experience practicing as a licensed or registered professional surveyor in another state.
(b) All of the following:
(i) The dates of performing work that satisfies the requirements under subrule (2) of this rule.
(ii) The supervising individual's name, license or registration number, and state in which the supervising individual is licensed or registered as a professional surveyor.
(iii) Documentation from the supervising individual attesting to the work experience, supervision, and the dates of work and supervision.
(4) The department shall grant not more than 5 years of professional experience in professional surveying to an applicant holding a degree that satisfies the requirements under R 339.17201. Credit must be granted in the following amounts:
(a) Not more than 4 years of professional experience must be granted for a baccalaureate degree. Experience must be granted for only 1 baccalaureate degree.
(b) Not more than 1 year of professional experience must be granted for a post-baccalaureate degree. Experience must be granted for only 1 post-baccalaureate degree.
History: 1985 AACS; 1995 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17203 Examination requirements.
Rule 203. An applicant for a professional surveyor license shall satisfy all of the following to meet the examination requirements under the act: -
(a) Achieve a passing score on the Fundamentals of Surveying Examination administered by NCEES. A passing score on the exam must be determined by NCEES.
(b) Achieve a passing score on the Principles and Practice of Surveying Examination administered by NCEES. A passing score on the exam must be determined by NCEES.
(c) Achieve a passing score on the Michigan Professional Surveying Examination. A passing score on the exam must be determined by the department's chosen administrator of the exam.
History: 1985 AACS; 1993 AACS; 2013 AACS; 2020 MR 14, Eff. July 23, 2020.

PART 3. PROFESSIONAL SURVEYOR SEAL AND RELICENSURE

R 339.17301 Professional Surveyor Seal.
Rule 301. (1) Effective 60 days after the promulgation of this rule, the seal of a professional surveyor must include the licensee's full name and license number, as shown on his or her state-issued professional surveyor license, and indicate "State of Michigan" and "Licensed Professional Surveyor" in the legend surrounding the seal. The seal must have a design substantially similar to Figure 301 below.

(2) A licensee's seal must be used by the licensee whose name appears on the seal for so long as the license remains in effect. A licensee is responsible for the security of his or her seal.
FIGURE 301

History: 1985 AACS; 1995 AACS; 2014 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17302
Source: 2014 AACS.

R 339.17303 Relicensure.
Rule 303. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the act, MCL 339.411(3), by satisfying all of the following requirements.
(a) Submitting a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Submitting proof to the department that he or she completed 15 hours of continuing education, 1 of which must be in the area of professional ethics related to surveying, in activities approved under R 339.17506 during the 1-year period immediately preceding the date of filing the relicensure application. If the department determines that the amount of the continuing education hours submitted with the application is deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.
(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the act, MCL 339.411(4), by satisfying all of the following requirements:
(a) Submitting a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Establishing that he or she has met all of the requirements for initial licensure under the act and these rules.
(d) Submitting proof to the department verifying that he or she completed 30 hours of continuing education, 2 of which must be in the area of professional ethics related to surveying, in activities approved under R 339.17506 during the 2-year period immediately preceding the date of filing the relicensure application. If the department determines that the amount of the continuing education hours submitted with the application are deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.
History: 2020 MR 14, Eff. July 23, 2020.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.17401
Source: 1995 AACS.

R 339.17402
Source: 1985 AACS.

R 339.17403
Source: 1995 AACS.

R 339.17404
Source: 2014 AACS.

PART 5. CONTINUING EDUCATION

R 339.17505 Continuing education; license renewal; requirements.

Rule 505. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 30 hours of continuing education during the 2-year period immediately preceding the expiration date of the license and satisfy both of the following requirements:

(a) Obtain 2 of the 30 hours of continuing education in an activity that focuses on the area of professional ethics related to surveying. The professional ethics related to surveying is not required to focus on areas specific to Michigan administrative rules or statutes.

(b) Obtain all of the 30 hours of continuing education in activities that satisfy the requirements under R 339.17506.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.17506.

(3) A licensee shall retain documentation of satisfying the requirements of this rule and R 339.17506 for a period of 4 years from the date of filing the application for license renewal.

(4) A licensee is subject to audit under this part and may be required to submit documentation as described by R 339.17506 upon request of the department.

(5) A request for a continuing education waiver pursuant to section 204(2) of the act, MCL 339.204(2), must be received by the department before the expiration date of the license.

History: 2013 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17506 Acceptable continuing education; limitations.

Rule 506. (1) The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Continuing Education Credits for the Activity
(a)	Completing a continuing education program or activity related to professional surveying that is approved or offered for continuing education credit by another state board of professional surveyors. If audited, a licensee shall submit documentation or certificate of completion showing the licensee's name, total continuing education credits earned, sponsor name and contact information, program title, and the date the program was held or completed.	The number of continuing education credits approved by the approving entity must be granted for this activity.
(b)	Passing an academic course related to professional surveying from a baccalaureate degree or higher degree surveying program that is accredited by EAC/ABET, ETAC/ABET, or ANSAC/ABET. If audited, a licensee shall submit a copy of the transcript showing credit hours of the academic courses related to surveying.	Fifteen continuing education credits must be granted for each semester credit or 10 continuing education credits must be granted for each quarter credit.
(c)	Attending a seminar, in-house course, workshop, or professional or technical presentation related to surveying. If audited, the licensee shall submit a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the presentation.	One continuing education credit must be granted for every 50 minutes of continuous instruction.
(d)	Presenting a seminar, in-house course, workshop, or professional or technical presentation related to surveying. A licensee shall not receive credit for a presentation offered as part of their regular job description or duties.	Two continuing education credits must be granted for every 50 minutes of continuous instruction.

	If audited, the licensee shall submit a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the presentation.	
(e)	Teaching, instructing, or presenting a subject related to professional surveying that is part of an academic course related to surveying that is offered at a college or university. If audited, a licensee shall submit documentation by the college or university confirming the licensee as the teacher, instructor, or presenter of the academic course, the dates of the course or presentation, number of classroom hours spent teaching, instructing, or presenting, and the course title.	Two continuing education credits must be granted for every 50 minutes of continuous instruction.
(f)	Initial publication of a peer-reviewed paper, article, or book related to surveying. If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	Six continuing education credits must be granted for this activity.
(g)	Serving as a voting member on a state or national surveying committee, board, council, or association. To receive credit, a licensee shall participate in at least 50% of the regularly scheduled meetings of the committee, board, council, or association. If audited, a licensee shall submit documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.	Three continuing education credits must be granted for the year in which the licensee serves as a member.
(h)	Attending a Michigan board of professional surveyors meeting. To receive credit, the licensee shall obtain a form provided by the department from a department employee present at the meeting and have that employee complete, sign, and date the form. The licensee shall present a valid government-issued photo identification to the department employee for verification. If audited, the licensee shall submit a copy of the form completed, signed, and dated by the department employee who was present at the meeting.	One continuing education credit must be granted for each meeting attended.
(i)	Serving as a school-sponsored mentor to a surveying student in a school-sponsored program. To receive credit, this activity shall not be part of the licensee's regular job description. If audited, the licensee shall submit a letter from an authorized official from the school verifying the licensee's role and the number of mentoring hours the licensee provided.	Four continuing education credits must be granted for this activity.
(j)	Obtaining patents related to surveying.	Ten continuing education hours must be granted for each approved patent.

(2) Continuing education credits must not be granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education credits during the renewal period.

(3) Not more than 12 continuing education credits must be earned during a 24-hour period.
(4) As used in this rule, “continuous instruction" means the time spent completing an activity not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.
History: 2013 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17507 Rescinded.
History: 2013 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17508 Rescinded.
History: 2013 AACS; 2020 MR 14, Eff. July 23, 2020.

R 339.17509 Rescinded.
History: 2013 AACS; 2020 MR 14, Eff. July 23, 2020.

FORESTERS

PART 1. GENERAL PROVISIONS

R 339.18001
Source: 2014 AACS.

R 339.18005
Source: 2014 AACS.

R 339.18007
Source: 2014 AACS.

PART 2. REGISTRATION

R 339.18021
Source: 1998-2000 AACS.

R 339.18023
Source: 2014 AACS.

R 339.18025
Source: 2014 AACS.

R 339.18027
Source: 2014 AACS.

R 339.18029
Source: 1998-2000 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.18031
Source: 2014 AACS.

R 339.18035
Source: 2014 AACS.

MORTUARY SCIENCE

PART 1. GENERAL PROVISIONS

R 339.18901
Source: 2014 AACS.

R 339.18905
Source: 2014 AACS.

R 339.18919
Source: 1991 AACS.

PART 2. LICENSING

R 339.18921
Source: 2001 AACS.

R 339.18923
Source: 1998-2000 AACS.

R 339.18925
Source: 1991 AACS.

R 339.18927
Source: 2001 AACS.

R 339.18929
Source: 2014 AACS.

PART 3. STANDARDS OF OPERATIONS

R 339.18930
Source: 2001 AACS.

R 339.18931
Source: 2014 AACS.

R 339.18933
Source: 1991 AACS.

R 339.18937
Source: 1991 AACS.

PART 4. STANDARDS OF CONDUCT

R 339.18941
Source: 2014 AACS.

R 339.18943
Source: 1991 AACS.

R 339.18945
Source: 1991 AACS.

R 339.18947
Source: 2014 AACS.

LANDSCAPE ARCHITECTS

PART 1. GENERAL PROVISIONS

R 339.19001
Source: 2014 AACS.

R 339.19005
Source: 1998-2000 AACS.

R 339.19007
Source: 2014 AACS.

R 339.19020
Source: 1983 AACS.

PART 2. REGISTRATION

R 339.19021
Source: 1998-2000 AACS.

R 339.19023
Source: 1983 AACS.

R 339.19025
Source: 1991 AACS.

R 339.19027
Source: 2014 AACS.

PART 3. EXAMINATIONS

R 339.19031
Source: 1998-2000 AACS.

R 339.19033
Source: 1998-2000 AACS.

R 339.19035
Source: 1998-2000 AACS.

R 339.19037
Source: 1998-2000 AACS.

R 339.19039
Source: 1998-2000 AACS.

PART 4. STANDARDS OF CONDUCT

R 339.19041
Source: 1983 AACS.

R 339.19045
Source: 2014 AACS.

R 339.19049
Source: 2014 AACS.

PART 1. GENERAL PROVISIONS

R 339.20001
Source: 2014 AACS.

R 339.20002
Source: 2014 AACS.

R 339.20009
Source: 2014 AACS.

PART 2. REGISTRATION

R 339.20011
Source: 2014 AACS.

R 339.20013
Source: 2014 AACS.

R 339.20015
Source: 2014 AACS.

R 339.20017
Source: 2014 AACS.

R 339.20018
Source: 2014 AACS.

R 339.20019
Source: 2014 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.20031
Source: 2014 AACS.

R 339.20033
Source: 2014 AACS.

R 339.20035
Source: 2014 AACS.

R 339.20037
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

REAL ESTATE BROKERS AND SALESPERSONS - GENERAL RULES

R 339.22101
Source: 2018 AACS.

R 339.22103
Source: 2014 AACS.

R 339.22199
Source: 1991 AACS.

R 339.22201
Source: 2018 AACS.

R 339.22203
Source: 2018 AACS.

R 339.22205
Source: 2017 AACS.

R 339.22207
Source: 2017 AACS.

R 339.22209
Source: 2014 AACS.

R 339.22211
Source: 2017 AACS.

R 339.22213
Source: 2014 AACS.

R 339.22215
Source: 2017 AACS.

R 339.22217
Source: 2018 AACS.

R 339.22219
Source: 2018 AACS.

R 339.22221
Source: 2018 AACS.

R 339.22301
Source: 2017 AACS.

R 339.22305
Source: 2002 AACS.

R 339.22307
Source: 2002 AACS.

R 339.22309
Source: 2017 AACS.

R 339.22310
Source: 2017 AACS.

R 339.22311
Source: 2017 AACS.

R 339.22313
Source: 2018 AACS.

R 339.22315
Source: 2018 AACS.

R 339.22317
Source: 2017 AACS.

R 339.22319
Source: 2017 AACS.

R 339.22321
Source: 2002 AACS.

R 339.22323
Source: 2017 AACS.

R 339.22325
Source: 2017 AACS.

R 339.22327
Source: 2017 AACS.

R 339.22329
Source: 2017 AACS.

R 339.22333
Source: 2002 AACS.

R 339.22335
Source: 1997 AACS.

R 339.22337
Source: 2014 AACS.

R 339.22339
Source: 2017 AACS.

R 339.22401
Source: 2017 AACS.

R 339.22403
Source: 1997 AACS.

R 339.22405
Source: 2017 AACS.

R 339.22501
Source: 2013 AACS.

R 339.22503
Source: 2013 AACS.

R 339.22505
Source: 2013 AACS.

R 339.22507
Source: 2013 AACS.

R 339.22509
Source: 2013 AACS.

R 339.22511
Source: 2013 AACS.

R 339.22513
Source: 2013 AACS.

R 339.22515
Source: 2013 AACS.

R 339.22517
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R 339.22519
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R 339.22521
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R 339.22523
Source: 2013 AACS.

R 339.22525
Source: 2013 AACS.

R 339.22527
Source: 2013 AACS.

R 339.22529
Source: 2013 AACS.

R 339.22601
Source: 2018 AACS.

R 339.22602
Source: 2018 AACS.

R 339.22603
Source: 2018 AACS.

R 339.22604
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R 339.22605
Source: 2018 AACS.

R 339.22606
Source: 2018 AACS.

R 339.22607
Source: 2018 AACS.

R 339. 22609
Source: 2018 AACS.

R 339.22611
Source: 2018 AACS.

R 339.22613
Source: 2018 AACS.

R 339.22615
Source: 2014 AACS.

R 339.22617
Source: 2018 AACS.

R 339.22618
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Rule 339.22619
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R 339.22620
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R 339.22621
Source: 2018 AACS.

R 339.22622
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R 339.22623
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R 339.22624
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R 339.22625
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R 338.22626
Source: 2018 AACS.

R 339.22627
Source: 2018 AACS.

R 339.22628
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R 339.22629
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R 339.22630
Source: 2018 AACS.

R 339.22631
Source: 2018 AACS.

R 339.22632
Source: 2018 AACS.

R 339.22633
Source: 2002 AACS.

R 339.22635
Source: 2002 AACS.

R 339.22637
Source: 2002 AACS.

R 339.22639
Source: 2007 AACS.

R 339.22641
Source: 2007 AACS.

R 339.22643
Source: 1991 AACS.

R 339.22645
Source: 2018 AACS.

R 339.22647
Source: 2014 AACS.

R 339.22651
Source: 2014 AACS.

R 339.22652
Source: 2014 AACS.

R 339.22653
Source: 2007 AACS.

R 339.22654
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R 339.22655
Source: 2007 AACS.

R 339.22657
Source: 2014 AACS.

R 339.22659
Source: 2014 AACS.

R 339.22661
Source: 2002 AACS.

R 339.22663
Source: 2007 AACS.

R 339.22664
Source: 2007 AACS.

R 339.22665
Source: 2014 AACS.

R 339.22667

Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

REAL ESTATE APPRAISERS - GENERAL RULES

R 339.23101
Source: 2014 AACS.

R 339.23102
Source: 2016 AACS**.**

R 339.23103
Source: 2014 AACS.

R 339.23201
Source: 2014 AACS.

R 339.23203
Source: 2018 AACS.

R 339.23305
Source: 2010 AACS.

R 339.23207
Source: 2002 AACS.

R 339.23301
Source: 2007 AACS.

R 339.23303
Source: 2007 AACS.

R 339.23305
Source: 1996 AACS.

R 339.23307
Source: 2007 AACS.

R 339.23309
Source: 2007 AACS.

R 339.23311
Source: 2007 AACS.

R 339.23313
Source: 1996 AACS.

R 339.23315
Source: 2007 AACS.

R 339.23316
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R 339.23317
Source: 2007 AACS.

R 339.23319
Source: 2007 AACS.

R 339.23320
Source: 2010 AACS.

R 339.23321
Source: 2007 AACS.

R 339.23323
Source: 2002 AACS.

R 339.23325
Source: 2010 AACS.

R 339.23326
Source: 2018 AACS.

R 339.23327
Source: 2010 AACS.