GRAPHIC IMAGES IN THE

MICHIGAN REGISTER

COVER DRAWING

*Michigan State Capitol:*

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

*Capitol Dome:*

The architectural rendering of the Michigan State Capitol’s dome is the work of Elijah E. Myers, the building’s renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers’ fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers’ designs for the Capitol were found in the building’s attic in the 1950’s. As part of the state’s 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

*East Elevation of the Michigan State Capitol:*

When Myers’ drawings were discovered in the 1950’s, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building’s recent restoration (1989-1992), this drawing was commissioned to recreate the architect’s original rendering of the east (front) elevation.

(Michigan Capitol Committee)
Michigan Register (ISSN 0892-3124). Published twice per month, with a cumulative index, by the Office of Regulatory Reinvention, pursuant to §24.208 of the Michigan Compiled Laws. Subscription $400.00 per year, postpaid to points in the U.S. First class postage paid at Lansing, Michigan. Direct all mail concerning subscriptions to Office of Regulatory Reinvention, Romney Building – Eight Floor, 111 S. Capitol, Lansing, MI 48909

Jeff Bankowski, Executive Director, Office of Performance and Transformation; Deidre O’Berry, Administrative Rules Specialist for Operations and Publications.
Rick Snyder, Governor

Brian Calley, Lieutenant Governor
PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

24.208 Michigan register; publication; cumulative index; contents; public subscription; fee; synopsis of proposed rule or guideline; transmitting copies to office of regulatory reform.

Sec. 8.

(1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

(a) Executive orders and executive reorganization orders.

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.

(f) Administrative rules filed with the secretary of state.

(g) Emergency rules filed with the secretary of state.

(h) Notice of proposed and adopted agency guidelines.

(i) Other official information considered necessary or appropriate by the office of regulatory reform.

(j) Attorney general opinions.

(k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall electronically transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.
4.1203 Michigan register fund; creation; administration; expenditures; disposition of money received from sale of Michigan register and amounts paid by state agencies; use of fund; price of Michigan register; availability of text on internet; copyright or other proprietary interest; fee prohibited; definition.

Sec. 203.

(1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.

(2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.

(3) The Michigan register fund shall be used to pay the costs of preparing, printing, and distributing the Michigan register.

(4) The department of management and budget shall sell copies of the Michigan register at a price determined by the office of regulatory reform not to exceed the cost of preparation, printing, and distribution.

(5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.

(6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.

(7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).

(8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).

(9) As used in this section, “Michigan register” means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

**CITATION TO THE MICHIGAN REGISTER**

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

**CLOSING DATES AND PUBLICATION SCHEDULE**

The deadlines for submitting documents to the Office of Regulatory Reinvention for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reinvention is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909.
RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE
The Michigan Administrative Code (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the Michigan Register. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the Register during a given calendar year. Emergency rules published in an issue of the Register are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION
The Michigan Register, a publication of the State of Michigan, is available for public subscription at a cost of $400.00 per year. Submit subscription requests to: Office of Regulatory Reinvention, Romney Building –Eight Floor, 111 S. Capitol Avenue, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reinvention (517) 335-8658.

INTERNET ACCESS
The Michigan Register can be viewed free of charge on the Internet web site of the Office of Regulatory Reinvention: www.michigan.gov/orr.

Issue 2000-3 and all subsequent editions of the Michigan Register can be viewed on the Office of Regulatory Reinvention Internet web site. The electronic version of the Register can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Jeff Bankowski, Executive Director,
Office of Performance and Transformation
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AG Opinion No. 7297
County commissioner and member of board of review

## EXECUTIVE ORDERS AND EXECUTIVE REORGANIZATION ORDERS

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BILLS SIGNED INTO LAW OR VETOED

Appendix Table 1 (2017 Session) (Legislative Service Bureau Pages (1-7)) .................. 79-79
MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the Office of Regulatory Reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the Office of Regulatory Reform.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

*   *   *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”
These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.


R 338.4902, R 338.4903, R 338.4906, R 338.4908, R 338.4914a, and R 338.4915 of the Michigan Administrative Code are amended, and R 338.4931 and R 338.4933 are added to the Code, to read as follows:

PART 1. GENERAL PROVISIONS

R 338.4902 Licensure by examination; requirements.
   Rule 2. An applicant for a Michigan veterinary license by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant to the code, an applicant shall meet the following requirements:
   (a) Have satisfied one of the following educational requirements:
      (i) Graduated from a board-approved veterinary college that satisfies the requirements of R 338.4908.
      (ii) Obtained a certificate from the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association.
      (iii) Obtained a certificate from the Program for the Assessment of Veterinary Education Equivalence from the American Association of Veterinary State Boards (AAVSB).
   (b) Have achieved a passing score on the examination adopted in R 338.4903. North American Veterinary Licensing Examination developed by the National Board of Veterinary Medical Examiners.

R 338.4903 Examinations; approval and adoption.
   Rule 3. The board approves and adopts the North American Veterinary Licensing examination developed by the National Board of Veterinary Medical Examiners International Council for Veterinary Assessment (ICVA) or its predecessor organization.

R 338.4906 Licensure by endorsement; requirements.
Rule 6. (1) An applicant for a Michigan veterinary license by endorsement shall submit a completed application on a form provided by the department together with the requisite required fee. An applicant shall meet the requirements of the code and the administrative rules promulgated pursuant to the code and shall satisfy the following requirements:

(2) An applicant shall have satisfied one of the following requirements:

(a) Possess current licensure as a veterinarian in another state of the United States.

(b) Have achieved a passing score on the examination adopted under R 338.4903 if the applicant has not been licensed as a veterinarian in another state for a minimum of 5 years.

(c) Have satisfied 1 of the following requirements:
   (a) Graduated from a board-approved veterinary college that satisfies R 338.4908.
   (b) Obtained a certificate from the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association.
   (c) Obtained a certificate from the Program of the Assessment of Veterinary Education Equivalence from the American Association of Veterinary State Boards AAVSB.

(3) If the applicant was first licensed in another state of the United States and engaged in the practice of veterinary medicine for a minimum of 5 years immediately preceding the date of filing an application for Michigan veterinary licensure, it is presumed that the applicant meets the requirements of section 16186(1)(a) of the code, MCL 333.16186(1)(a).

(4) If an applicant does not meet the requirements of subrule (3) of this rule, the applicant shall have been first licensed in another state of the United States after he or she achieved a score of pass on the North American Veterinary Licensing Examination developed by the National Board of Veterinary Medical Examiners.

(5) In addition to meeting the requirements of either subrule (3) or (4) of this rule, the applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinarian, which Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon against the applicant.

R 338.4908 Approval of veterinary colleges; adoption of standards.


(2) The standards for Accrediting Colleges of Veterinary Medicine adopted by the American Veterinary Medical Association Council on Education may be obtained, at no cost, from the American Veterinary Medical Association, 1931 North Meacham Road, Suite 100, Schaumburg, IL 60173 or at the association's website at http://www.avma.org. A copy of the handbook is available for inspection and distribution at cost from the Board of Veterinary Medicine, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

R 338.4914a Educational limited licenses.

Rule 14a. (1) An applicant for an educational limited license shall submit a completed application on a form provided by the department, together with the requisite required fee. In addition to meeting satisfying the requirements of the code and the administrative rules promulgated pursuant to the code, an applicant shall meet satisfy both of the following requirements:
(a) **Have Achieved** a passing score of pass on the North American veterinary licensing examination developed by the national board of veterinary medical examiners examination adopted in R 338.4903.

(b) **Be Admitted** as a student to a postgraduate training program at a college of veterinary medicine approved by the board that satisfies R 338.4908.

(2) The holder of an educational limited license shall not do either of the following:
(a) Engage in the practice of veterinary medicine outside of his or her postgraduate training program in the college of veterinary medicine approved by the board for the training.
(b) Hold himself or herself out to the public as being engaged in the private practice of veterinary medicine.

R 338.4915 Relicensure.

Rule 15. (1) An applicant for relicensure whose license has been lapsed for less than 3 years under section 16201(3) of the code, MCL 333.16201(3), may be relicensed after submitting a completed application on a form provided by the department with the requisite fee. The applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant preceding the date of application for relicensure may be relicensed if the applicant satisfies all of the following requirements:
(a) Submits the required fee and a completed application on a form provided by the department.
(b) Be of good moral character.
(c) Submits proof to the department of accumulating not less than 45 hours of continuing education that satisfy the requirements of R 338.4933.

(2) An applicant for relicensure whose license has been lapsed for 3 years or more under section 16201(3) of the code, MCL 333.16201(3), may be relicensed after submitting a completed application on a form provided by the department with the requisite fee and satisfying either of the following requirements preceding the date of application for relicensure may be relicensed if the applicant satisfies all of the following requirements:
(a) Submits the required fee and a completed application on a form provided by the department.
(b) Be of good moral character.
(c) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174(3).
(d) Satisfies either of the following requirements:
(a) If the applicant had been licensed in another state of the United States and had legally engaged in the practice of veterinary medicine within the 3-year period immediately preceding the date of the application for relicensure, then the applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinarian. 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 applicant had not engaged in the practice of veterinary medicine within the 3-year period immediately preceding the date of the application for relicensure, then the applicant shall do both of the following:
(i) Have his or her licensure verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as
veterinarian, which includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(ii) (i) Take or retake the North American Veterinary License Examination developed by the National Board of Veterinary Medical Examiners (NBVME) Achieves a passing score on the examination adopted in R 338.4903 within 3 years preceding the application for relicensure, and achieve a score of pass as recommended by the NBVME.

(ii) Satisfies both of the following requirements:

(A) Presents evidence to the department that he or she held an active veterinarian license in another state at any time during the 3-year period immediately preceding the application for relicensure.

(B) Submits proof to the department of accumulating not less than 45 hours of continuing education that satisfy the requirements of R 338.4933.

(3) An applicant shall 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 as a veterinarian. Verification includes, but is not limited to, the record of any disciplinary action taken or pending against the applicant.

R 338.4931 License renewal; continuing education.

Rule 31. (1) This rule applies to an application for renewal of a veterinarian license that is filed for the renewal cycle beginning January 1, 2020.

(2) An applicant for license renewal who has been licensed for the 3-year period immediately preceding the application for renewal shall have completed at least 45 hours of continuing education that satisfy the requirements of R 338.4933 in the 3 years preceding the application for renewal.

(3) Submission of an application for renewal constitutes the applicant’s certification of compliance with the requirements of this rule. The department may require a licensee to submit evidence to demonstrate compliance with this rule.

(4) The licensee shall retain documentation of satisfying the requirements of this rule for a period of 4 years from the date of applying for license renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).

R 338.4933 Acceptable continuing education; requirements; limitations.

Rule 33. (1) The 45 hours of continuing education required pursuant to R 338.4931(2) for the renewal of a veterinarian license must satisfy all of the following:

(a) No more than 12 hours are earned during one 24-hour period.

(b) Credit for a continuing education program or activity that is identical or substantially identical to a program or activity for which the licensee has already earned credit during the renewal period are not granted.

(c) A minimum of 30 hours of continuing education is scientific in nature. Scientific in nature includes the science of diagnosis, treatment, and prevention of disease as it relates directly to a patient or topics such as public veterinary practice, epidemiology, food safety, public health, animal welfare, or antimicrobial stewardship.

(d) A minimum of 1 hour shall relate to medical records.

(e) A minimum of 1 hour shall relate to state veterinary law and/or federal or state controlled substance laws.

(f) A minimum of 10 hours shall be completed live and in-person.
(g) No more than 15 hours shall be earned collectively for activities (2)d-i.

(2) The following is acceptable continuing education:

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| a             | Attendance at or participation in a continuing education program or activity related to the practice of veterinary medicine or any non-clinical subject relevant to the practice of veterinary medicine, education, administration, management, or science which includes, but is not limited to, live, in-person programs; interactive or monitored teleconferences; audio-conferences; web-based programs; online programs; or journal articles or other self-study programs approved or offered by any of the following:  
  • American Association of Veterinary State Board (AAVSB) Registry of Continuing Education (RACE).  
  • American Animal Hospital Association (AAHA).  
  • American Veterinary Medical Association (AVMA).  
  • World Veterinary Association (WVA).  
  • Michigan Veterinary Medical Association (MVMA).  
  • A state veterinary board of another state. |
|               | The number of continuing education hours for a specific program or activity is the number of hours approved by the sponsor or approving organization for the specific program or activity. |
| b             | Attendance at or participation in a continuing education program or activity related to the practice of veterinary profession that is offered or approved by a local, state, or regional professional organization. This activity does not include activities that are approved for continuing education credit under activity code a. |
|               | One hour of continuing education credit is granted for each 50 to 60 minutes of presentation attended. A maximum number of 15 hours of continuing education may be earned for this activity in each renewal period. |

If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee’s name, number of continuing education hours earned, the sponsor’s name or the name organization that approved the activity, and the date on which the program was held or the activity completed.
| c | Attendance at or participation in a continuing education program or activity related to the practice of veterinary profession which includes but is not limited to: live, in-person programs; interactive or monitored teleconferences; audio-conferences; web-based programs; online programs; and journal articles or other self-study programs, approved or offered by any of the following:  
- American Medical Association.  
- Michigan State Medical Society.  
- Accreditation Council for Continuing Medical Education.  
If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee’s name, number of continuing education hours earned, the sponsor’s name or the name of the organization that approved the activity, and the date on which the program was held or the activity completed. |
| d | Initial presentation of a continuing education program related to the veterinary profession.  
To receive credit, the presentation must not be part of the licensee’s regular job description and must be approved or offered for continuing education by any of the following:  
- AAVSB – RACE.  
- AAHA.  
- AVMA.  
- WVA.  
- MVMA.  
- A state veterinary board of another state.  
- American Medical Association.  
- Michigan State Medical Society.  
- Accreditation Council for Continuing Medical Education.  
Two hours of continuing education is granted for each 50 to 60 minutes of presentation. No additional credit is granted for the preparation of the presentation. A maximum of 6 hours of continuing education may be earned for this activity in each renewal period. |
|   | Medical Education.  
|   | • American Osteopathic Association.  
|   | • Michigan Osteopathic Association.  
|   | • Michigan Pharmacy Association.  
|   | Initial presentation of a scientific exhibit, poster, paper, or clinical demonstration to a veterinary medicine or veterinary technician program.  
|   | To receive credit, the presentation must not be part of the licensee’s regular job description.  
|   | If audited, the licensee shall submit a copy of the document presented with evidence of the presentation or a letter from the program sponsor verifying the length and date of the presentation.  
| e | Initial publication of an article related to the practice of veterinary profession in a peer-reviewed journal.  
|   | If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.  
|   | Five hours of continuing education is granted for serving as the primary author. Two hours of continuing education is granted for serving as the secondary author. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.  
| f | Initial publication of a chapter related to the practice of veterinary profession in a professional or peer-reviewed text book.  
|   | If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.  
|   | Five hours of continuing education is granted for serving as the primary author. Two hours of continuing education is granted for serving as a secondary author. A maximum of 15 hours of continuing education may be earned for this activity in each renewal period.  
| g | Service as a clinical instructor for veterinary students engaged in an educational program that satisfies the requirements of R 338.4908.  
|   | To receive credit, the clinical instructorship must not be the licensee’s primary employment function.  
|   | Two hours of continuing education is granted for each 50 to 60 minutes of scheduled instruction. Additional credit for preparation of a lecture is not to be granted. A
<table>
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<tr>
<th></th>
<th>If audited, the licensee shall submit proof of scheduled instructional hours and a letter from the program director verifying the licensee’s role.</th>
<th>maximum of 15 hours may be earned for this activity in each renewal period.</th>
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<tr>
<td>h</td>
<td>Participation on a state or national committee, board, council, or association related to the veterinary profession. A committee, board, council, or association is considered acceptable by the board if it enhances the participant’s knowledge and understanding of the practice of veterinary medicine.</td>
<td>Two hours of continuing education is granted for each committee, board, council, or association. A maximum of 2 hours of continuing education may be earned for this activity in each renewal period.</td>
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<tr>
<td></td>
<td>If audited, the licensee shall submit documentation verifying the licensee’s participation in at least 75% of the regularly scheduled meetings of the committee, board, council, or association.</td>
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<tr>
<td>i</td>
<td>Provide individual supervision to a disciplinarily limited veterinarian.</td>
<td>One hour of continuing education credit is granted for each 50 to 60 minutes of supervision provided. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.</td>
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<td>If audited, the licensee shall provide documentation from the department confirming the number of hours and the dates that the licensee spent supervising the disciplinarily limited veterinarian.</td>
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</tbody>
</table>
NOTICE OF PUBLIC HEARING

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
NOTICE OF PUBLIC HEARING
September 29, 2017
9:00 a.m. – 11:00 a.m.
Location: G. Mennen Williams Building Auditorium
525 W. Ottawa Street, Lansing, Michigan

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


**Overview:** The proposed rules will change the renewal date for nursing licenses from April 1 to the date of issuance.

**Board of Nursing - General Rules (ORR 2017-037 LR)**

Authority: MCL 333.16145 and 333.17221

**Overview:** The proposed changes include: Revising current provisions for when a registered nurse or licensed practical nurse applicant can sit for the NCLEX examination and whether the applicant must sit for a review course; requiring applicants with lapsed licenses to establish good moral character and submit fingerprints; requiring graduates of non-accredited programs to have their education certified by the CGFNS prior to sitting for the NCLEX examination; adding definitions for the nursing education section of the rule set; updating self-study content requirements; permitting more than one cohort in a 12 month period; clarifying reporting schedules to adjust submission dates for nursing education reports and self-studies; clarifying the definition of a minor program change; requiring approved nursing programs to be accredited by a board-approved nursing program accrediting agency; deleting durational program requirements for a practical nursing program; clarifying that didactic instruction includes theory instruction; requiring that faculty exception requests be submitted prior to course instruction; setting the maximum ratio of students to faculty members in clinical settings; requiring nursing education program’s philosophy and conceptual framework to be the basis for the organization of the curriculum; requiring programs to maintain documentation of preceptor education and setting a maximum ratio of students to preceptor in clinical settings; updating adopted standards; permitting evaluation of programs for failure to submit timely reports or self-studies; adding the specialty certification for the clinical nurse specialist; requiring licensees to maintain evidence of compliance with certification requirements of credentialing organizations and continuing education requirements; adding continuing education activities for the clinical nurse specialist; requiring the board to annually determine categories and areas of need for nursing scholarship awards; and outlining procedures for distribution of nurse scholarship funds.

**Board of Veterinary Medicine - General Rules (ORR 2017-019 LR)**

Authority: MCL 333.16145 and MCL 333.18813.

**Overview:** The proposed changes include: clarifying examination requirements for a veterinarian;
updating the name of the examination developer; clarifying the licensure by endorsement requirements; updating adopted standards; clarifying requirements for educational limited licenses; clarifying the requirements for relicensure; and requiring that licensees obtain 45 hours of continuing education.

**Veterinary Technician Licensure** (ORR 2017-020 LR)

**Authority:** MCL 333.16145 and MCL 333.18813.

**Overview:** The proposed changes include: clarifying examination requirements for a veterinary technician; rescinding the rule pertaining eligibility requirements to take the national licensure examination; clarifying the licensure by endorsement requirements; updating adopted standards; clarifying requirements for educational limited licenses; clarifying the requirements for relicensure; requiring that licensees obtain 15 hours of continuing education; and adding modalities for accumulation of continuing education.

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 29, 2017, 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:


The meeting site and parking are accessible to people with disabilities. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations (such as materials in alternative format) in order to participate in the meeting should call (517) 241-7500).
These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45(a) of the 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.


R 338.4972, R 338.4976, R 338.4978, and R 338.4982 of the Michigan Administrative Code are amended, and R 338.4991 and R 338.4993 are added to the Code, and R 338.4973 of the Code is rescinded, as follows:

R 338.4972 Licensure by examination; requirements.

Rule 2. (1) An applicant for a Michigan veterinary technician license by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant to the code, an applicant shall meet all of the requirements of this rule.

(2a) An applicant shall have graduated from a program for training veterinary technicians that is approved by the board.

(2b) An applicant shall have achieved a passing score on the veterinary technician national examination developed by the American Association of Veterinary State Boards (AAVSB) or its successor organization (aaavsb).

R 338.4973 Eligibility for examination. Recinded.

Rule 3. To assure eligibility for the examination required by R 338.4972(3), an applicant shall submit a completed application on a form provided by the department, together with the requisite fee, not less than 45 days before the date of the examination. To be eligible for examination, an applicant shall establish that he or she has either graduated from, or is a student in good standing in the final year of, a program for training veterinary technicians that is approved by the board.

R 338.4976 Licensure by endorsement; requirements.

Rule 6. (1) An applicant for a Michigan veterinary technician license by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant to the code, an applicant shall meet the requirements of this rule.

(2a) An applicant shall have graduated from a program for training veterinary technicians that is approved by the board.

(2b) An applicant shall have achieved a passing score on the veterinary technician national examination developed by the American Association of Veterinary State Boards (AAVSB) or its successor organization (aaavsb).
(2a) An applicant shall have been first licensed, registered, or certified in another state after achieving Have achieved a passing score on the veterinary technician national examination developed by the aavsb AAVSB.

(3b) If an applicant was first licensed, registered, or certified in another state, the applicant shall have graduated from a program for training veterinary technicians that is approved by the board. Hold a current license, registration, or certification to practice as a veterinary technician in another state.

(4) (2) An applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license, registration, or certificate, or ever held a license, registration, or certificate as a veterinary technician. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon against the applicant.

R 338.4978 Approval of veterinary technician training programs; standards adopted by reference.


(2) The standards for accrediting programs for training veterinary technicians adopted by the American Veterinary Medical Association Committee on Veterinary Technician Education and Activities and Training are available at no cost from the American Veterinary Medical Association, 1931 N. Meacham Road, Suite 100, Schaumburg, IL 60173 or at the association's website at http://www.avma.org. A copy of the standards is available for inspection or distribution at cost from the Board of Veterinary Medicine, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

R 338.4982 Relicensure.

Rule 12. (1) An applicant for relicensure whose license has been lapsed for less than 3 years under section 16201(3) of the code, MCL 333.16201(3), may be relicensed after submitting a completed application on a form provided by the department with the requisite fee. The applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinary technician. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant whose license has been lapsed for less than 3 years preceding the date of application for relicensure may be relicensed if the applicant satisfies all of the following requirements:

(a) Submits the required fee and a completed application on a form provided by the department.

(b) Be of good moral character.

(c) Submits proof to the department of accumulating not less than 15 hours of continuing education that satisfy the requirements of R 338.4993.

(2) An applicant for relicensure whose license has been lapsed for 3 years or more under section 16201(34) of the code, MCL 333.16201(3), may be relicensed after submitting a completed application on a form provided by the department with the requisite fee and satisfying either of the following requirements: whose license has been lapsed for 3 years or more preceding the date of application for relicensure may be relicensed if the applicant satisfies all of the following requirements:
(a) If the applicant had been licensed in another state of the United States and legally engaged in practice as a veterinary technician within the 3-year period immediately preceding the date of the application for relicensure, then the applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinary technician. 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 applicant had not engaged in practice as a veterinary technician within the 3-year period immediately preceding the date of the application for relicensure, then the applicant shall do both of the following:

(i) Have his or her license verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinary technician, which includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(a) Submits the required fee and a completed application on a form provided by the department.

(b) Be of good moral character.

(c) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174(3).

(d) Satisfies either of the following requirements:

(i) Has successfully passed the Veterinary Technician National Examination developed by the American association of veterinary state boards AAVSB or its successor organization within the 3-year period immediately preceding the date of the application for relicensure.

(ii) Satisfies both of the following requirements:

(A) Presents evidence to the department that he or she was licensed as a veterinary technician in another state at any time during the 3-year period immediately preceding the application for relicensure.

(B) Submits proof to the department of accumulating not less than 15 hours of continuing education that satisfy the requirements of R 338.4993.

(3) An applicant shall have his or her license, registration, or certificate verified by the licensing agency of any state of the United States in which the applicant holds or has ever held a license, registration, or certificate as a veterinary technician. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

R 338.4991 License renewals; continuing education.

Rule 91. (1) This rule applies to an application for renewal of a veterinary technician license that is filed for the renewal cycle after January 1, 2020.

(2) An applicant for license renewal who has been licensed for the 3-year period immediately preceding the application date for renewal shall have completed at least 15 hours of continuing education that satisfies the requirements of R 338.4993 in the 3 years immediately preceding the application of the renewal.

(3) Submission of an application for renewal shall constitute the applicant’s certification of compliance with the requirements of this rule. The department may require a licensee to submit evidence to demonstrate compliance with this rule.

(4) The licensee shall retain documentation of satisfying the requirements of this rule for a period of 4 years from the date of applying for license renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).
R 338.4993 Acceptable continuing education; requirements; limitations.

Rule 93. (1) The 15 hours of continuing education required pursuant to R 338.4991(2) for the renewal of a veterinary technician license must satisfy all of the following:

(a) No more than 12 hours are earned during one 24-hour period.

(b) Credit for a continuing education program or activity that is identical or substantially identical to a program or activity for which the licensee has already earned credit during the renewal period are not granted.

(c) A minimum of 10 hours of continuing education is scientific in nature. Scientific in nature includes: the science of diagnosis, treatment, and prevention of disease as it relates directly to a patient or topics of public veterinary practice, epidemiology, food safety, public animal health, animal welfare, or antimicrobial stewardship.

(d) A minimum of 5 hours shall be completed live and in-person.

(e) No more than 5 hours shall be earned collectively for activities (2)d-h.

(2) The board considers any of the following as acceptable continuing education:

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Activity and Proof of Completion</th>
<th>Number of continuing education hours granted/permitted for activity</th>
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<tbody>
<tr>
<td>a</td>
<td>Attendance at or participation in a continuing education program or activity related to practice as a veterinary technician or any nonclinical subject relevant to practice as a veterinary technician practice, education, administration, management, or science which includes, but is not limited to, live, in-person programs; interactive or monitored teleconferences, audio-conferences, or web-based programs; online programs; and journal articles or other self-study programs approved or offered by any of the following:</td>
<td>The number of continuing education hours for a specific program or activity is the number of hours approved by the sponsor or the approving organization for the specific program or activity.</td>
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<td>• American Association of Veterinary State Board (AAVSB) Registry of Continuing Education (RACE).</td>
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<td>• American Animal Hospital Association (AAHA).</td>
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<td>• American Veterinary Medical Association (AVMA).</td>
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<td>• World Veterinary Association (WVA).</td>
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<td></td>
<td>• Michigan Veterinary Medical Association (MVMA).</td>
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<td>• Michigan Association of</td>
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Veterinary Technicians (MAVT).
  - A state veterinary board of another state.

If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee’s name, number of continuing education hours earned, the sponsor’s name or the name of the organization that approved the activity for continuing education credit, the name of the program or activity, and the date on which the program was held or the activity completed.

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<th>b</th>
<th>Attendance at or participation in a continuing education program or activity related to the practice as a veterinary technician that is offered by a local, state, or regional professional organization. This activity does not include activities that are approved for continuing education credit under activity code a.</th>
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<tr>
<td></td>
<td>If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee’s name, number of continuing education hours earned, the name of the organization that offered or approved of the activity, and the date on which the program was held or the activity completed.</td>
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<tr>
<td>c</td>
<td>Attendance at or participation in a continuing education program or activity related to practice as a veterinary technician which includes, but is not limited to: live-in person programs; interactive or monitored teleconferences; web-based programs; online programs; and journal articles or other self-study programs approved by or offered by any of the following:</td>
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<td>American Medical Association.</td>
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<td>Michigan State Medical Society.</td>
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<td></td>
<td>Accreditation Council for Continuing Medical Education.</td>
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<td></td>
<td>American Osteopathic</td>
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</table>

One hour of continuing education is granted for each 50 to 60 minutes of presentation attended. A maximum of 2 hours of continuing education may be earned for this activity in each renewal period.

The number of continuing education hours for a specific activity or program is the number of hours approved by the sponsor or approving organization for the specific program or activity. A maximum of 2 hours of continuing education may be earned for this activity in each renewal period.
|   | Association.  
|---|---
|   | • Michigan Osteopathic Association.  
|   | If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee’s name, number of continuing education hours earned, the sponsor’s name or the name of the organization that approved the activity, and the date on which the program was held or the activity completed.  
|   | d Initial presentation of a continuing education program related to practice as a veterinarian technician provided to a state, regional, national, or international veterinary medicine organization.  
|   | To receive credit, the presentation must not be part of the licensee’s regular job description and must be approved or offered for continuing education credit by any of the following:  
|   | • AAVSB-RACE.  
|   | • AAHA.  
|   | • AVMA.  
|   | • WVA.  
|   | • MVMA.  
|   | • MAVT.  
|   | • A state veterinary board of another state.  
|   | • American Medical Association.  
|   | • Michigan State Medical Society.  
|   | • Accreditation Council for Continuing Medical Education.  
|   | • American Osteopathic Association.  
|   | • Michigan Osteopathic Association.  
|   | Two hours of continuing education is granted for each 50 to 60 minutes of presentation. No additional credit is granted for preparation of the presentation. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.  
|   | 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 presenter, and the name of the
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<th>IRN</th>
<th>Item</th>
<th>Text</th>
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<td>e</td>
<td>Initial publication of an article related to practice as a veterinary technician in a peer-reviewed journal. If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</td>
<td>Five hours of continuing education is granted for serving as the primary author. Two hours of continuing education is granted for serving as the secondary author. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.</td>
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<tr>
<td>f</td>
<td>Initial publication of a chapter related to practice as a veterinary technician in a professional or peer-reviewed text book. If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</td>
<td>Five hours of continuing education is granted for serving as the primary author. Two hours of continuing education is granted for serving as the secondary author. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.</td>
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<td>g</td>
<td>Service as a clinical instructor for veterinary technician students engaged in an educational program that satisfies the requirements of R 338.4978. To receive credit, the clinical instructorship shall not be licensee’s primary employment function. If audited, the licensee shall submit proof of scheduled instructional hours and a letter from the program director verifying the licensee’s role.</td>
<td>Two hours of continuing education is granted for each 50 to 60 minutes of scheduled instruction. Additional credit for preparation of a lecture is not to be granted. A maximum of 5 hours may be earned for this activity in each renewal period.</td>
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<td>h</td>
<td>Participation on a state or national committee, board, council, or association related to practice as a veterinary technician. A committee, board, council, or association is considered acceptable by the board if it enhances the participant’s knowledge and understanding of practice as a veterinary technician.</td>
<td>Two hours of continuing education is granted for each committee, board, council, or association. A maximum of 2 hours of continuing education may be earned for this activity in each renewal period.</td>
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<td>If audited, the licensee shall submit documentation verifying the licensee’s participation in at least 75% of the regularly scheduled meetings of the committee, board, council, or association.</td>
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NOTICE OF PUBLIC HEARING

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
NOTICE OF PUBLIC HEARING
September 29, 2017
9:00 a.m. – 11:00 a.m.
Location: G. Mennen Williams Building Auditorium
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| **Overview:** The proposed rules will change the renewal date for nursing licenses from April 1 to the date of issuance. |

| Board of Nursing - General Rules (ORR 2017-037 LR) |
| Authority: MCL 333.16145 and 333.17221 |
| **Overview:** The proposed changes include: Revising current provisions for when a registered nurse or licensed practical nurse applicant can sit for the NCLEX examination and whether the applicant must sit for a review course; requiring applicants with lapsed licenses to establish good moral character and submit fingerprints; requiring graduates of non-accredited programs to have their education certified by the CGFNS prior to sitting for the NCLEX examination; adding definitions for the nursing education section of the rule set; updating self-study content requirements; permitting more than one cohort in a 12 month period; clarifying reporting schedules to adjust submission dates for nursing education reports and self-studies; clarifying the definition of a minor program change; requiring approved nursing programs to be accredited by a board-approved nursing program accrediting agency; deleting durational program requirements for a practical nursing program; clarifying that didactic instruction includes theory instruction; requiring that faculty exception requests be submitted prior to course instruction; setting the maximum ratio of students to faculty members in clinical settings; requiring nursing education program’s philosophy and conceptual framework to be the basis for the organization of the curriculum; requiring programs to maintain documentation of preceptor education and setting a maximum ratio of students to preceptor in clinical settings; updating adopted standards; permitting evaluation of programs for failure to submit timely reports or self-studies; adding the specialty certification for the clinical nurse specialist; requiring licensees to maintain evidence of compliance with certification requirements of credentialing organizations and continuing education requirements; adding continuing education activities for the clinical nurse specialist; requiring the board to annually determine categories and areas of need for nursing scholarship awards; and outlining procedures for distribution of nurse scholarship funds. |

| Board of Veterinary Medicine - General Rules (ORR 2017-019 LR) |
| Authority: MCL 333.16145 and MCL 333.18813. |
| **Overview:** The proposed changes include: clarifying examination requirements for a veterinarian; |
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 29, 2017, 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:


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<td><strong>Overview:</strong> The proposed changes include: clarifying examination requirements for a veterinary technician; rescinding the rule pertaining eligibility requirements to take the national licensure examination; clarifying the licensure by endorsement requirements; updating adopted standards; clarifying requirements for educational limited licenses; clarifying the requirements for relicensure; requiring that licensees obtain 15 hours of continuing education; and adding modalities for accumulation of continuing education.</td>
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| **Authority:** MCL 333.16145 and MCL 333.18813. |

| Updating the name of the examination developer; clarifying the licensure by endorsement requirements; updating adopted standards; clarifying requirements for educational limited licenses; clarifying the requirements for relicensure; and requiring that licensees obtain 45 hours of continuing education. |
These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the department of community health and human services by section 5721 of 1978 PA 368, MCL 333.5721 and Executive Reorganization Order No. 1996-1, MCL 330.3101.)

R 325.9071, R 325.9072, R 325.9075 are amended; and R 325.9077 is added to the Michigan Administrative Code as follows:

R 325.9071 Definitions.
Rule 1. (1) As used in these rules:
   (a) "Birth defect" means an abnormality of the body's structure or inherent function present at birth, whether the abnormality is detected in utero at the time of delivery or becomes apparent at a later date.
   (b) "Birth defects registry" means the database that contains individual case level demographic and diagnostic information maintained by the department.
   (c) "Department" means the department of community health and human services.
   (d) "Institutional Review Board for the Protection of Human Research Subjects (IRB)" means the board within the department of community health and human services that is established under 45 CFR 46.
   (e) "Registrant" means a child who is diagnosed with a reportable birth defect.
   (f) "Reporting entity" means a hospital, clinical laboratory, physician, genetic counselor, health clinic, and other health professional or health facility required to report birth defects under R 325.9072.

(2) The terms "clinical laboratory" and "hospital," as defined in sections 20104 and 20106, 1978 PA 368, MCL 333.20104 and 333.20106 have the same meanings when used in these rules.

R 325.9072 Reportable birth defects.
Rule 2. (1) Reportable birth defects are those birth defects identified in the following list of medical conditions:
   (a) Congenital anomalies of the central nervous system.
   (b) Congenital anomalies of the eye.
   (c) Congenital anomalies of the ear, face, and neck.
   (d) Congenital anomalies of the heart and circulatory system.
   (e) Congenital anomalies of the respiratory system.
   (f) Cleft palate and cleft lip.
   (g) Congenital anomalies of the upper alimentary canal/digestive system.
(h) Congenital anomalies of the genital and urinary systems.
(i) Congenital anomalies of the musculoskeletal system.
(j) Congenital anomalies of the integument.
(k) Chromosomal anomalies.
(2) Other congenital anomalies, including the following:
(a) Infectious conditions occurring in the perinatal period including the following:
   (i) Syphilis.
   (ii) Congenital rubella.
   (iii) Cytomegalovirus.
   (iv) Listeriosis.
   (v) Herpes simplex.
   (vi) Malaria.
   (vii) Toxoplasmosis.
   (viii) Tuberculosis.
   (ix) Zika.
(b) Familial/congenital neoplasms.
(c) Endocrine/metabolic disorders.
(d) Diseases of the blood & blood forming organs including the following:
   (i) Hereditary hemolytic anemias.
   (ii) Familial hypoplastic anemia.
   (iii) Coagulation defects.
   (iv) Primary thrombocytopenia.
(e) Diseases of the central and peripheral nervous system including the following:
   (i) Cerebral lipidoses.
   (ii) Cerebral degeneration.
   (iii) Hereditary spastic paraplegia.
   (iv) Cerebral palsy.
   (v) Werdnig-hoffman disease.
   (vi) Disorders of the autonomic nervous system.
   (vii) Cerebral palsy and spasms.
   (viii) Cerebral cysts.
   (ix) Polyneuritis cranialis.
   (x) Hereditary and idiopathic peripheral neuropathy.
   (xi) Myoneural disorders.
   (xii) Muscular dystrophies and other myopathies.
(f) Diseases of the eye including the following:
   (i) Retinal disorders.
   (ii) Chorioretinitis.
   (iii) Blindness and low vision.
   (iv) Hereditary optic atrophy and nystagmus.
   (v) Any other irregular movement of the eye.
(g) Hearing deficiency including, structural and functional deficiencies.
(h) Diseases of the heart & circulatory system including the following:
   (i) Cardiomyopathy.
   (ii) Conductive cardiac disorders.
   (iii) Dysrhythmias.
   (iv) Occlusions of coronary arteries.
(v) Budd-chiari syndrome.

(i) Diseases of the gastrointestinal system, including the following:

(ii) Diseases of the genitourinary system involving fistula and obstruction.

(i) Anomalies of teeth, jaw or hernia.

(ii) Stricture.

(iii) Volvulus.

(iv) Fistula of organs.

(j) Diseases of the genital and urinary systems involving fistula and obstruction.

(k) Fetal/placental anomalies.

(l) Musculoskeletal system diseases involving abnormal bone growth.

(m) Maternal causes of fetal morbidity including the following:

(i) Infections, including those infections specified in subrule (2)(a) of this rule.

(ii) Alcohol use including fetal alcohol spectrum disorders.

(iii) Cocaine use, opioid use, and other toxic or medicinal agents affecting the fetus.

(n) Autism spectrum disorders, including Asperger's syndrome and Rett's syndrome.

(2) Diagnoses of birth defects that occur in children from birth to 2 years old shall be reported to the department by those listed in subrules (3), (4), and (5) in a manner that is consistent with these rules. This subrule applies whether or not a child dies before the age of 2. The director of the department may designate the reporting of birth defects, diagnosed up to and including 12 years of age, for medical conditions that require surveillance and are commonly diagnosed after the age of 2 years, including, but not limited to, any of the following:

(a) Fetal alcohol spectrum disorders.

(b) Cystic fibrosis.

(c) Muscular dystrophy.

(d) Autism.

(e) Cerebral palsy.

(3) Hospitals shall report diagnoses of birth defects shall be reported by hospitals. The administrative officer of each reporting facility shall establish the reporting procedures at that facility. These procedures shall ensure that every child from birth to 2 years of age, or up to age 12 for defects designated under subrule (2) of this rule, who is diagnosed either in the facility operated inpatient or outpatient setting as having a birth defect shall be reported to the birth defects registry. If a child is transported to another facility, the health care facility at which a reportable diagnosis is first made is responsible for reporting.

(4) Clinical laboratories shall report diagnoses of birth defects shall be reported by clinical laboratories. The director of a laboratory that conducts postmortem examinations or cytogenetic tests shall report to the department any potential registrant who has a reportable birth defect.

(5) The director may designate diagnoses of birth defects to be reported by physicians, genetic counselors, health clinics, and other health professionals or health facilities involved in the diagnosis or treatment of children with birth defects as necessary to assure efficient and comprehensive surveillance of birth defects.

(6) Diagnoses of birth defects may be reported by local public health officials, other programs within the department, and by programs in other departments that provide treatment, services, medical, or other benefits to children with birth defects and their families.

(7) Reports shall be submitted within 30 days of a diagnosis in a form prescribed and approved by the department.

(8) Reports that are submitted on forms provided by the department or by electronic media shall meet data quality, format, and timeliness standards prescribed by the department, as described in the manual for completing the birth defects registry report form.
R 325.9075 Scientific advisory panel; release of information for research.

Rule 5. (1) The director of the department shall appoint a scientific advisory panel of not less than 3 scientists to review research proposals for which a release of information which is maintained by the department and which identifies an individual reported to have a diagnosis of a birth defect is required.

(2) A research proposal that requires the release of information that identifies an individual who has a reported diagnosis of a birth defect shall be reviewed by the scientific advisory panel.

(3) The panel shall, in writing, advise the director on the merits of the study.

(4) The study or research project shall not publish the name of any individual who is or was the subject of a report of a birth defect that was submitted to the department. The study or research project shall not release any identifying number, mark, or description that can be readily associated with an individual who is or was the subject of a report of a birth defect that was submitted to the department. A formal memorandum of agreement that is signed by an authorized representative of the department and the director of the research project shall include all of the following provisions:

(a) That electronic files, optical files, or hard copy of the data provided by the department shall not be copied for retention, resold, or otherwise provided to another person or agency and will be returned to the department upon completion of processing of the study.

(b) That any reports or published papers relying in whole or in part on the data furnished by the department to the study or research project shall acknowledge the Michigan birth defects registry of the Michigan Department of Public Health and Human Services as the source of the data.

(c) That a prepublication copy of all resulting papers shall be sent to the department at least 15 days prior to the expected date of publication.

R 325.9077 Exchange of records.

Rule 7. The department, by agreement, may transmit transcripts or copies of reports of birth defects diagnoses to state or national birth defects registries when the reports relate to residents of other states or countries. The agreement shall require that the transcripts or records be used only for statistical or research purposes, or to offer referrals to medical and other support services.
NOTICE OF PUBLIC HEARING

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division for Vital Records and Health Statistics
Administrative Rules for Birth Defects Reporting
Rule Set 2017-022 HS

The Michigan Department of Health and Human Services will hold a public hearing to receive public comments on amendments to the Birth Defects Reporting rule set.

Monday, September 25, 2017
9:00 A.M. to 12 P.M.
Conference Room 1B
333 S. Grand Avenue
First Floor
Lansing, Michigan 48909
Email: MDHHS-AdminRules@michigan.gov

The general purpose of these rules is to provide the requirements to reporting entities in the State of Michigan regarding data submission of birth defects and to assist local public health officials, the department, and other state departments in providing treatment and other services to children and families. Amendments include the addition of certain birth defects and medical conditions, proposed data collection on Michigan resident children with reportable conditions who are diagnosed and/or treated in other states, and data sharing with those states of information on resident children from their states who are diagnosed and/or treated in Michigan.

By authority conferred on the department of health and human services by section 5721 of 1978 PA 368, MCL 333.5721 and Executive Reorganization Order No. 1996-1, MCL 330.310. These rules will take effect 30 days after filing with the Secretary of State. The rules (Rule Set 2017-022 HS) are published on the Michigan Government web site at http://www.michigan.gov/orr and in the Michigan Register in the September 15, 2017 issue. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Department of Health and Human Services
Attn: Glenn Copeland
333 South Grand Avenue, Second Floor, Lansing, MI 48909
Telephone number: 517-335-8677
E-mail: MDHHS-AdminRules@michigan.gov

Comments on the rules may be made in person at the hearing or by mail or electronic mail until Friday, September 29, 2017.

The public hearings will be conducted in compliance with the 1990 Americans with Disabilities Act, in accessible buildings with handicap parking available. Anyone needing assistance to take part in the hearings due to disability may call 517-335-4276 to make arrangements.
These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45(a)(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.


PART 2. LICENSURE

R 338.10204 Examinations; registered professional nurse; eligibility; reexaminations.

Rule 204. (1) To determine eligibility for the 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 shall establish that he or she is a graduate of a registered nurse education program that satisfies either 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 is a graduate of a registered professional nurse education program that is located in another state of the United States, as required by section 16186(1) of the code, MCL 333.16186(1), 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.

(3) An applicant shall complete the NCLEX-RN examination within 12 months of his or her first attempt at the test in this state or another state. The first attempt at the test shall occur within 2 years of graduation from a registered nurse education program.
(3) An applicant for licensure as a registered professional nurse shall comply with all of the following:
   (a) Take the NCLEX-RN examination within 2 years of graduation from a registered nurse education program or after obtaining certification from the certification program of the CGFNS.
   (b) Successfully pass the NCLEX-RN examination within 12 months of the first examination attempt in this state or another state. An applicant who has not successfully passed this 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 examination again.
      (ii) An applicant who did not pass the NCLEX-RN examination by the third attempt is not eligible to repeat the examination until he or she has completed an approved NCLEX-RN review course with content pertaining specifically to the registered nurse scope of practice.
      (iii) An applicant shall submit to the department, prior to retesting, documentation of having completed an approved NCLEX-RN review course.
      (iv) 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.
   (c) An applicant who has not passed the NCLEX-RN examination after attempting the examination 6 times within 2 years of the first attempt 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) An applicant who has not achieved a passing score on the NCLEX-RN examination within the 12-month period, as specified in subrule (3) of this rule, shall not be eligible to sit again for the examination until the applicant has completed an approved NCLEX-RN review course that is acceptable to the board. Thereafter, an applicant may sit for the examination an additional 3 times, after completing the review course. “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.
         (vi) A college or university provided NCLEX-RN review course that is approved by another state board of nursing.
   (5) An applicant may sit for the NCLEX-RN examination a maximum of 6 times within 2 years of the first attempt at the test.

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(3) or (4), as applicable, may be relicensed by complying with the following requirements as noted by (√):

<table>
<thead>
<tr>
<th>Lapsed</th>
<th>Lapsed more than 3 years, but less than 7 years</th>
<th>Lapsed more than 7 years</th>
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<tr>
<td>0-3 Years</td>
<td>4-3 Years</td>
<td>7 or more</td>
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</table>

(1) For a registered professional nurse who has let his or her Michigan license lapse and who is not currently licensed in another state:
(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 section (1) to section (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(3).  

(b 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 application for relicensure.  

(c 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 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.  

(d 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:

   (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.
(e-g) NCLEX-RN Examination: Within 3 years of the period immediately preceding following approval of the application for relicensure, retake and pass the NCLEX-RN examination.

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<tr>
<td>(f-h) Proof of license verification from another state: An applicant’s license shall be verified by the licensing agency of all other states of the United States in which the applicant ever held a licensed license as a registered professional nurse. Verification shall include the record of any disciplinary action taken or pending against the applicant.</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

| (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 more than 7 years 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(3). | ✓ | ✓ | ✓ |
| (d-e) 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 application for relicensure. | ✓ | ✓ | ✓ |
| (d-e) Proof of license verification from another state: An applicant’s license shall 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 licensed license as a registered professional nurse. Verification shall include the record of any disciplinary action taken or pending against the applicant. | ✓ | ✓ | ✓ |
R 338.10208 Graduate from a non-accredited program; graduate from a non-board approved program; registered professional nurse program; requirements.

Rule 208. (1) Except as provided in subrules (3) and (4) of this rule, if the applicant is a graduate of a registered professional nurse education program that is located outside of the United States, the applicant shall be in compliance with the requirements for a certificate from the Commission on Graduates of Foreign Nursing Schools (CGFNS), or it successor agency, have his or her nursing education reviewed and certified by the Certification Program of the CGFNS or its successor agency. Certification from CGFNS is required before receiving authorization from the department to take the NCLEX-RN examination under R 338.10204. Information about the certification program can be obtained from the CGFNS website at www.cgfns.org.

(2) If an applicant's educational program was taught in a language other than English, an applicant shall demonstrate a working knowledge of the English language by obtaining a score of not less than 83 on the Test of English as a Foreign Language Internet-Based Test (TOEFL IBT) administered by the Educational Testing Service.

(3) If the applicant is a graduate of a registered professional nurse education program that is located outside of the United States, has passed the NCLEX-RN examination, and has maintained an active license with no disciplinary sanctions in the United States for at least 5 years immediately preceding the application for a Michigan license, then the applicant shall be exempt from completing the requirements for a certificate from the CGFNS. Nursing education review and certification process through the Certification Program of the CGFNS.

(4) If the applicant is a graduate of a Canadian registered nurse education program that is approved by a province in Canada, then the applicant shall be exempt from completing the requirements for a certificate from the CGFNS nursing education review and certification process through the certification program of the CGFNS if all of the following are met:
   (a) The registered nurse education program was taught in English.
   (b) The applicant has a current active license to practice nursing in Canada.
   (c) The applicant has not been sanctioned by the applicable Canadian nursing authority.

R 338.10209 Licensure by examination; licensed practical nurse; requirements.

Rule 209. (1) An applicant for licensure by examination 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 shall satisfy the requirements of this rule.

(2) An applicant for a licensed practical nurse license shall establish that he or she meets the eligibility requirements to sit for the NCLEX-PN examination set forth in R 338.10210 and shall pass the NCLEX-PN examination.

R 338.10210 Examinations; licensed practical nurse; eligibility; reexaminations.

Rule 210. (1) To determine eligibility for the 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-PN examination, an applicant shall establish that he or she is a graduate of 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 is a graduate of a practical nurse education program that is located in another state or territory of the United States, as required by section 16186(1) of the code, MCL 333.16186(1), 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 nurse education program that is substantially equivalent to a practical nurse education program approved by the board. The applicant has completed the core curriculum for practical nurse applicants in a nurse education program that is not less than 30 weeks in duration and that includes courses in both theory and clinical practice. 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.

(d) The applicant is a graduate of 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 shall complete the NCLEX-PN examination within 12 months of his or her first attempt at the test in this state or another state. The first attempt at the test shall occur within 2 years of graduation from a practical nurse education program. An applicant for licensure as a licensed practical nurse shall comply with all of the following:

(a) Take the NCLEX-PN examination within 2 years of graduation from a practical nurse education program.

(b) Successfully pass the NCLEX-PN examination within 12 months of the first examination attempt in this state or another state. An applicant who has not successfully passed this 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 examination again.

(ii) An applicant who did not pass the NCLEX-PN examination by the third attempt is not eligible to repeat the 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.

(iii) An applicant shall submit to the department, prior to retesting, documentation of having completed an approved NCLEX-PN review course.

(iv) 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.

(c) An applicant who has not passed the NCLEX-PN examination after attempting the examination 6 times within 2 years of the first attempt 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) An applicant who has not achieved a passing score on the NCLEX-PN examination within the 12-month period, as specified in subrule (3) of this rule, shall not be eligible to sit again for examination until the applicant has completed a NCLEX-PN review course that is acceptable to the board. Thereafter, an applicant may sit for examination an additional 3 times after completing the review course. “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.
(vi) A college or university provided NCLEX-PN review course that is approved by another state board of nursing.

(5) An applicant may sit for the NCLEX-PN examination a maximum of 6 times total within 2 years of the first attempt at the test.

R 338.10212 Graduate of non-accredited program; licensed practical nurse; requirements.

Rule 212. (1) Except as provided in subrule (2) of this rule, if the applicant is a graduate of a licensed practical nurse education program that is located outside of the United States, the applicant shall have his or her nursing education reviewed and certified by either a credentialing agency that is accredited by the National Association of Credential Evaluation Services (NACES) or through the Credential Evaluation Service (CES) of the Commission on Graduates of Foreign Nursing Schools (CGFNS) or their successor agencies. Certification from these agencies is required before receiving authorization from the department to take the NCLEX-PN examination under R 338.10209. The list of NACES approved credentialing agencies can be found on its website at no cost, www.naces.org. Information about CES can be obtained at no cost from its CGFNS website, at www.cgfns.org.

(2) If the applicant is a graduate of a licensed practical nurse education program that is located outside of the United States, has passed the NCLEX-PN examination, and has maintained an active license with no disciplinary sanctions in this country for at least 5 years immediately preceding the application for a Michigan license, then the applicant shall be exempt from completing the nursing education review and certification process through either a credentialing agency that is accredited by NACES or through the CES of the CGFNS. a NACES accredited agency or a CES accredited agency.

(3) If an applicant's licensed practical nurse educational program was taught in a language other than English, an applicant shall demonstrate a working knowledge of the English language by obtaining a score of not less than 83 on the Test of English as a Foreign Language Internet-Based Test (TOEFL IBT) administered by the Educational Testing Service.

(4) If an applicant is a graduate of a Canadian registered nurse education program that is approved by a province in Canada, the applicant shall be exempt from completing the nursing education review and certification process through either a credentialing agency that is accredited by NACES or through the CES of the CGFNS provided that all of the following are met:

(i) The registered nurse education program was taught in English.
(ii) The applicant has a current active license to practice nursing in Canada.
(iii) The applicant has not been sanctioned by the applicable Canadian nursing authority.

R 338.10213 Lapsed licensed practical nurse license; relicensure requirements.

Rule 213. An applicant for relicensure whose Michigan licensed practical nurse license has lapsed under the provisions of section 16201(3) or (4) of the code, MCL 333.16201(3) or (4), may be relicensed by complying with the following requirements as noted by (√):

<table>
<thead>
<tr>
<th>(1) For a licensed practical nurse who has let his or her Michigan licensed practical nurse license lapse and who is not currently licensed in another state:</th>
<th>Lapsed 0-3 Years</th>
<th>Lapsed more than 3 years, but less than 7 years</th>
<th>Lapsed more than—7 or more</th>
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</table>

33
(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 set forth in section 16174(3) of the code, MCL 333.16174(3).  

| (b– 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 application for relicensure.  
| (c 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 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.  

| (d 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:  
| (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.  

| (e– g) NCLEX-PN Examination: Within 3 years of the period immediately preceding—following approval of the application for relicensure, retake  

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<tr>
<td>(b)</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>(c)</td>
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<tr>
<td>(e– g)</td>
<td>✓</td>
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</tr>
</tbody>
</table>

34
and pass the NCLEX-PN examination.

(§ h) Proof of license verification from another state: An applicant’s license shall be verified by the licensing agency of all other states of the United States in which the applicant ever held a license as a licensed practical nurse. If applicable, verification shall include the record of any disciplinary action taken or pending against the applicant.

(2) For a licensed practical nurse who has let his or her Michigan license lapse, but who holds a current and valid licensed practical nurse license in another state:

<table>
<thead>
<tr>
<th>Michigan license lapsed</th>
<th>Michigan license lapsed more than 3 years, but less than 7 years</th>
<th>Michigan license lapsed more than 7 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>(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.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>(c) Submit fingerprints as set forth in section 16174(3) of the code, MCL 333.16174(3).</td>
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<td>✓</td>
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<tr>
<td>(d) Continuing education: Submit proof of completion of 25 hours of continuing education, including at least 2 hours in pain and symptom management, all of which was earned within the 2-year period immediately preceding the application for relicensure.</td>
<td></td>
<td>✓</td>
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<tr>
<td>(e) Proof of license verification from another state: An applicant’s license shall 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. If applicable, verification shall include the record of any disciplinary action taken or pending against the applicant.</td>
<td>✓</td>
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PART 3. NURSING EDUCATION PROGRAMS

R 338.10301 Definitions.

Rule 301. As used in this part:

(a) “Annual progress report” means a report completed and submitted in the years between the self-study submissions during the program approval phase to provide the board with information as to the
program’s admissions, attritions, courses, clinical experiences, faculty, program evaluation, and outcomes.

(b-a) "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.

(eb) "Clinical laboratory hours" means those hours of the curriculum which are assigned to laboratory practice, basic skills training, and observational experiences which offer the student the opportunity to meet educational outcomes.

(d c) “Cohort” means a group of students admitted in the same academic semester or term with the intention of completing the nursing program together at the same graduation date. This includes students who transfer into the program at the same academic level.

(e d) “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–e) “Cooperating agency” means an individual, organization, or institution which, by written agreement or letter of intent, accepts students and faculty for nursing educational experiences.

(g f) “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 consists of the study of nursing care throughout the adult lifespan; providing care for the acute or chronic phases of a medical illness; providing care before, during, and after a surgical procedure; health promotion; and disease prevention.

(ii) Maternal and reproductive nursing, which consists 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. This education shall does not include only gynecological nursing.

(iii) Children’s nursing, which consists 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. This education shall does not include only newborn nursing education.

(iv) Surgical nursing, which consists 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 g) “Core curriculum for registered professional nurse applicants” means courses in 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 consists of the study of nursing care throughout the adult lifespan; providing care for the acute or chronic phases of a medical illness; providing care before, during, and after a surgical procedure; health promotion; and disease prevention.

(ii) Maternal and reproductive nursing, which consists 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. This education shall does not include only gynecological nursing.

(iii) Children’s nursing, which consists 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. This education shall does not include only newborn nursing education.
(iv) Mental health nursing, which consists of the nursing care of patients who are receiving nursing care for an acute or chronic psychiatric disorder or physical disorder and shall not be limited only to areas of physical disorders that cause impaired mental function or neurological diseases.

(v) Surgical nursing, which consists of the study of nursing care throughout an adult lifespan, providing care before, during, and after a surgical procedure, health promotion, and disease prevention.

(h) “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.

(i) “Curriculum” means implementation of the philosophy, purposes, program outcomes, and conceptual framework of the nursing program through the systematic arrangement of courses, including outcomes stated in measurable terms and accomplished through appropriate learning experiences planned for a clearly defined group of students and extending over a period of time. Systematic and ongoing evaluation within the context of measurable outcomes is inherent in the curriculum.

(j) “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.

(jk) “Final approval report” means a self-study done after the graduation of the second cohort and prior to before the graduation of the fourth cohort that is submitted to the board when the program is seeking full program approval.

(k) “Full program approval” means approval of a program granted after satisfactory demonstration to the board of compliance with these rules.

(l) “Initial approval” means approval that is granted by the board to inaugurate a program of nursing education.

(m) “Instruction” means educational methodology for achieving curriculum outcomes.

(n) “Learning experiences” means planned learning situations, which may include clinical experiences, clinical laboratory hours, or classroom instruction.

(o) “Major program change” means any of the following:

(i) Revision of the program’s philosophy, conceptual framework, curriculum, or—program outcomes, student learning outcomes, or changes that increase the use of simulation more than 10% of the total clinical hours in a program.

(ii) Change in primary instruction delivery methods.

(iii) Elimination of separate course content for an integrated approach.

(iv) A permanent expansion in the number of students served.

(v) Increase or decrease in overall program credits.

(q) “Minor program change” means a change that does not permanently affect the program’s philosophy, conceptual framework, program outcomes, student learning outcomes, pertaining to the curriculum, or 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.

(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) “National accreditation” means a self-regulatory process that meets or exceeds educational quality standards and criteria set forth by a national nursing accreditation agency.

(t) “Nursing education program report” means a report completed and submitted at the halfway point between the self-study submissions. This report may also be required in the years between the self-study submissions during the program approval phase to provide the board with information as to the program’s admissions, attrition courses, clinical experience, faculty program evaluation, and outcomes.

(u) “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.

(v) “Nursing process” means the ongoing assessment, analysis, nursing diagnosis, planning, implementation, and evaluation of nursing care.

(w) “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.

(x) “Philosophy” means the stated beliefs of a faculty about nursing education and practice which determine the design of the curriculum and the evaluation of the program and which are consistent with the educational philosophy of the sponsoring agency.

(y) “Practical nurse program” means a nursing program to prepare students for practical nurse licensure.

(z) “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.

(aa) “Probationary status” means the period when a program is under disciplinary action by the board.

(bb) “Program director” means a nurse who is delegated the authority and accountability for the nursing program by the sponsoring agency.

(cc) “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.

(dd) “Program outcomes” means documented and measurable indicators that reflect the program’s overall effectiveness.

(ee) “Probationary status” means the period when a program is under disciplinary action by the board.

(ff) “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.

(gg) “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.

(hh) “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.

(ii) “Sponsoring agency” means the organization or institution of which the nursing program is a component.

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 shall 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)(a) of the code, MCL 333.17201(1)(a).
(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 U.S.C. 1070 § 400 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 shall 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 prior to admission 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 subdivision (a)(x) of this subrule, a withdrawal and failure policy, and academic progression and program completion requirements.

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

(i) Curriculum.

(ii) Course descriptions and outlines.

(iii) Philosophy.

(iv) History of sponsoring agency.

(v) Signed clinical contracts.

(vi) Director and faculty credentials.

(vii) Student policies and support services.

(viii) Evaluation methods and tools.

(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 placement.

(vii) Evaluation methods and tools.

(viii) Program outcomes.

(ix) Director and faculty credentials.

(x) Student policies and support services.

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

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

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

(ii) Student achievement on the required licensure 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.

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. One
cohort shall be counted for each 12-month period. The sponsoring agency shall comply with the following requirements for full approval of a nursing education program:

(a) The sponsoring agency shall make application to the board in the form of a letter.

(b) The sponsoring agency shall submit a final approval **an updated self-study** report to the board. The final approval self-study report shall review the program’s progress since initial approval was granted and shall 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 shall be prepared by the nurse site reviewer and provided to the board and the sponsoring agency.

(2) When granted full approval for the program of nursing education, the sponsoring agency shall continue to meet all of the requirements of this part.

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**Rule 338.10303b Continued program approval; requirements.**

(1) A program shall submit a comprehensive self-study report and a nursing education program report at designated intervals. The self-study report shall be submitted every 8 years for a non-accredited program or at the midpoint of the accreditation cycle for nationally accredited programs.

(2) A program may submit a self-study report prepared for accreditation or re-accreditation by a nationally recognized accrediting agency of nursing education programs instead of the self-study report prepared for the board. The schedule for submission of a self-study report for accredited programs shall follow the schedule of the nationally recognized accrediting agency. The self-study report shall include documentation of decisions and recommendations from the accrediting agency and be submitted to the board within 1 month following receipt of the nationally recognized accrediting agency’s decision on accreditation of the nursing education program. Programs that have accreditation date changes shall notify the board of nursing to determine a submission date.

(3) Except as provided in subrule (2) of this rule, starting at the expiration of the first year after a program has been granted full approval, the sponsoring agency shall submit a progress 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 that contains the following information:

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

(b) Student achievement on the required licensure 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 sponsoring agency of a program that is accredited by a nationally recognized nursing education accrediting organization may submit the report a self-study report approved by the nationally recognized nursing education accrediting organization instead of submitting the progress a nursing education program report referenced in subrule (1) of this rule.

(5) The board shall notify the program director of the date by which a progress nursing education program report must be submitted, except that a self-study report shall be submitted every 8 years for a non-accredited program and at least every 10 years for an accredited program.

(6) A self-study report prepared for accreditation or re-accreditation by a nationally recognized accrediting agency of nursing education programs may be submitted instead of the self-study report prepared for the board. The schedule for submission of a self-study report for accredited programs shall
follow the schedule of the nationally recognized accrediting agency. The report shall be submitted to the board within 1 month following receipt of the nationally recognized accrediting agency's decision on accreditation of the nursing education program.

R 338.10303c Program changes; requirements.

   Rule 303c. (1) A nursing education program shall submit major Major program changes shall be submitted to the board in writing and shall be approved by the board before implementation. All of the following information shall 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) Any supporting documents.

   (2) A nursing education program shall submit minor Minor program changes shall be submitted to the department in writing and shall be approved by as notification to the department board of nursing prior to 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, a major program change must be submitted if the temporary expansion of students is desired.
   (c) Changing course numbering.
   (d) Changing a descriptor code.
   (e) Changing a program readiness assessment test.
   (f) Separation of 1 course into 2 courses.
   (g) Moving a course from 1 semester to another.
   (h) Course name change.
   (i) Adding or deleting a credit or credits from a course.
   (j) Combining 2 courses.
   (k) Changing the sequence in which courses are offered.

   (3) The type of program approval, initial or full, under which a program is conducted, shall not be altered when program changes are approved.

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 agency 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 agency 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 agency 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 agency shall result in withdrawal of school approval pursuant to section 17242 of the code, MCL 333.17242 and R 338.10311.

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

Rule 305. (1) 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 persons for the practice of nursing as defined in section 17201(1)(a) of the code, MCL 333.17201(1)(a).

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

(d) Establish requirements for admission, progression, and graduation which shall 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.

(2) A licensed practical nursing education program must be 1 year in duration, inclusive of program prerequisites and nursing education, and award a certificate of completion.

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.

(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 in nursing 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 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.

(6) Notwithstanding section 16148(6) of the code, MCL 333.16148(6), 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 beginning 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 shall 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 shall be not more than 10 students to 1 faculty member. A ratio of fewer than 8 students to 1 faculty member may be required in specialty units to ensure safe and competent direct patient care.

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

Rule 10305b. (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 baccalaureate degree in nursing.

(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.

(5) Notwithstanding section 16148(7) of the code, MCL 333.16148(7), all nursing faculty shall comply with the requirements of subrule (4) of this rule within 5 years after the effective date of these rules.

(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 beginning 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 shall 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 shall be not more than 10 students to 1 faculty member. A ratio of fewer than 8 students to 1 faculty member may be required in specialty units to ensure safe and competent direct patient care.

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

Rule 10305c. (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 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 meet either of the following education and experience requirements:
(i) Be educated at the same or higher level as the academic program in which the student is enrolled, have demonstrated competencies that are appropriate for the student’s learning experience, and have a minimum 1 year of clinical nursing experience and supervisor recommendation.

(ii) Have a minimum of an associate’s degree or diploma in nursing, have demonstrated competencies that are appropriate for the student’s learning experience, and have 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 with an orientation concerning 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 and provide a copy of those outcomes to each preceptor.

(f) The faculty member shall retain delegating 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 shall 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.

R 338.10306 Registered nursing and practical nursing education programs; curriculum requirements; generally.

Rule 306. The sponsoring agency’s curriculum shall include all of the following:

(a) A statement of philosophy shall be established which is consistent with the philosophy of the sponsoring agency and which is implemented in the program of nursing education.

(b) End of program student learning outcomes and course student learning outcomes shall be established to serve as a guide in the development, implementation, and evaluation of the curriculum. The outcomes shall be leveled in a manner that shows progression throughout the program, and shall be reviewed periodically and revised as necessary.

(c) Learning experiences and methods of instruction shall be selected to fulfill the stated outcomes of each nursing course.

(d) Related clinical experiences and clinical laboratory and simulation laboratory hours shall be provided concurrently with, or immediately after, the theoretical presentation of the course content. Simulation laboratory hours shall be limited to no more than 50% of each clinical experience. In practical nursing education programs, simulation laboratory hours for obstetrics and pediatrics courses are unlimited and may equal 100% of the clinical experience hours.
(e) Evaluation methods and tools to be used for measuring student achievement shall be determined by the faculty in keeping with the assessment methods of the sponsoring agency. These methods and tools shall be known to the students in the program.

(f) The director and faculty shall evaluate all aspects of the curriculum on a systematic basis. Records of the results of the evaluation shall be maintained for board review, if requested.

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. The curriculum shall be organized, developed, implemented, controlled, and evaluated on a regularly scheduled basis by the program director and the faculty within the framework of the philosophy, purposes, and outcomes of the sponsoring agency and those approved by the board.

(2) The curriculum outcomes shall identify the behavioral expectations of the graduate of the program and shall 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 statement of the philosophy and conceptual framework or rationale for the program shall be the basis for the organization of the nursing content of the curriculum.

(4) The course content and other learning experiences shall 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, including all of the following:

(i) Communications.

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

(iii) Understanding legal and professional responsibilities.

(iv) Understanding 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 visit is made**, he or she may survey cooperating agencies may be surveyed as a part of the review process to determine the contribution each makes to the course and program outcomes. Selection shall 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.

R 338.10308 Registered professional nursing education program; curriculum; implementation.

Rule 308. (1) The director and faculty of a program of nursing education leading to licensure as a registered professional nurse shall comply with all of the following provisions:

(a) Select courses and ensure teaching concepts for basic content in the biological, physical, behavioral, and other courses supportive of the nursing major which shall assist the student to **succeed in the nursing sequence**.

(i) Communication.

(ii) Interviewing.

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

(iv) Interpersonal relationships.

(v) Use of scientific principles in providing individualized nursing care to the patient or client. Such courses shall have credits conferred consistent with the policies of the sponsoring agency.

(vi) Analysis and evaluation of scientific research.

(vii) Quality and safety.

(b) Provide courses and clinical and simulation laboratory experiences in the **diverse** care of all age groups and sexes in medical, surgical, pediatric, geriatric, obstetrical, and psychiatric nursing. Opportunities for learning experiences in community aspects of nursing shall be made available. The elements of the nursing process shall be emphasized in all nursing courses. Clinical laboratory, simulation laboratory, and clinical experience hours shall be sufficient in number to meet the course and program outcomes.

(c) Ensure that courses include content relating to all of the following:

(i) The legal scope of practice of a registered nurse.

(ii) The standards of practice and performance and code of ethics for the nursing profession.

(iii) Historical perspectives of nursing and current legal-ethical issues.

(iv) Licensure requirements.

(v) Evidence-based practice.

(vi) Quality and safety.

(d) Select cooperating agencies that meet the requirements of R 338.10307(5), (6), and (8).

(2) A registered professional nurse program may substitute up to 50% of clinical hours in any single course with simulation laboratory experiences. 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” 2013–2016. The standards are available from the International Nursing Association for Clinical Simulation and Learning’s website at [http://www.inacsl.org](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.

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 shall be included.

(b) Provide courses and clinical and simulation experiences in the care of diverse individuals of all age groups and both sexes 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 shall 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.
   (v) Evidence-based practice.
   (vi) Quality and safety.

(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” 2013 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 Health Care Services, Department of Licensing and Regulatory Affairs, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

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 failure rate for first-time test takers on the required licensure examination reaches or exceeds 25% for any 1 year of compiled statistics or reaches or exceeds 15% for any 2 of 3 consecutive years of compiled annual statistics.

(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 report or self-study 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.

PART 4. NURSE SPECIALTY CERTIFICATION

R 338.10401 Definitions.

Rule 401. As used in this part:

(a) “Clinical nurse specialist” means an individual who is licensed under part 172 of the code, MCL 333.17201 to 333.17242, as a registered nurse, who is certified by the board to use the title clinical nurse specialist, and who focuses on continuous improvement of patient outcomes and nursing care with broad focus across the areas of direct patient care, patient education, nursing education, nursing practice, and organizational systems. A clinical nurse specialist is responsible and accountable for diagnosis and treatment of health/illness states, including the prescription and use of pharmacological and nonpharmacological interventions that are within the clinical nurse specialist’s specialty role and scope of practice; disease management, health promotion; and prevention of illness and risk behaviors among individuals, families, groups, and communities. Nursing care provided by a clinical nurse specialist also includes the evaluation of patient outcomes; the translation of evidence into practice; and the development, planning, coordination and direction of programs of care for acute and chronically ill patients and their families.

(b) “Nurse midwife” means an individual who is licensed under part 172 of the code, MCL 333.17201 to 333.17242, as a registered nurse, who is certified by the board to use the title nurse midwife, and who focuses on primary care services for women throughout their lifespan, including comprehensive maternity care that includes prenatal care, childbirth in diverse settings, postpartum care, and newborn care; gynecological, reproductive, and contraceptive care; physical exams; diagnosis and treatment of common health problems with consultation or referral as indicated; prescribing pharmacological and nonpharmacological interventions and treatments that are within the nurse midwife’s specialty role and scope of practice; and treatment of male partners for sexually transmitted infection and reproductive health.

(c) “Nurse practitioner” means an individual who is licensed under part 172 of the code, MCL 333.17201 to 333.17242, as a registered nurse, who is certified by the board to use the title nurse practitioner, and who focuses on the performance of comprehensive assessments; providing physical examinations and other health assessments and screening activities; and diagnosing, treating, and managing patients with acute and chronic illnesses and diseases. Nursing care provided by a nurse practitioner includes ordering, performing, supervising, and interpreting laboratory and imaging studies; prescribing pharmacological and nonpharmacological interventions and treatments that are within the nurse practitioner’s specialty role and scope of practice; health promotion; disease prevention; health education; and counseling of patients and families with potential, acute, and chronic health disorders.

R 338.10403 Advertisement of services.
Rule 403. Only nurses certified in a nursing specialty field may hold themselves out to the public as nurse specialists using the title clinical nurse specialist, nurse anesthetist, nurse midwife, or nurse practitioner. Conduct contrary to this rule is considered a violation of section 16221(d) of the code, MCL 333.16221(d).

R 338.10404c Specialty certification qualifications; clinical nurse specialist.

Rule 404c. (1) A specialty certification for a clinical nurse specialist shall 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. 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) Certification as a clinical nurse specialist granted under the criteria set forth in subrule (1)(c)(ii) of this rule shall be permitted for not more than 2 years after the effective date of this rule set.

R 338.10405c Clinical nurse specialist specialty certification renewal; schedule; requirements; maintenance of evidence of compliance.

Rule 405c. (1) Specialty certification renewal shall correspond with the same schedule as the license renewal.
(2) An applicant for renewal of a lapsed certification shall meet the following requirements appropriate to his or her current source of certification:

(a) An applicant who holds national certification as a clinical nurse specialist shall have obtained recertification or maintained certification within the 2-year period immediately preceding the application from either of the following organizations or successor organizations:

(i) American Nurses Credentialing Center.

(ii) American Association of Critical Care Nurses Certification Corporation.

(b) An applicant who does not possess national certification as a clinical nurse specialist shall have met the continuing education requirements for his or her role and population focus consistent with the recertification standards as established by the American Nurses Credentialing Center or the American Association of Critical Care Nurses Certification Corporation for the 2-year period immediately preceding the certification renewal.

(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit this evidence for audit.

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 preceding an application for renewal. This part applies to an application for renewal that is filed for the renewal cycle 1 year or more after the effective date of these rules.

(2) An applicant for license renewal shall complete at least 2 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(2). 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 shall constitute 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(h).

(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.

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 shall comply with the following, as applicable:

(a) No more than 12 credit hours shall 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 offered, if it is approved or offered for continuing education credit by any of the following:

- The American Nurses Credentialing Center (ANCC).
- The National Association for Practical Nurse Education and Service, Inc. (NAPNES).
- The National League for Nursing (NLN).
- The American College of Nurse-Midwives (ACNM).
- The American Association of Nurse Anesthetists (AANA).
- The American Association of Nurse Practitioners (AANP).
- The Accreditation Council for Continuing Medical Education (ACCME).
- Another state or provincial board of nursing.
- A nursing education program approved by the board.

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 each 60 minutes of participation may be earned.

A minimum of 25 hours shall be earned in each renewal period.
### 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.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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<tbody>
<tr>
<td>(b)</td>
<td>Completion of academic courses related to nursing practice offered in a nursing education program approved by the board. &lt;br&gt; 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.</td>
</tr>
<tr>
<td>(c)</td>
<td>Obtaining specialty certification or maintaining certification as 1 of the following:&lt;br&gt; - Nurse midwife.&lt;br&gt; - Nurse anesthetist.&lt;br&gt; - Nurse practitioner.&lt;br&gt; - Clinical nurse specialist.&lt;br&gt; - Nurse anesthetist.&lt;br&gt; - Nurse midwife.&lt;br&gt; - Nurse practitioner. &lt;br&gt;If audited, an applicant shall submit proof of certification or recertification.</td>
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<td>(d)</td>
<td>Successful completion of a national nursing specialty examination.</td>
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| (e) | Initial publication of a chapter or an article related to the practice of nursing or allied health in either 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. |
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<td>Ten hours per publication.</td>
<td>A maximum of 10 hours may be earned in each renewal period.</td>
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| (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. |
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<td>One hour for each 50 to 60 minutes of participation.</td>
<td>A maximum of 4 hours may be earned in each renewal period.</td>
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| (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. |
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<tr>
<td>One hour for each 60 minutes of participation.</td>
<td>A maximum of 4 hours may be earned in each renewal period.</td>
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| (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. |
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<td>Three hours may be earned for each 60 minutes of presentation.</td>
<td>A maximum of 6 hours may be earned in each renewal period.</td>
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<th>(i)</th>
<th>Participation as a preceptor for at least 1 nursing student or new employee undergoing orientation.</th>
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<tr>
<td>A maximum of 5 hours of</td>
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A preceptorship shall 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. Continuing education may be earned in each renewal period.

PART 7. NURSING PROFESSIONAL FUND SCHOLARSHIP PROGRAM

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 biennially 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 (MUA), medically underserved populations (MUP), or health professional shortage areas (HPSA).
   (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.

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) A prelicensure nursing program shall comply with all of the following:
      (i) Be approved by the Michigan board of nursing.
      (ii) Have a primary campus located in this state.
      (iii) Offer a program of nursing that meets the predetermined category and area of need as established by the board.
   (b) A post-licensure nursing program shall comply with all of the following:
      (i) File an application setting forth the information requested on the form establishing eligibility.
      (ii) Be accredited by a national nursing education accrediting entity.
      (iii) Have a primary campus located in this state.
   (2) A school may submit an application for participation for only those programs that are included in the annual list of scholarship program priorities as determined by the board pursuant to R 338.10702.
   (3) The department shall annually determine the allocation for each eligible education category program.
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 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 notify the department, in writing, of its intent to award a scholarship. The notice shall contain all of the following information:

(a) The name of the recipient.
(b) Course of study or program in which the recipient is enrolled.
(c) Validation that all criteria have been met.

(4) A student may receive a scholarship award only once for each level of nursing education.

(5) The nursing education program shall notify the department, in writing, when a scholarship recipient completes the nursing program.

(6) 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 award the remaining scholarship monies in accordance with subrule (3) of this rule or 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.
NOTICE OF PUBLIC HEARING

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
NOTICE OF PUBLIC HEARING
September 29, 2017
9:00 a.m. – 11:00 a.m.
Location: G. Mennen Williams Building Auditorium
525 W. Ottawa Street, Lansing, Michigan

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


Overview: The proposed rules will change the renewal date for nursing licenses from April 1 to the date of issuance.

Board of Nursing - General Rules (ORR 2017- 037 LR)

Authority: MCL 333.16145 and 333.17221

Overview: The proposed changes include: Revising current provisions for when a registered nurse or licensed practical nurse applicant can sit for the NCLEX examination and whether the applicant must sit for a review course; requiring applicants with lapsed licenses to establish good moral character and submit fingerprints; requiring graduates of non-accredited programs to have their education certified by the CGFNS prior to sitting for the NCLEX examination; adding definitions for the nursing education section of the rule set; updating self-study content requirements; permitting more than one cohort in a 12 month period; clarifying reporting schedules to adjust submission dates for nursing education reports and self-studies; clarifying the definition of a minor program change; requiring approved nursing programs to be accredited by a board-approved nursing program accrediting agency; deleting durational program requirements for a practical nursing program; clarifying that didactic instruction includes theory instruction; requiring that faculty exception requests be submitted prior to course instruction; setting the maximum ratio of students to faculty members in clinical settings; requiring nursing education program’s philosophy and conceptual framework to be the basis for the organization of the curriculum; requiring programs to maintain documentation of preceptor education and setting a maximum ratio of students to preceptor in clinical settings; updating adopted standards; permitting evaluation of programs for failure to submit timely reports or self-studies; adding the specialty certification for the clinical nurse specialist; requiring licensees to maintain evidence of compliance with certification requirements of credentialing organizations and continuing education requirements; adding continuing education activities for the clinical nurse specialist; requiring the board to annually determine categories and areas of need for nursing scholarship awards; and outlining procedures for distribution of nurse scholarship funds.

Board of Veterinary Medicine - General Rules (ORR 2017-019 LR)

Authority: MCL 333.16145 and MCL 333.18813.

Overview: The proposed changes include: clarifying examination requirements for a veterinarian;
updating the name of the examination developer; clarifying the licensure by endorsement requirements; updating adopted standards; clarifying requirements for educational limited licenses; clarifying the requirements for relicensure; and requiring that licensees obtain 45 hours of continuing education.

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<tr>
<th><strong>Veterinary Technician Licensure</strong> (ORR 2017-020 LR)</th>
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**Authority:** MCL 333.16145 and MCL 333.18813.

**Overview:** The proposed changes include: clarifying examination requirements for a veterinary technician; rescinding the rule pertaining eligibility requirements to take the national licensure examination; clarifying the licensure by endorsement requirements; updating adopted standards; clarifying requirements for educational limited licenses; clarifying the requirements for relicensure; requiring that licensees obtain 15 hours of continuing education; and adding modalities for accumulation of continuing education.

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 29, 2017, 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:


The meeting site and parking are accessible to people with disabilities. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations (such as materials in alternative format) in order to participate in the meeting should call (517) 241-7500.)
These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.


R 338.7001a of the Michigan Administrative Code is amended as follows:

R 338.7001a  Biennial renewal; authorized boards; license renewal content.

Rule 1a. (1) The license or registration renewals issued for the following professions are valid for a period of 2 years commencing on the following dates and shall be renewed every 2 years upon receipt of payment and compliance with renewal requirements, if appropriate:

<table>
<thead>
<tr>
<th>Profession</th>
<th>Issue date</th>
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<tbody>
<tr>
<td>Acupuncture</td>
<td>10/1</td>
</tr>
<tr>
<td>Audiology</td>
<td>1/1</td>
</tr>
<tr>
<td>Chiropractic</td>
<td>12/1</td>
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<tr>
<td>Marriage and family therapy</td>
<td>2/1</td>
</tr>
<tr>
<td>Nursing</td>
<td>4/4</td>
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<tr>
<td>Nursing home administrators</td>
<td>11/1</td>
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<tr>
<td>Occupational therapy</td>
<td>6/1</td>
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<tr>
<td>Optometry</td>
<td>7/1</td>
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<tr>
<td>Pharmacy</td>
<td>7/1</td>
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<tr>
<td>Physical therapy</td>
<td>8/1</td>
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<tr>
<td>Physician's assistants</td>
<td>9/1</td>
</tr>
<tr>
<td>Psychology</td>
<td>9/1</td>
</tr>
<tr>
<td>Respiratory care</td>
<td>1/1</td>
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<tr>
<td>Sanitarians</td>
<td>12/1</td>
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<tr>
<td>Speech-language pathology</td>
<td>10/1</td>
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</table>

(2) A license or registration having a limitation may be renewed for a term less than the biennial cycle.
NOTICE OF PUBLIC HEARING

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing

NOTICE OF PUBLIC HEARING
September 29, 2017
9:00 a.m. – 11:00 a.m.
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<td><strong>Overview:</strong> The proposed changes include: Revising current provisions for when a registered nurse or licensed practical nurse applicant can sit for the NCLEX examination and whether the applicant must sit for a review course; requiring applicants with lapsed licenses to establish good moral character and submit fingerprints; requiring graduates of non-accredited programs to have their education certified by the CGFNS prior to sitting for the NCLEX examination; adding definitions for the nursing education section of the rule set; updating self-study content requirements; permitting more than one cohort in a 12 month period; clarifying reporting schedules to adjust submission dates for nursing education reports and self-studies; clarifying the definition of a minor program change; requiring approved nursing programs to be accredited by a board-approved nursing program accrediting agency; deleting durational program requirements for a practical nursing program; clarifying that didactic instruction includes theory instruction; requiring that faculty exception requests be submitted prior to course instruction; setting the maximum ratio of students to faculty members in clinical settings; requiring nursing education program’s philosophy and conceptual framework to be the basis for the organization of the curriculum; requiring programs to maintain documentation of preceptor education and setting a maximum ratio of students to preceptor in clinical settings; updating adopted standards; permitting evaluation of programs for failure to submit timely reports or self-studies; adding the specialty certification for the clinical nurse specialist; requiring licensees to maintain evidence of compliance with certification requirements of credentialing organizations and continuing education requirements; adding continuing education activities for the clinical nurse specialist; requiring the board to annually determine categories and areas of need for nursing scholarship awards; and outlining procedures for distribution of nurse scholarship funds.</td>
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<tr>
<th>Board of Veterinary Medicine - General Rules (ORR 2017-019 LR)</th>
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</thead>
<tbody>
<tr>
<td>Authority: MCL 333.16145 and MCL 333.18813.</td>
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<tr>
<td><strong>Overview:</strong> The proposed changes include: clarifying examination requirements for a veterinarian;</td>
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</table>
Veterinary Technician Licensure (ORR 2017-020 LR)

Authority: MCL 333.16145 and MCL 333.18813.

Overview: The proposed changes include: clarifying examination requirements for a veterinary technician; rescinding the rule pertaining eligibility requirements to take the national licensure examination; clarifying the licensure by endorsement requirements; updating adopted standards; clarifying requirements for educational limited licenses; clarifying the requirements for relicensure; requiring that licensees obtain 15 hours of continuing education; and adding modalities for accumulation of continuing education.

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 29, 2017, 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:


The meeting site and parking are accessible to people with disabilities. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations (such as materials in alternative format) in order to participate in the meeting should call (517) 241-7500.
MCL 14.32 states in part:

“It shall be the duty of the attorney general, when required, to give his opinion upon all questions of law submitted to him by the legislature, or by either branch thereof, or by the governor, auditor general, treasurer or any other state officer”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(j) Attorney general opinions.”
INCOMPATIBLE PUBLIC OFFICES ACT: County commissioner and member of board of review.

GENERAL PROPERTY TAX ACT:

BOARD OF REVIEW:

The Incompatible Public Offices Act, 1978 PA 566, MCL 15.181 et seq., prohibits an individual from holding the office of board of review member while also holding the office of county commissioner in the same county.

Opinion No. 7297 August 31, 2017 Mr. Nick A. Khouri
State Treasurer
430 West Allegan Street Lansing, MI 48922

You have asked whether serving as a board of review member while also serving as a member of a county board of commissioners in the same county violates the Incompatible Public Offices Act (IPOA), 1978 PA 566, MCL 15.181 et seq.

The IPOA prohibits the same person from simultaneously holding two or more incompatible public offices. Subsection 2(1), MCL 15.182(1), provides: “Except as provided in section 3, a public officer . . . shall not hold 2 or more incompatible offices at the same time.” A “public officer” includes a person “elected or appointed” to a “public office of a city, village, township, or county in this state.” MCL 15.181(e). As elected or appointed officials, county commissioners and board of review members are “public officers” for purposes of the IPOA.
See OAG, 2015-2016, No. 7289 (April 11, 2016); OAG, 2009-2010, No. 7256, p 184

Subsection 1(b), MCL 15.181(b), defines incompatible offices as follows: “Incompatible
offices” means public offices held by a public
official which, when the official is performing the duties of any of the public offices
held by the official, results in any of the following with respect to those offices held:

(i) The subordination of 1 public office to another.

(ii) The supervision of 1 public office by another.

(iii) A breach of duty of public office.

Therefore, a determination must be made whether one of these two public offices is
subordinate to, or supervises, the other, or whether the simultaneous holding of these public offices
results in a breach of duty. To make this determination, it is necessary to examine the relationship of
the two offices to the assessment process.

Members of a county board of commissioners are elected officials generally responsible for
managing the legislative and administrative affairs of the county. Const 1963, art 7, §§ 7, 8; MCL
46.1 et seq.; MCL 46.401 et seq.\(^1\)

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\(^1\) While sections 7 and 8 of article 7 of the Michigan Constitution refer to a “board of supervisors,” state statutes use the term “county board of commissioners” pursuant to 1966 PA 261, MCL 46.401 et seq. See also Advisory Opinion re Constitutionality of 1966 PA 261, 380 Mich 736; 158 NW2d 497 (1968); and In re Apportionment of Ontonagon County Board of Supervisors, 11 Mich App 348; 157 NW2d 698 (1968).

Township and city boards of review are established under section 28 of the General Property
Tax Act (GPTA), 1893 PA 206, MCL 211.28. A board of review hears protests from property owners
disputing the valuations and classifications established by local assessors for property tax purposes or
claiming entitlement to an exemption from taxation. Members of a township board of review are
appointed by the township’s board of trustees. MCL 211.28(1). City board of review members are appointed pursuant to city charter or city ordinance. MCL 211.28(4).

A board of review is tasked with ensuring that the valuation of property on the assessment roll is “relatively just and proper under” under the GPTA. MCL 211.30(4). To that end, the board has broad authority to “do whatever [ ] is necessary to make the roll comply with” the GPTA. MCL 211.29(2). More specifically, in regard to property assessment and valuation, the board of review has the authority to consider objections to the assessment roll, and where sufficient cause is shown, change the assessed values or tentative taxable values of property, add property to the assessment roll, and exempt or remove personal property from the assessment roll. MCL 211.30. After the board of review completes its review, makes any changes, and approves the assessment roll, the roll is delivered to the county equalization director. MCL 211.30(6), (7).

After delivery, the board of county commissioners examines the roll. MCL 211.34(1). The board of county commissioners takes the final action on county equalization by examining the township and city assessment rolls and ascertaining whether the real and personal property on the local rolls has been equally and uniformly assessed at true cash value. MCL 211.34(2). The board of county commissioners has the authority to, if necessary, modify any local assessment it deems to be unequal by adding to or deducting from the valuation of the taxable property on a local roll. Id.

Accordingly, both the local board of review and the board of county commissioners have an oversight role in the assessment process. But within that process, it is the board of county commissioners that makes the final determination, with the authority to modify any prior decisions
made at the township or city level, including decisions made by the local board of review. Consequently, in the assessment hierarchy, the board of county commissioners has, in effect, a supervisory role over the township and city assessing entities, including the boards of review. As a result, the offices of county commissioner and local board of review member are incompatible under subsection 1(b)(ii), MCL 15.181(b)(ii), of the IPOA. Because the offices are incompatible under subsection 1(b)(ii), it is unnecessary to address the other categories set forth in subsections 1(b)(i) and (iii). MCL 15.181(b)(i), (iii).

This conclusion is consistent with prior opinions of this office that have considered the compatibility of separate public offices that each participate in the assessment process. For example, prior opinions have concluded that incompatibility exists between the offices of township assessor and county commissioner, see OAG, 1991-1992, No. 6737, p 191 (October 28, 1992) and OAG, 1979-1980, No. 5626, p 537 (January 16, 1980), and between the offices of township board of review member and county assessor, see OAG, 1975-1976, No. 5050, p 506 (June 16, 1976). See also, OAG, 1987-1988, No. 6418, p 15 (January 13, 1987) (offices of county commissioner and city treasurer incompatible). In each circumstance, the county-level public office was deemed to serve in a supervisory capacity over the local-level public office.

It is my opinion, therefore, that the IPOA prohibits an individual from serving as a local board of review member while also serving as a county commissioner in the same county.

BILL SCHUETTE
Attorney General
MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

(a) Executive orders and executive reorganization orders.”
EXECUTIVE ORDERS

EXECUTIVE ORDER
No. 2017 - 6

STATE OF ENERGY EMERGENCY
TEMPORARY SUSPENSION OF RULES FOR GASOLINE VAPOR PRESSURE

WHEREAS, Section 3 of 1982 PA 191, MCL 10.83 vests the executive power of the state of Michigan in the Governor and authorizes the Governor to declare a State of Energy Emergency if the Governor finds that an energy emergency exists or is imminent;

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency the Governor may by executive order suspend a statute, an order, a rule of a state agency, or a specific provision of the statute, rule, or order if strict compliance with the statute, order, rule, or a specific provision of the statute, rule, or order will prevent, hinder, or delay necessary action in coping with the energy emergency;

WHEREAS, the destruction caused by Hurricane Harvey has reduced refinery production in the Gulf Coast and constricted the supply of refined petroleum products to the Midwest, including in Michigan;

WHEREAS, the U.S. Environmental Protection Agency has determined, and the U.S Department of Energy concurs, that it is necessary to take action to minimize or prevent the disruption of gasoline supplies caused by Hurricane Harvey;

WHEREAS, the U.S. Environmental Protection Agency (EPA) has waived until September 15, 2017, the federal Reid vapor pressure requirements at 40 C.F.R. 80.27 in numerous U.S. states, including Michigan;

WHEREAS, the Governor must declare a State of Energy Emergency and a suspension of Michigan Reid vapor pressure regulations to make the federal Reid vapor pressure waiver enforceable in Michigan;

WHEREAS, the suspension of Michigan Reid vapor pressure regulations by the U.S. EPA and this Executive Order would permit the manufacture, transportation, and sale of motor fuels with a Reid vapor pressure up to 9.0 psi in Wayne, Oakland, Macomb, St. Clair, Livingston, Washtenaw, Monroe, and Lenawee counties and up to 11.5 psi elsewhere in Michigan;

WHEREAS, appropriate measures must be taken in response to the energy emergency to ensure that gasoline supplies will remain sufficient and to assure the health, safety, and welfare of Michigan residents and visitors;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and 1982 PA 191, MCL 10.81 to 10.87, order the following:
1. A State of Energy Emergency is declared in the state of Michigan. Pursuant to Section 3 of 1982 PA 191, MCL 10.83, the State of Energy Emergency is effective until the earlier of either of the following:
   a. A finding by the Governor that the energy emergency no longer exists, or
   b. Friday, September 15, 2017.

2. Regulation No. 561, entitled, “Dispensing Facility Reid Vapor Pressure,” promulgated by the Laboratory Division of the Department of Agriculture, 1997 AACS, R 285.561.1 to 285.561.10, is suspended for the duration of the State of Energy Emergency declared in this Order.

3. Pursuant to the EPA waiver referenced above, as well as this Order, Regulation No. 564.4 (g) promulgated by the Laboratory Division of the Department of Agriculture, 1997 AACS, R 285.564.4(g), is suspended for the duration of the State of Energy Emergency declared in this Order.

4. The Department of Agriculture and Rural Development is responsible for coordinating state compliance with this Order.

This Order is effective upon filing.

Given under my hand and the Great Seal of the state of Michigan this 31st day of August, in the Year of our Lord Two Thousand Seventeen.

RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE
MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

“(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.”

The following table cites administrative rules promulgated during the year 2017, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).
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(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)
ARGICULTURE AND RURAL DEVELOPMENT, DEPARTMENT OF
Repeal
Repeal PA 257 of 2016 Regulation 203 Animal remedies (2017-1)
Repeal PA 210 of 2015 Regulation No. 547. Hazardous Substances (2017-11)

Regulation No. 202 Fresh Fruits and Vegetables Containing Poisonous Spray Residue (2017-14)

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Aquaculture not permitted in the Michigan waters of the Great Lakes
   AG Opinion No. 7293 (2017-1)

Validity of local ordinance raising the age of person able to purchase tobacco products to the age of 21
   AG Opinion No. 7294 (2017-3)

Compatibility of Offices of Village President and Village Manager
   AG Opinion No. 7295 (2017-5)

Reduction of state school aid for use of certain mascots or logos
   AG Opinion No. 7296 (2017-13)

County commissioner and member of board of review
   AG Opinion No. 7297 (2017-16)

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Education of Pregnant and Parenting Students (2017-5)
Eye Protection Devices (2017-2)
Personality Test (2017-2)
Release of Children for Attending Religious Instruction Classes (2017-2)
Teacher and School Administrator Evaluation Tools (2017-6)
Use of School Bus for Transportation of Senior Citizens (2017-2)

ENVIRONMENTAL QUALITY, DEPARTMENT OF EMERGENCY RULE
Establishment of Cleanup Criteria for 1, 4-Dioxane (2017-8)
Environmental Contamination Response Activity (2017-13*)
Hazardous Waste Management (2017-6)
Part 17. Soil Erosion and Sedimentation Control (2017-12)

EXECUTIVE OFFICE PROCLAMATION
Request for Extension of Declaration of Emergency (2017-2)

Executive Order
No. 1 -2017 (2017-5)
No. 2 -2017 (2017-5)
No. 3 -2017 (2017-7)
No. 4 -2017 (2017-11)
No. 5 -2017 (2017-12)
No. 6 -2017 (2017-16)

HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Birth Defect Reporting (2017-16*)
Statewide Trauma System (2017-10)

INSURANCE AND FINANCIAL SERVICES, DEPARTMENT OF
Certificates of No-Fault Self-Insurance (2017-14*)
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LICENSING AND REGULATORY AFFAIRS, DEPARTMENT OF CORRECTIONS
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Construction Safety Standard Part 8 Handling and Storage of Materials (2017-5)
General Industry Safety Standard Part 21 Powered Industrial Trucks (2017-6)
Occupational Health Standard Part 590 Silica in General Industry (2017-9)

**EMERGENCY RULE**
Standing Order for Dispensing Opioid Antagonist (2017-10)

**REPEAL**
Repeal – Real Estate Broker Rules (2017-6)
Repeal - Residential Conservation Program Standards (2017-5)

Architects – General Rules (2017-14*)
Athletic Training – General Rules (2017-1)
Beer – General Rules (2017-5)
Board of Physical Therapy General Rules (2017-1)
Board of Psychology – General Rules (2017-6)
Board of Nursing - General Rules (2017-1) (2017-16*)
Cosmetology (2017-6)
Dentistry - General Rules (2017-1)
Electrical Supply and Communication Lines and Associated Equipment (2017-8*)
Employment Relations Commission – General Rules (2017-14)
General Rules Public Health Code (2017-4)
Homes for the Aged (2017-10)
Licensing Qualifications -Retail license; Participating agreement (2017-9)
Licensing Qualifications - - SDD License; prohibited issuance or transfer (2017-15*)
Massage Therapy – General Rules (2017-5)
Nursing Homes and Nursing Care Facilities (2017-5)
Occupational Therapy (2017-5*)
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Part 10a Michigan Energy Code (2017-10)
Part 14 – Conveyors GI (2017-4)
Part 30 – Telecommunications for Construction (2017-2)
Part 50 – Telecommunications for General Industry (2017-2)
Part 51 – Logging GI (2017-4)
Part 90 – Permit Required Confined Spaces GI (2017-4)
Part 91 – Process Safety Management of Highly Hazardous Chemicals GI (2017-4)
Part 301 – Air Contaminants for GI (2017-4)
Part 490 – Permit Required Confined Spaces OH (2017-4)
Part 590 – Silica in GI (2017-4)
Part 601 – Air Contaminants for Construction OH (2017-4)
Part 690 – Silica in Construction OH (2017-4)
Penal Facilities Fire Safety Rules (2017-6)
Pharmacy - General Rules (2017-14*)
Podiatric Medicine and Surgery - General Rules (2017-14*)
Public Health Code – General Rules (2107-16*)
Responsibilities of Providers of Basic Local Exchange Service that Cease to Provide the Service (2017-12*)
Veterinary Medicine – General Rules (2017-16*)
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Wine – General Rules (2017-5)

NATURAL RESOURCES, DEPARTMENT OF
Mackinac Island State Park Commission – General Rules (2017-10)
Pure Michigan Trail, Water Trail, and Trail Town Designation (2017-13*)

STATE, DEPARTMENT OF
Assigned Claims Plan (2017-4)
Automotive Regulations (2017-2)

STATE, DEPARTMENT OF
Repeal
Michigan Uniform Traffic Code Test for Breath Alcohol Repeal PA 61 of 2017 (2017-15)

Alcohol and Drug Testing of Biological and Nonbiological Specimens (2017-13*)
Test for Breath Alcohol (2017-15*)

TRANSPORTATION, DEPARTMENT OF
Automotive Regulation – General Rules (2017-3)

TREASURY, DEPARTMENT OF
Audit Standards for Examinations under the Uniform Unclaimed Property Act (2017-5)
Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”
### 2017 Michigan Public Acts Table

Legislative Service Bureau  
Legal Division, Statutory Compiling and Law Publications Unit  
124 W. Allegan, Lansing, MI 48909  
August 29, 2017  
Through PA 117 of 2017

<table>
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<th>PA No.</th>
<th>ENROLLED</th>
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<th>Governor Approved</th>
<th>Filed Date</th>
<th>Effective Date</th>
<th>SUBJECT</th>
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</table>
| 1      | 0016     | Yes   | 3/30             | 3/31      | 6/29/17        | Corrections; parole; parole sanctions certainty act; create.  
(Sen. J. Proos) |
| 2      | 0005     | Yes   | 3/30             | 3/31      | 6/29/17        | Criminal procedure; other; certain definitions and requirements for the manner in which data regarding recidivism are collected; provide for in the code of criminal procedure.  
(Sen. J. Proos) |
| 3      | 0006     | Yes   | 3/30             | 3/31      | 6/29/17        | Corrections; alternatives; certain definitions and requirements for the manner in which data regarding recidivism are collected; provide for in the community corrections act.  
(Sen. T. Schuitmaker) |
| 4      | 0007     | Yes   | 3/30             | 3/31      | 6/29/17        | Corrections; other; definitions of certain terms and the manner in which data regarding recidivism are collected; provide for in the code of corrections.  
(Sen. M. Knollenberg) |
| 5      | 0008     | Yes   | 3/30             | 3/31      | 6/29/17        | Corrections; parole; use of evidence-based supervision practices; require.  
(Sen. P. MacGregor) |
| 6      | 0009     | Yes   | 3/30             | 3/31      | 6/29/17        | Corrections; other; reentry services provided to prisoners housed in correctional institutions by certain organizations; require the department to develop screening and registration policies and procedures for those organizations.  
(Sen. J. Proos) |
| 7      | 0010     | Yes   | 3/30             | 3/31      | 6/29/17        | Corrections; parole; department to provide quarterly report providing reasons inmates beyond their earliest release date have not been paroled; require.  
(Sen. M. O’Brien) |
| 8      | 0012     | Yes   | 3/30             | 3/31      | 6/29/17        | Corrections; parole; commutation hearings and procedures; expedite review and hearing process for certain commutations if requested by governor.  
(Sen. R. Jones) |

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** - Act takes effect on the 91st day after sine die adjournment of the Legislature.  
*** - See Act for applicable effective date.  
+ - Line item veto.  
++ - Pocket veto.  
# - Tie bar.  
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<td>Criminal procedure; probation; penalties for probationers who commit technical probation violations; modify. (Sen. J. Proos)</td>
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<td>Criminal procedure; probation; reduction of term of probation; allow in certain cases. (Sen. R. Jones)</td>
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<td>Corrections; parole; supervising region incentive program; create. (Sen. M. Shirkey)</td>
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<td>Corrections; parole; department of corrections to report parole absconders to department of health and human services; require. (Sen. K. Horn)</td>
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<td>Human services; services or financial assistance; services or financial assistance provided to individual who absconds from parole; require to be discontinued. (Sen. D. Zorn)</td>
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<td>Corrections; other; reference to general education development, (GED); revise to high school equivalency. (Sen. D. Robertson)</td>
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<td>Crime victims; other; crime victims fund; ensure funds may be provided to minor victims of crime and require certain reporting. (Sen. R. Warren)</td>
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<td>Corrections; prisoners; department to provide rehabilitation programming for 18-to 22-year-old inmates that specifically takes the prisoners' age into consideration and to report certain information; require. (Sen. B. Johnson)</td>
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<td>Criminal procedure; other; swift and sure probation sanctions; modify, and create the swift and sure probation supervision fund. (Sen. J. Proos)</td>
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<td>Courts; other; swift and sure sanctions court; create. (Sen. J. Proos)</td>
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| 19    | 0034|     | Yes/No| 3/30              | 3/31       | 6/29/17        | Highways: name; portion of US-23; designate as the “Sergeant Joe Johnson Memorial Highway”.  
(Sen. J. Ananich) |
| 20    | 0039|     | Yes/No| 3/30              | 3/31       | 3/31/17        | Probate: other; exceptions to definition of surviving spouse in relation to a funeral representative; revise.  
(Sen. R. Jones) |
| 21    | 0069|     | Yes/No| 3/30              | 3/31       | 3/31/17        | State financing and management: other; disclosure of certain information in procurement process; modify.  
(Sen. R. Jones) |
| 22    | 0213|     | Yes/No| 3/30              | 3/31       | 3/31/17        | Health: other; prescribing drugs, including controlled substances, via telehealth; provide for under certain circumstances and allow Michigan board of nursing to promulgate certain rules for clinical nurse specialists.  
(Sen. P. MacGregor) |
| 23    | 4080|     | Yes/No| 4/27              | 4/27       | 4/27/17        | State financing and management: other; certain forms of energy improvement financing for certain school districts; provide for.  
(Rep. B. Griffin) |
| 24    | 4137|     | Yes/No| 5/4               | 5/4        | 8/2/17         | Law enforcement: records; fingerprinting and photographing of child or youth with special health care needs taken and submitted to the automated fingerprint identification system (AFIS) and the statewide network of agency photos upon request of parent or guardian; allow.  
(Rep. B. Frederick) |
| 25    | 0038|     | Yes/No| 5/4               | 5/4        | 8/2/17         | Law enforcement: records; procedure for fingerprinting and photographing of individual with special health care needs taken and submitted to the automated fingerprint identification system (AFIS) and the statewide network of agency photos upon request of parent or guardian; allow and establish.  
(Sen. R. Jones) |
| 26    | 0119|     | Yes/No| 5/4               | 5/4        | 5/4/17         | Property: conveyances; transfer of certain state-owned property in Marquette County; provide for.  
(Sen. T. Casperson) |
| 27    | 4136|     | Yes/No| 5/4               | 5/4        | 5/4/17         | Property tax: delinquent taxes; administration of delinquent tax revolving funds; clarify.  
(Rep. J. Tedder) |
| 28    | 4057|     | Yes/No| 5/9               | 5/9        | 8/7/17         | Highways: name; portion of US-12 in the city of Jonesville; designate as the “James Bondsteel Memorial Highway”.  
(Rep. E. Leutheuser) |

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| 29    | 4063 |  | Yes | 5/8 | 5/9 | 8/7/17 | # | Crimes; other; aiming a beam of directed energy from a directed energy device at or into path of aircraft or moving train; prohibit and provide penalty.  
(Rep. L. Cox) |
| 30    | 4064 |  | Yes | 5/8 | 5/9 | 8/7/17 | # | Criminal procedure; sentencing guidelines; sentencing guidelines for crime of aiming beam of directed energy from a directed energy device at aircraft or into path of aircraft or path of moving train; enact.  
(Rep. T. Barrett) |
| 31    | 4203 |  | Yes | 5/8 | 5/9 | 8/7/17 | | State; identification cards; secretary of state sharing of photographs taken for official state personal identification card with the department of state police; allow.  
(Rep. B. LaFave) |
| 32    | 4204 |  | Yes | 5/8 | 5/9 | 8/7/17 | | Traffic control; driver license; access to driver license photograph of concealed weapons license holders; allow by department of state police.  
(Rep. T. Cole) |
| 33    | 4329 |  | Yes | 5/8 | 5/9 | 5/9/17 | | Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2016-2017.  
(Rep. J. Yaroch) |
| 34    | 4219 |  | Yes | 5/23 | 5/23 | 8/21/17 | | Criminal procedure; sentencing; deferral and dismissal eligibility for victims of human trafficking; expand.  
(Rep. B. Kahle) |
| 35    | 4167 |  | Yes | 5/23 | 5/23 | 8/21/17 | | Vehicles; trucks; length limit; increase truck and trailer combinations transporting agricultural drainage tubing to 75 feet.  
(Rep. B. Frederick) |
| 36    | 4288 |  | Yes | 5/23 | 5/23 | 5/23/17 | | Family law; other; jurisdiction to establish a support order in certain circumstances under uniform interstate family support act (UIFSA); modify.  
(Rep. K. Kesto) |
| 37    | 0046 |  | Yes | 5/23 | 5/23 | 8/21/17 | | Traffic control; traffic regulation; requirement that emergency lights be mounted on the roof of an authorized emergency vehicle; eliminate.  
(Sen. D. Zorn) |
| 38    | 0102 |  | Yes | 5/23 | 5/23 | 8/21/17 | | Property; other; Michigan community foundation act; create.  
(Sen. W. Schmidt) |

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<tr>
<td>39</td>
<td>0118</td>
<td>Yes</td>
<td>5/23</td>
<td>5/23</td>
<td>8/21/17</td>
<td>Recreation: trails; National Trails System; allow department of natural resources to become a trail sponsor, and provide limited liability for personal injuries. (Sen. G. Hansen)</td>
</tr>
<tr>
<td>40</td>
<td>0129</td>
<td>Yes</td>
<td>5/23</td>
<td>5/23</td>
<td>8/21/17</td>
<td>Natural resources: mining; small native copper mining operations; establish separate regulatory program for. (Sen. T. Casperson)</td>
</tr>
<tr>
<td>41</td>
<td>0202</td>
<td>Yes</td>
<td>5/23</td>
<td>5/23</td>
<td>5/23/17</td>
<td>Crimes: gambling; social media internet game providing certain awards to players; allow. (Sen. J. Brandenburg)</td>
</tr>
<tr>
<td>43</td>
<td>4131</td>
<td>Yes</td>
<td>6/7</td>
<td>6/7</td>
<td>9/5/17</td>
<td>Retirement: other; forfeiture of employer contributions to a defined contribution plan if public employee is convicted of certain felonies; provide for. (Rep. J. Runestad)</td>
</tr>
<tr>
<td>44</td>
<td>4058</td>
<td>Yes</td>
<td>6/7</td>
<td>6/7</td>
<td>6/7/17</td>
<td>Economic development: neighborhood enterprise zones; requirement to send report of assessed values and ad valorem taxes to the Michigan enterprise zone authority; eliminate. (Rep. E. Leutheuser)</td>
</tr>
<tr>
<td>45</td>
<td>0176</td>
<td>Yes</td>
<td>6/7</td>
<td>6/7</td>
<td>9/5/17</td>
<td>Highways: signs; tourist-oriented directional sign; revise requirements for eligible attractions. (Sen. T. Casperson)</td>
</tr>
<tr>
<td>46</td>
<td>0111</td>
<td>Yes</td>
<td>6/8</td>
<td>6/9</td>
<td>7/24/17</td>
<td>Economic development: brownfield redevelopment authority; transformational brownfield plans; provide for. (Sen. K. Horn)</td>
</tr>
<tr>
<td>47</td>
<td>0112</td>
<td>Yes</td>
<td>6/8</td>
<td>6/9</td>
<td>7/24/17</td>
<td>Individual income tax: collections; certain revenues attributable to transformational brownfield plans; capture and earmark. (Sen. J. Brandenburg)</td>
</tr>
<tr>
<td>48</td>
<td>0113</td>
<td>Yes</td>
<td>6/8</td>
<td>6/9</td>
<td>7/24/17</td>
<td>Sales tax: collections; certain revenue attributable to transformational brownfield plans; capture and earmark. (Sen. T. Casperson)</td>
</tr>
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<tr>
<td>49</td>
<td>0114</td>
<td></td>
<td>Yes</td>
<td>6/8</td>
<td>6/9</td>
<td>7/24/17</td>
<td><strong>Use tax; collections; certain revenue attributable to transformational brownfield plans; capture and earmark.</strong> (Sen. P. MacGregor)</td>
</tr>
<tr>
<td>50</td>
<td>0115</td>
<td></td>
<td>Yes</td>
<td>6/8</td>
<td>6/9</td>
<td>7/24/17</td>
<td><strong>Economic development; renaissance zones; exemption of certain taxes; modify.</strong> (Sen. S. Bieda)</td>
</tr>
<tr>
<td>51</td>
<td>4209</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>9/13/17</td>
<td><strong>Courts; juries; juror compensation; increase.</strong> (Rep. P. Lucido)</td>
</tr>
<tr>
<td>52</td>
<td>4210</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>9/13/17 #</td>
<td><strong>Courts; juries; increase in juror compensation; provide for.</strong> (Rep. P. Lucido)</td>
</tr>
<tr>
<td>53</td>
<td>4211</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>9/13/17</td>
<td><strong>Criminal procedure; evidence; testimony of expert witnesses regarding behavior pattern of human trafficking victims; allow under certain circumstances.</strong> (Rep. P. Lucido)</td>
</tr>
<tr>
<td>54</td>
<td>4532</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>6/15/17</td>
<td><strong>Property; recording; marital status in instruments conveying or mortgaging real estate; modify.</strong> (Rep. M. Whiteford)</td>
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<tr>
<td>55</td>
<td>0043</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>9/13/17</td>
<td><strong>Public employees and officers; compensation and benefits; public employee health benefits act; allow alternative cash reserves option for pooled plans.</strong> (Sen. G. Hansen)</td>
</tr>
<tr>
<td>56</td>
<td>0126</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>9/13/17</td>
<td><strong>Occupations; real estate; continuing education hours for real estate brokers and salespersons; revise requirements.</strong> (Sen. M. Kowall)</td>
</tr>
<tr>
<td>57</td>
<td>0158</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>9/13/17</td>
<td><strong>Occupations; business licensing and registration; licensure of used motor vehicle parts dealers; exclude certain businesses regulated under the natural resources and environmental protection act.</strong> (Sen. R. Jones)</td>
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<tr>
<td>58</td>
<td>0168</td>
<td></td>
<td>Yes</td>
<td>6/15</td>
<td>6/15</td>
<td>6/15/17</td>
<td><strong>Insurance; no-fault; auto theft prevention authority assessment; expand to commercial vehicles.</strong> (Sen. R. Jones)</td>
</tr>
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<td>4169</td>
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<td>Yes</td>
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<td>Yes</td>
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<td>68</td>
<td>4636</td>
<td>Yes</td>
<td>Yes</td>
<td>7/11</td>
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<td>69</td>
<td>4637</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Crimes; other; transporting person for purpose of performing genital mutilation; prohibit. (Rep. D. Farrington)</td>
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<tr>
<td>70</td>
<td>0337</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Crimes; other; procedures of clitoridectomy, infibulation, or other female genital mutilation; prohibit, and provide penalties. (Sen. M. O’Brien)</td>
</tr>
<tr>
<td>71</td>
<td>0368</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Crimes; other; penalties for transporting for the purpose of female genital mutilation; provide for. (Sen. T. Schuitmaker)</td>
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<tr>
<td>72</td>
<td>0338</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Criminal procedure; sentencing guidelines; crime of performing clitoridectomy, infibulation, or other female genital mutilation; provide sentencing guidelines for. (Sen. R. Jones)</td>
</tr>
<tr>
<td>73</td>
<td>0369</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of transporting female for purpose of female genital mutilation; provide for. (Sen. J. Emmons)</td>
</tr>
<tr>
<td>74</td>
<td>4638</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Criminal procedure; sentencing guidelines; crimes of performing female genital mutilation and of transporting a person for purpose of genital mutilation; provide sentencing guidelines for. (Rep. D. Rendon)</td>
</tr>
<tr>
<td>75</td>
<td>4639</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Health occupations; health professionals; permanent revocation of occupational license or registration if convicted of female genital mutilation or transporting person for purpose of performing female genital mutilation under state law; provide for. (Rep. K. Kesto)</td>
</tr>
<tr>
<td>76</td>
<td>4641</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Civil procedure; statute of limitations; female genital mutilation; extend statute of limitations for minor victims. (Rep. S. Chang)</td>
</tr>
<tr>
<td>77</td>
<td>4642</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Health; education; education and outreach program related to female genital mutilation; provide for. (Rep. P. Faris)</td>
</tr>
<tr>
<td>78</td>
<td>4661</td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Civil procedure; civil actions; victims of clitoridectomy, infibulation, or other female genital mutilation; provide for cause of action. (Rep. B. Griffin)</td>
</tr>
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<td>4690</td>
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<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>#</td>
<td>Criminal procedure; statute of limitations; statute of limitations on female genital mutilation violations; extend. (Rep. B. Kahle)</td>
</tr>
<tr>
<td>80</td>
<td>0159</td>
<td></td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>Traffic control; traffic regulation; gross vehicle weight limits; provide exemption for certain natural gas vehicles. (Sen. T. Casperson)</td>
<td></td>
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<tr>
<td>81</td>
<td>0410</td>
<td></td>
<td>Yes</td>
<td>7/11</td>
<td>7/11</td>
<td>10/9/17</td>
<td>#</td>
<td>Health occupations; health professionals; permanent revocation of occupational license or registration if convicted of female genital mutilation or transporting person for purpose of performing female genital mutilation under state law; provide for. (Sen. P. Colbeck)</td>
</tr>
<tr>
<td>82</td>
<td>4575</td>
<td></td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>10/10/17</td>
<td>Civil procedure; costs and fees; fee for publication of legal notice; extend sunset for annual increases for inflation. (Rep. B. LaFave)</td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>4558</td>
<td></td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>10/10/17</td>
<td>Liquor; advertising; regulation of displays; provide for. (Rep. J. Moss)</td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>4186</td>
<td></td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>7/12/17</td>
<td>Animals; animal shelters; certain definition of animal; revise. (Rep. J. Alexander)</td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>4427</td>
<td></td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>1/8/18</td>
<td>Law enforcement; other; release of recording taken by law enforcement officers with a body-worn camera; prohibit in certain circumstances. (Rep. J. Runestad)</td>
<td></td>
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<tr>
<td>86</td>
<td>4556</td>
<td></td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>10/10/17</td>
<td>#</td>
<td>Criminal procedure; sentencing guidelines; sentencing guidelines for unauthorized sale, delivery, or importation of beer or wine; enact. (Rep. J. Bellino)</td>
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<tr>
<td>87</td>
<td>4557</td>
<td></td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>10/10/17</td>
<td>Liquor; retail sales; penalties for selling, delivering or importing beer or wine in violation of act; increase. (Rep. J. Bellino)</td>
<td></td>
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<tr>
<td>88</td>
<td>4559</td>
<td></td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>7/12/17</td>
<td>Liquor; authorized distribution agents; wholesaler employees sampling beer or wine for educational purposes on the wholesaler's licensed premises; allow. (Rep. T. Barrett)</td>
<td></td>
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<td>89</td>
<td>4213</td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>10/10/17</td>
<td>Liquor; drinking age; obtaining court order before nonconsensual preliminary chemical breath testing of a minor; require. (Rep. P. Lucido)</td>
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<tr>
<td>90</td>
<td>4540</td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>7/12/17</td>
<td>Environmental protection; funding; sunsets on fees for wastewater and drinking water certifications and waste program facility and user charges; extend. (Rep. M. Whiteford)</td>
</tr>
<tr>
<td>91</td>
<td>4541</td>
<td>Yes</td>
<td>7/12</td>
<td>7/12</td>
<td>7/12/17</td>
<td>Water; quality; safe drinking water act; extend sunset on fees for training programs for certified operators. (Rep. M. Whiteford)</td>
</tr>
<tr>
<td>92</td>
<td>0401</td>
<td>Yes</td>
<td>7/13</td>
<td>7/13</td>
<td>7/13/17</td>
<td>Retirement; public school employees; default defined contribution only for employees hired after certain date; require, and provide for other general amendments. (Sen. P. Pavlov)</td>
</tr>
<tr>
<td>93</td>
<td>0076</td>
<td>Yes</td>
<td>7/13</td>
<td>7/13</td>
<td>7/13/17</td>
<td>Appropriations; supplemental; Michigan natural resources trust fund; provide appropriations for fiscal year 2016-2017. (Sen. D. Booher)</td>
</tr>
<tr>
<td>94</td>
<td>0160</td>
<td>Yes</td>
<td>7/13</td>
<td>7/13</td>
<td>10/11/17</td>
<td>Vehicles; motorcycles; definitions of implement of husbandry, autocycle, and motorcycle; modify. (Sen. T. Casperson)</td>
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<tr>
<td>95</td>
<td>0219</td>
<td>Yes</td>
<td>7/13</td>
<td>7/13</td>
<td>10/11/17</td>
<td>Weapons; licensing; application process for licensing; modify. (Sen. M. Green)</td>
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<td>96</td>
<td>0245</td>
<td>Yes</td>
<td>7/13</td>
<td>7/13</td>
<td>10/11/17</td>
<td>Weapons; other; spring-assisted knife; allow. (Sen. R. Jones)</td>
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<td>97</td>
<td>0248</td>
<td>Yes</td>
<td>7/13</td>
<td>7/13</td>
<td>7/13/17</td>
<td>Veterans; other; World War I centennial commission; create. (Sen. R. Warren)</td>
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<td>0249</td>
<td>Yes</td>
<td>7/13</td>
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<td>7/13/17</td>
<td>Local government; other; educational instruction access act; create. (Sen. M. Shirkey)</td>
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<td>PA No.</td>
<td>HB</td>
<td>SB</td>
<td>I.E.*</td>
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<td>104</td>
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<td>107</td>
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# - Tie bar.

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<td>109</td>
<td>0242</td>
<td>Yes</td>
<td>7/26</td>
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<td>8/25/17</td>
<td>Economic development; Michigan strategic fund; good jobs for Michigan program; create. (Sen. J. Stamas)</td>
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<td>0243</td>
<td>Yes</td>
<td>7/25</td>
<td>7/26</td>
<td>8/25/17</td>
<td>Individual income tax; collections; certain revenues attributable to the good jobs for Michigan program; capture and earmark. (Sen. W. Schmidt)</td>
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<td>7/26</td>
<td>8/25/17</td>
<td>Taxation; administration; disclosure of certain information under the Michigan strategic fund act; allow. (Sen. S. Bieda)</td>
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<td>4160</td>
<td>Yes</td>
<td>7/27</td>
<td>7/27</td>
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<td>Traffic control; traffic regulation; solicitation of contributions in public roadways by certain nonprofit organizations; allow under certain circumstances. (Rep. S. Hernandez)</td>
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<td>113</td>
<td>4177</td>
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<td>10/25/17</td>
<td>Elections; ballots; requirement of political party vignettes being printed on election ballots; remove. (Rep. H. Vaupel)</td>
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<td>4178</td>
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<td>10/25/17</td>
<td>Campaign finance; other; reference to party vignette in the Michigan campaign finance act; remove. (Rep. E. Canfield)</td>
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<td>115</td>
<td>4306</td>
<td>Yes</td>
<td>7/27</td>
<td>7/27</td>
<td>10/25/17</td>
<td>Vehicles; motorcycles; motorcycle endorsement fee; increase and increase earmark of motorcycle registration fees into motorcycle safety fund. (Rep. J. Tedder)</td>
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<td>116</td>
<td>0332</td>
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<td>10/25/17</td>
<td>Traffic control; driver license; requirement of examination regarding existence of certain medical conditions affecting applicant's ability to operate vehicle safely; modify. (Sen. T. Casperson)</td>
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<td>117</td>
<td>0474</td>
<td>Yes</td>
<td>7/27</td>
<td>7/27</td>
<td>7/27/17</td>
<td>Land use; land division; conflict between certain plats; resolve. (Sen. M. O'Brien)</td>
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<td>Veto</td>
<td>0011</td>
<td>No</td>
<td></td>
<td>3/30/17</td>
<td></td>
<td>Legislature; other; program for the management and collection of data related to criminal justice statistics; create. (Sen. P. Colbeck)</td>
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| Veto   | 0050     | No    |                  | 3/30/17    |                | **Corrections**: other; county jail bed savings program; establish.  
  *(Sen. D. Booher)* |
| Veto   | 0094     | No    |                  | 7/25/17    |                | **Sales tax**: collections; sales tax on the difference; accelerate phase-in.  
  *(Sen. D. Hildenbrand)* |
| Veto   | 0095     | No    |                  | 7/25/17    |                | **Use tax**: collections; use tax on the difference; accelerate phase-in.  
  *(Sen. D. Robertson)* |
| Veto   | 0163     | No    |                  | 6/30/17    |                | **Vehicles**: fund-raising registration plates; fund-raising registration plate for Choose Life Michigan Fund; create.  
  *(Sen. P. Colbeck)* |

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