

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing

NOTICE OF PUBLIC HEARING

September 18, 2020

9:00 a.m.

Location: This meeting will be held virtually via Zoom pursuant to Executive Order 2020-132.

The hearing is held to receive public comments on the following administrative rules:

Occupational Code – Disciplinary Rules (MOAHR #2020-23 LR)

Authority: MCL 24.233 and MCL 339.205, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, MCL 445.2001, MCL 445.2011, and MCL 445.2030.

Overview: The proposed rules clarify definitions; clarify a licensee's or registrant's duty to report changes to his or her name, postal address, and electronic mail address; clarify the rule related to compliance conferences; rescind rules that are duplicative of statute; add rules regarding unlicensed activity; advise respondents about the service of a complaint or notice of hearing; advise a licensee or registrant that an investigation may include potential violations beyond those originally alleged; clarify when a contested case begins; and advise where and when pleadings should be filed after a complaint is issued.

Occupational Therapy – General Rules (MOAHR #2020 - 28 LR)

Authority: MCL 333.16145, MCL 333.16148, MCL 333.16204, MCL 333.18307, MCL 333.18309, MCL 333.18313; and Executive Reorganization Order No. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, MCL 445.2001, MCL 445.2011, and MCL 445.2030.

Overview: The proposed rules will rescind the rules pertaining to prohibited conduct and the English proficiency requirement; clarify when an applicant may sit for an examination; clarify that a limited license for supervised practice may be renewed 1 time; allow supervised practice experience to be supervised by an occupational therapist in or out of the state of Michigan; add a good standing provision to the relicensure and endorsement requirements; clarify the requirements for licensure for a graduate of a non-accredited postsecondary institutions; clarify that an applicant for licensure by endorsement must have an active license in another state; clarify the requirements for relicensure; and clarify that one-half of continuing education may be completed in person or through live webinars.

Real Estate Brokers and Salespersons- General Rules (MOAHR #2019-80 LR)

Authority: 339.205, 339.308, 339.2504, 339.2504a, 339.2505, 339.2512, and 339.2516a, and Executive Reorganization Order No. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, MCL 445.2001, MCL 445.2011, and MCL 445.2030

Overview: The proposed rules add and amend definitions; clarify required prelicensure education and experience requirements; clarify the impact on the license of a real estate salesperson or an associate real estate broker when the affiliated broker's dies or becomes disabled; clarify the licensee's duties pertaining to service agreements, delivery of an offer or acceptance, trust and escrow accounts, and licensee commissions; clarify prelicensure and continuing education requirements; and clarify a real estate school's duties related to its students and a student's records.

The rules will take effect immediately upon filing with the Secretary of State, unless specified otherwise in the rules. Comments on the proposed rules may be presented in person at the public hearing. **Written comments will also be accepted from date of publication until 5:00 p.m. on September 18, 2020, at the following address or e-mail address:**

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing– Boards and Committees Section
P.O. Box 30670
Lansing, MI 48909-8170
Attention: Policy Analyst Email: BPL-BoardSupport@michigan.gov

A copy of the proposed rules may be obtained by contacting Board Support at (517) 241-7500 or the email address noted above. Electronic copies also may be obtained at the following link:

<https://ars.apps.lara.state.mi.us/>

All members of the public may attend and participate in this meeting by visiting the following web link or dialing the number below at the time of the meeting.

Web Link: <https://zoom.us/j/91279939415?pwd=NVRtVGZ0d3orNWpQbW04L2IKSE05UT09>

Password for Video Connection: 448597

Phone number: 877-336-1831

Conference Code for audio connection: 486917

In the event of a disconnection caused by the meeting host, the public hearing will be deemed in recess. Every effort will be made to reestablish a publicly accessible connection. If the host is unable to do so within a period of 30 minutes from the time of the disconnection, the public hearing will adjourn and not address any new business. The public hearing will not recess or adjourn due to technical or other issues experienced by individual members of the public that render them unable to attend or participate in the meeting.

To allow for broad public attendance and participation, including for persons with disabilities, members of the public may access this meeting by both web and phone and provide either oral or

written comments. Closed captioning will be provided, when available. Members of the public who are speech or hearing impaired may also attend and participate in this meeting by dialing 7-1-1 and using the Michigan Relay service. More information about this service may be found at https://www.michigan.gov/mpsc/0,9535,7-395-93308_93325_93425_94040_94041---,00.html.

People with disabilities requiring additional accommodations (such as materials in alternative format) in order to participate in the meeting, or those that have questions should contact the department at BPL-BoardSupport@michigan.gov.