

**Department of Licensing and Regulatory Affairs
CY 2022 Policy Change Report
Required by PA 166 of 2022 (Sec. 220)**

Bureau	PA #	Year	Effective Date	Description	Bill #	Sponsor	Policy Changes	Notes
BCC	97	2022	9/30/2022	Revises duties of owners of carnival and amusement rides expands powers of the department.	4527	Albert	None	Inspection procedures updated to acknowledge required documentation on site. Rules are in process for prescribing required forms (2021-099).
BCC	48	2022	3/23/2022	Allows temporary door barricade devices in school buildings and provide standards.	5701	VanSingel	None	Plan review procedures updated eliminating the requirement that plans for these devices need to be signed and sealed by a design professional.
BCC	81	2022	7/17/2022	Provides remonumentation of the Indiana-Michigan state line.	627	LaSata	None	Conducted quarterly meetings for the commission. Developed grant procedures for the commission to contract work. Updated record procedures for accepting certificates for monumenting corners on the state line.
BCC	82	2022	5/19/2022	Revises state survey and remonumentation fund to allow expenditures for monumentation of Michigan-Indiana border.	628	LaSata	None	Updated grant procedures to fund the monumentation of the state line up to \$500,000.
BCC	271	2022	3/27/2023	Modifies collection of fees for register of deeds.	1133	Schmidt	None	Current grant procedures will continue as funding mechanism will remain constant for another 20 years.
BCHS	79	2022	5/19/2022	Modifies requirements for registered nurse aids.	5089	Bollin	None	The department has implemented both of these changes. The department allowed working hours to count toward training hours when the CMS 1136 Waiver was in effect during the Covid 19 Pandemic. However, that Federal waiver was discontinued by CMS in October 2022, so the department cannot continue to permit this because doing so would violate Federal regulation.
BCHS	117	2022	6/24/2022	Provides reporting requirements related to inspections of certain entities regulated by the bureau of community health systems.	5659	Yaroch	None	BCHS and BSC both have personnel who inspect health facilities and agencies under Article 17, so these two bureaus are jointly producing this report to the legislature. To gather the data for this report, a survey was sent to 128 BSC personnel and 35 BCHS personnel. The report will be published before March 31, 2023. Since biannual reporting is required, a second survey will be conducted and a second report will be published before September 31, 2023.
BCHS	118	2022	6/24/2022	Provides reporting requirements related to certain adult foster care facilities.	5660	Yaroch	None	BCHS is producing a report to the legislature, as required by this public act. To gather the data for this report, BCHS surveyed 71 personnel who investigate adult foster care facilities. The report will be published before March 31, 2023. Since PA 118 of 2022 requires biannual reporting, the second report will be published before September 31, 2023.

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BCHS	265	2022	12/22/2022	Provides for general revisions to certificate of need statute.	183	MacDonald		<p>Act 265 amended Part 222 of the Public Health Code, Certificate of Need (CON). BCHS did not make any changes to our policy or program because Part 222 is primarily administered by the MDHHS. Act 265 also amended Part 215 of the Code, State Licensing of Hospitals, specifically section 21551. For the changes to Part 215 BCHS has been updating the application form for changes to existing hospital licenses. This update will allow a hospital to apply for a request to temporarily reduce their bed licenses by 100%, as permitted in the new language from Act 265. No other policy or program changes will be needed or implemented.</p> <p>The impact of this public act will be to allow certain hospitals in Michigan to apply for a temporary licensure reduction of their acute care beds equal to 100% of existing beds, for up to five years, so that the hospital can then be recognized by the federal government as a Rural Emergency Hospital (REH). Federal requirements are that a hospital demonstrate a license that shows the temporary delicensure and, by definition, the non-use, of 100% of the hospital beds at the license location.</p>
BCHS BSC	187	2022	7/25/2022	Modifies requirements for certifications, surveys, and evaluations of nursing homes and reporting incidents occurring within nursing homes.	5609	Kahle	None	<p>Concurrent with the enactment of PA 187 of 2022, BCHS was reorganized. The BCHS Federal Survey and Certification Division was removed from BCHS and became a separate bureau named the Bureau of Survey and Certification (BSC). Essentially, BSC administers the new part of the Public Health Code that was created by PA 187, Part 221 -- Federal Certification of Nursing Homes. A new Quality Assurance Committee was established for the Federal Survey process. A new document is in production to advise nursing home administrators on Facility Reported Incidents (FRIs). The Federal Informal Dispute Resolution and Independent Informal Dispute Resolution procedures were revised to comply with a new requirement for LARA to adopt the recommendations of the third-party review agency.</p> <p>BSC has implemented policies and procedures to conform to 2022 PA 187 to the extent not in conflict with federal law, CMS regulations and directives, and the §1864 (Social Security Act) Agreement between the State and HHS/CMS.</p>

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BFS	48	2022	3/23/2022	Allows temporary door barricade devices in school buildings and provide standards.	5701	VanSingel	None	PA allows placement of barricade devices on doors in areas that we previously exempt due to occupancy loads. Schools must submit plans to BFS and BCC for approval before installation/use.
BFS	160	2022	7/19/2022	Revises placement distance of underground storage tanks from a public water supply system.	991	Outman, R.	None	PA allows a path for facility owners to replace aging infrastructure with new material and technology. Minimal to no impact to BFS.
BPL	101	2021	2/1/2022	Provides for barber apprenticeship requirements for licensure.	4207	Roth	None	MOAHR 2022-029 LR Barber Examiners General Rules were opened to address the barber apprenticeship requirements for licensure. The draft rules were approved by the Michigan Board of Barber Examiners on January 23, 2023. The draft rules are currently being review by MOAHR.
BPL	13	2022	2/23/2022	Allows disclosure of prescription drug prices to consumers and prohibits pharmacies and pharmacists from entering into certain contracts.	4352	Allor	None	No changes to the rules are proposed.
BPL	21	2022	3/10/2022	Modifies compensation for referrals.	4693	Johnson, S.	None	Legislation fully addresses the issue no change to the rules are proposed
BPL	254	2022	3/27/2022	Modifies individuals who are authorized to engage in the practice of psychology in this state to include individuals who are authorized to practice under the psychology interjurisdictional compact.	5488	Kahle	None	Effective March 29, 2023. Amended MCL 333.16317, 333.16343, and 333.18201. Added MCL 333.18211a. The law will not require any rules be promulgated.
BPL	255	2022	3/27/2022	Enacts psychology interjurisdictional compact.	5489	Brabec	None	Effective March 29, 2023. Added MCL 333.16190. The law will not require any rules be promulgated.
BPL	80	2022	5/19/2022	Expands dispensing prescription drug or device requirements to include prescriptions from out-of-state prescribers under certain circumstances.	166	VanderWall	None	Effective March 27, 2023. The law will not require any rules be promulgated.
CCLB	71	2022	10/31/2022	Provides administrative review for licensure of certain persons after creation of new electronic case management system.	5534	Johnson, S.	None	The bill would amend the child care licensing Act to allow a former applicant or former licensee to request an administrative review by the department responsible for licensure under the Act if the license for a child care organization were denied, revoked, or refused renewal due in whole or in part to the person's placement on the Central Registry.

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CCLB	106	2022	6/23/2022	Modifies adult-to-child ratio for in-home child care providers.	5041	O'Malley	None	Allows home-based child care providers that have a proven record of success. A Family provider will be eligible to serve seven children, instead of six. A group home provider will be eligible to serve 14 children, instead of 12. This act also included an amendment that reduced the age for a child care staff member from 18 to 16.
CCLB	107	2022	6/23/2022	Modifies licensing requirements for child care center, group child care home, or family child care home.	5042	WanWoerkom	None	Requires child care applicants of a child care center to disclose ownership interests. Requires child care center providers to update change in ownership interests associated with licensee when they occur. Re-defines "severe physical injury."
CCLB	108	2022	6/23/2022	Creates regional family child care networks for child care providers.	5043	Breen	None	
CCLB	109	2022	6/23/2022	Creates regional infant-toddler contracts for child care providers.	5044	Puri	None	
CCLB	110	2022	6/23/2022	Includes information required in child care database in special investigation reports.	5045	Wakeman	None	Expands the type of information LARA is required to compile and make public regarding special investigations conducted in the last 3 years for child care homes and centers. Ensures the public can more easily access licensing reports for a provider. LARA has incorporated these change into our website.
CCLB	111	2022	6/23/2022	Provides grace period for child care providers to implement new rules.	5046	Markkanen	None	Child care providers given at least 90 days to comply with new health and safety rules. Implementation will occur when changes to the child care rules are next considered.
CCLB	112	2022	6/23/2022	Eliminates requirement for child care provider to maintain an on-premise licensing notebook if they have access to internet.	5047	Calley	None	Allows for child care programs, who have internet access, to share their licensing notebook containing licensing reports online, rather than maintaining a notebook onsite at the child care facility. Child care providers will have to provide parents with access through the departments electronic database of licensing records.
CCLB	113	2022	6/23/2022	Modifies licensure of child care centers located within multiple occupancy buildings and rescinds rule.	5048	Roth	None	Allowed for child care providers to operate in multi-use buildings.
CCLB	208	2022	10/7/2022	Revises definition of relative in the child care organizations.	6073	Whiteford	None	The proposed amendment would only apply to relative purposes related to DHHS actions.

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CSCL	31	2022	3/15/2022	Allows formation of professional limited liability companies by chiropractic physician groups.	5295	Hauck	None	LARA's Corporations Division adjusted and created training procedures and notes. Chiropractic physician groups have been added to the list of professions which may form under the Michigan Limited Liability Company Act, MCL 450.4101 to 450.5200.
CSCL	32	2022	3/15/2022	Allows formation of professional corporations by chiropractic physician groups.	5296	Hertel, K.	None	LARA's Corporations Division adjusted and created training procedures and notes. Chiropractic physician groups have been added to the list of professions which may form under the Business Corporation Act, MCL 450.1101 to 450.2099.
CSCL	20	2022	6/7/2022	Modifies summer resort and parks associations in statute.	129	Schmidt	None	
CSCL	137	2022	7/11/2022	Modifies definition of person in the limited liability company act to include nonprofit corporations.	926	Schmidt	None	LARA's Corporations Division adjusted and created training procedures and notes in response to these changes.
CSCL	268	2022	12/22/2022	Eliminates reduced fee and sunset for transportation network company.	1203	Hertel, C.	None	Sunset was not eliminated. It was extended to 9/30/2027 at which time it will need to be revisited as this program cannot operate without fees. License fees renewed and maintained at same amounts. No substantive change in how they are collected.
MLCC	101	2022	6/14/2022	Modifies provision that prohibits a licensee from allowing a person less than 18 years of age to sell or serve alcoholic liquor.	4232	Hoitenga	None	The online MLCC codebook was updated in accordance with the statute. Online frequently asked question sheets were updated.
MLCC	135	2022	9/28/2022	Revises markup on spirits based on distiller's use of Michigan distillate.	4842	Outman, P.	None	The online MLCC codebook was updated in accordance with the statute. Coordinated with MDARD on procedures. Updated price quotation program and frequently asked questions on website.
MLCC	16	2022	2/23/2022	Allows issuance of a development license for new construction.	5062	Bolden	None	The online MLCC codebook was updated in accordance with the statute. Applicable application forms and online frequently asked question sheets were updated.
MLCC	27	2022	3/10/2022	Modifies conditions under which a social district permittee may sell and serve alcoholic liquor in a commons area and extends sunset.	5090	Clements	None	The online MLCC codebook was updated in accordance with the statute. Applicable application forms and online frequently asked question sheets were updated.
MLCC	216	2022	10/14/2022	Allows license to serve alcohol on certain premises of Lake Superior State University under certain circumstances.	5623	Damoose	None	The online MLCC codebook was updated in accordance with the statute.
MLCC	161	2022	7/19/2022	Allows certain tasks performed by a wholesaler's employee who is at least 16 years of age.	5695	Wenzel	None	The online MLCC codebook was updated in accordance with the statute.

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MLCC	122	2022	7/29/2022	Modifies age requirement for certain duties of an off-premises retailer.	5696	Young	None	The online MLCC codebook was updated in accordance with the statute.
MLCC	123	2022	6/29/2022	Labor: youth employment; employment of minor in establishment manufacturing, distributing, or selling alcoholic beverages; modify.	5726	Outman	None	The online MLCC codebook was updated in accordance with the statute.
MLCC	190	2022	9/27/2022	Liquor: tax; certain revenue from liquor control tax; redirect to the secondary road patrol and training fund.	5732	Brann	None	The online MLCC codebook was updated in accordance with the statute. This legislation is administered by the Department of Treasury.
MLCC	99	2022	6/14/2022	Allows consumption of food and beverages in public swimming pools under certain circumstances.	5983	Wakeman	None	The online MLCC codebook was updated in accordance with the statute. This legislation is administered by the Department of Environment, Great Lakes, & Energy.
MLCC	100	2022	6/14/2022	Allows serving alcoholic liquor in public swimming pools under certain conditions.	5984	Cherry	None	The online MLCC codebook was updated in accordance with the statute. Application form created and posted online.
MLCC	142	2022	7/11/2022	Modifies cap on additional amount the liquor control commission may pay a vendor of spirits; modify.	6087	Hauck	None	The online MLCC codebook was updated in accordance with the statute. Administrative order to implement was approved by Commission after consultation with State Budget Office
MLCC	225	2022	10/14/2022	Allows sale of nonalcoholic liquor by wholesaler under certain circumstances and allows use of coupons under certain circumstances.	6105	Hauck	None	The online MLCC codebook was updated in accordance with the statute. Online frequently asked question sheets were updated.
MLCC	226	2022	10/14/2022	Allows supplier manufacturing private label alcohol under certain circumstances.	6106	Steenland	None	The online MLCC codebook was updated in accordance with the statute. Online frequently asked question sheets were updated.
MLCC	227	2022	10/14/2022	Modifies price change procedures and allows use of technology for marketing under certain circumstances.	6107	Hoitenga	None	The online MLCC codebook was updated in accordance with the statute. Online frequently asked question sheets were updated.
MLCC	136	2022	7/11/2022	Allows self-serve dispensing machine.	656	Runestad	None	The online MLCC codebook was updated in accordance with the statute. Online frequently asked question sheets were updated.
MPSC	218	2022	10/14/2022	Provides feasibility study on building nuclear energy in Michigan.	6019	Filler	None	The MPSC will be conducting the nuclear study and including in a report to the Legislature, due April 15, 2024, titled The Nuclear Feasibility Study Report.