



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

## MICHIGAN BOARD OF MEDICINE SEPTEMBER 21, 2022 MEETING

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, the Michigan Board of Medicine met on September 21, 2022, at 611 West Ottawa Street, Upper-Level Conference Room 3, Lansing, Michigan 48933.

#### CALL TO ORDER

Michael Chafty, MD, Chairperson, called the meeting to order at 10:11 a.m.

#### ROLL CALL

**Members Present:** Michael Chafty, MD, Chairperson  
Venkat Rao, MD, Vice Chairperson  
Mustafa Mark Hamed, MD, MBA, MPH  
Cassandra Jones-McBryde, Public Member  
Michael Lewis, MD  
John McGinnity, MS, PA-C  
Ali Moiin, MD  
Surya Nalamati, MD  
Teresa Robinson, PhD, Public Member  
Mary Stearns, Public Member (arrived 10:19 a.m.)  
Angela Trepanier, MS, CGC  
Donald Tynes, MD (arrived 10:34 a.m.)  
Kathy VanderLaan, Public Member  
Nancy Wayne, PhD, Public Member  
Dondre Young, Public Member

**Members Absent:** Elizabeth Gates, Public Member  
Holly Gilmer, MD  
Bryan Little, MD  
Cara Poland, MD

**Staff Present:** Laury Brown, Senior Analyst, Compliance Section  
Michael Draminski, Manager, Compliance Section  
Weston MacIntosh, JD, Departmental Specialist,  
Boards and Committees Section  
Michele Wagner-Gutkowski, JD, Assistant Attorney General  
Stephanie Wysack, Board Support Technician,  
Boards and Committees Section

Chafty initiated introductions of department staff and board members.

### **APPROVAL OF AGENDA**

MOTION by McGinnity, seconded by Rao, to approve the agenda, as presented.

A voice vote followed

MOTION PREVAILED

### **APPROVAL OF MINUTES**

MOTION by Moiin, seconded by Tynes, to approve the July 20, 2022, meeting minutes, as written.

A voice vote followed.

MOTION PREVAILED

### **REGULATORY CONSIDERATIONS**

#### **Proposal for Decision – Reinstatement**

##### **Michael Chinedu Nwoke, MD**

MOTION by Rao, seconded by McGinnity, to accept the Proposal for Decision and deny reinstatement.

Discussion was held.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, McGinnity, Moiin, Nalamati, Robinson, Stearns, Trepanier, VanderLaan, Wayne, Young, Rao, Chafty  
Nays: None  
Abstain: Tynes

MOTION PREVAILED

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **USMLE Variance Requests**

#### **Tamara Kurbanova, MD**

MOTION by Robinson, seconded by Moiin, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, McGinnity, Moiin, Nalamati, Robinson, Stearns, Trepanier, Tynes, VanderLaan, Wayne, Young, Rao, Chafy  
Nays: None

MOTION PREVAILED

#### **Judy Pham, MD**

MOTION by McGinnity, seconded by Moiin, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Tynes, seconded by Robinson, to grant the USMLE Variance Request.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, McGinnity, Moiin, Nalamati, Robinson, Stearns, Trepanier, Tynes, VanderLaan, Wayne, Young, Rao, Chafy  
Nays: None

MOTION PREVAILED

#### **Syed Umer Mohsin, MD**

MOTION by Robinson, seconded by Tynes, to grant the USMLE Variance Request.

Discussion was held.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, McGinnity, Moin, Nalamati, Robinson, Stearns, Trepanier, Tynes, VanderLaan, Wayne, Young, Rao, Chafy  
Nays: Lewis

MOTION PREVAILED

### **Petitions for Board Approval of Licensure**

#### **Nedal Alkhatib, MD**

MOTION by Robinson, seconded by Rao, to grant the request for full licensure.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, McGinnity, Moin, Nalamati, Robinson, Stearns, Trepanier, Tynes, VanderLaan, Wayne, Young, Rao, Chafy  
Nays: None

MOTION PREVAILED

#### **Ahmed Soliman, MD**

Lewis recused.

MOTION by Rao, seconded by Nalamati, to grant the request for full licensure.

Discussion was held.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, McGinnity, Moin, Nalamati, Robinson, Stearns, Trepanier, Tynes, VanderLaan, Wayne, Young, Rao, Chafy  
Nays: None

MOTION PREVAILED

### **2023 Public Notice**

Chafy presented the 2023 Public Notice.

MacIntosh reminded the board members to mark the dates on their calendar and to remember to notify the department ahead of time if they are unable to attend.

### **HPRC Reappointment**

MacIntosh provided an overview of the Health Professional Recovery Program.

MacIntosh stated that Paul Trowbridge, MD, MPH, was seeking reappointment as the Board of Medicine's representative on the Health Professional Recovery Committee (HPRC). His current term expires on December 31, 2022.

MOTION by Robinson, seconded by Lewis, to reappoint Paul Trowbridge, MD, MPH, as the Board of Medicine's representative on the HPRC.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, McGinnity, Moiin, Nalamati, Robinson, Stearns, Trepanier, Tynes, VanderLaan, Wayne, Young, Rao, Chafy  
Nays: None

MOTION PREVAILED

## **Rules Discussion**

### **Genetic Counseling – General Rules**

MacIntosh provided an overview of the administrative rules promulgation process.

MacIntosh stated that only one comment was received during the open comment period for the public hearing. He stated that the rules committee met and recommended not to adopt the comment.

MOTION by Moiin, seconded by Lewis, to approve the rules draft (Attachment 1) as presented.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, McGinnity, Moiin, Nalamati, Robinson, Stearns, Trepanier, Tynes, VanderLaan, Wayne, Young, Rao, Chafy  
Nays: None

MOTION PREVAILED

### **Medicine – General Rules**

MacIntosh stated that several comments were received related to requesting a reduction of the required number of years of post-graduate training needed for full licensure from two years to one year.

Discussion was held.

MOTION by McGinnity, seconded by Moiin, to approve the draft rules (Attachment 2) as presented, but amending by adopting the request to reduce the number of years of post-graduate training needed for full licensure from two years to one year.

A roll call vote was held: Yeas: Hamed, Jones-McBryde, Lewis, McGinnity, Moiin, Nalamati, Stearns, Trepanier, VanderLaan, Chafy  
Nays: Robinson, Tynes, Wayne, Young, Rao

MOTION PREVAILED

### **Chair Report**

Chafy provided an overview of the make-up of the board and the roles of the individual committees: Disciplinary Subcommittee, Board Review Panel, and Rules Committee. He thanked the board and the separate committees for the work that they have done.

### **Department Update**

MacIntosh stated that recent legislation passed requiring that board meetings be recorded. He stated that the board will need to be mindful of microphones and to please make sure to speak loudly and clearly.

MacIntosh reminded the board members to continue to check their state email address regularly.

Wysack stated that board members will need to sign the affidavit in their blue folders, in addition to their travel voucher, in order to receive reimbursement of the \$5.00 visitor lot fee.

### **PUBLIC COMMENT**

Draminski introduced himself to the board. He stated that the role of the department is to support the functions of the board.

Lewis stated that Nalamati had recently received a Lifetime Achievement Award from the Crohn's and Colitis Foundation.

### **ANNOUNCEMENTS**

The next regularly scheduled meeting is November 16, 2022, at 10:00 a.m. at 611 West Ottawa Street, Upper-Level Conference Center Room 3, Lansing, Michigan 48933.

### **ADJOURNMENT**

MOTION by Lewis, seconded by Rao, to adjourn the meeting at 11:56 a.m.

A voice vote followed.

MOTION PREVAILED

Minutes approved by the Board on: November 16, 2022.

Prepared by:  
Stephanie Wysack, Board Support Technician  
Bureau of Professional Licensing

September 22, 2022

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENETIC COUNSELING – GENERAL RULES

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16174, **16201**, 16204, 16287, 17091, 17092, and 17096 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16174, **333.16201**, 333.16204, 333.16287, 333.17091, 333.17092, and 333.17096, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.2455, R 338.2457, R 338.2461, R 338.2463, R 338.2465, R 338.2471, R 338.2473, and R 338.2481 of the Michigan Administrative Code are amended, and R 338.2462 is added, as follows:

PART 1. GENERAL PROVISIONS

R 338.2455 Telehealth.

Rule 155. (1) **A licensee shall obtain** ~~Consent~~ **consent** for treatment ~~must be obtained~~ before providing a telehealth service under section 16284 of the code, MCL 333.16284.

(2) **A licensee shall maintain proof** ~~Proof~~ of consent ~~must be maintained~~ in the patient's up-to-date medical record and ~~retained in compliance with~~ **satisfy** section 16213 of the code, MCL 333.16213.

(3) A licensee providing a telehealth service may prescribe a drug if the licensee is a prescriber acting within the scope of ~~his or her~~ **the licensee's** practice and in compliance with section 16285 of the code, MCL 333.16285, and if ~~he or she~~ **the licensee** does both of the following:

(a) ~~If medically necessary, refers~~ **Refers** the patient to a provider that is geographically accessible to the ~~patient.~~ **patient, if medically necessary.**

(b) Makes himself or herself available to provide follow-up care services to the patient, or to refer the patient to another provider, for follow-up care.

(4) A licensee providing any telehealth service shall do both of the following:

(a) Act within the scope of his or her practice.

(b) Exercise the same standard of care applicable to a traditional, in-person health care service.

R 338.2457 Training standards for identifying victims of human trafficking; requirements.

Rule 157. (1) Under section 16148 of the code, MCL 333.16148, an individual seeking licensure ~~or registration~~ or ~~who~~ **that** is licensed ~~or registered~~ shall complete training in identifying victims of human trafficking that satisfies all ~~of~~ the following standards:

(a) Training content must cover all ~~of~~ the following:

- (i) Understanding the types and venues of human trafficking in the United States.
- (ii) Identifying victims of human trafficking in health care settings.
- (iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) ~~Resources~~ **Providing resources** for reporting the suspected victims of human trafficking.

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

- (i) Training offered by a nationally recognized or state-recognized health-related organization.
- (ii) Training offered by, or in conjunction with, a state or federal agency.
- (iii) Training obtained in an educational program that has been approved ~~by the board~~ **under these rules** for initial licensure or registration, or by a college or university.
- (iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subdivision (a) of this subrule and is published in a ~~peer review~~ **peer-reviewed** journal, health care journal, or professional or scientific journal.

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

- (i) Teleconference or webinar.
- (ii) Online presentation.
- (iii) Live presentation.
- (iv) Printed or electronic media.

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

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

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

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

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

(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license ~~or registration~~ renewals beginning with the ~~first~~ **2025** renewal cycle ~~after the promulgation of this rule~~ and for initial licenses ~~or~~

registrations issued 5 or more years after the promulgation of this rule. licenses beginning April 15, 2026.

## PART 2. LICENSURE

R 338.2461 Application for license; qualifications.

Rule 161. (1) ~~In addition to satisfying the requirements of the code, an~~ **An applicant for a genetic counselor license shall satisfy the requirements of the code and the rules promulgated under the code, as well as all both** of the following requirements:

(a) ~~Submit~~ **Provide the required fee and** a completed application on a form provided by the department.

(b) ~~Pay the required fee to the department.~~ **Provide proof verifying current certification in good standing from the ABGC or the ABMGG.**

(c) ~~Provide proof directly to the department of current certification in good standing with the ABGC or the ABMGG.~~

(2) ~~In addition to satisfying the requirements of the code, an~~ **An applicant for a temporary-licensed genetic counselor license shall satisfy the requirements of the code and the rules promulgated under the code, as well as all of** the following requirements:

(a) ~~Submit~~ **Provide the required fee and** a completed application on a form provided by the department.

(b) ~~Pay the required fee to the department.~~ **Provide proof verifying active candidate status from the ABGC or the ABMGG.**

(c) ~~Provide proof directly to the department of active candidate status with the ABGC or the ABMGG.~~ **Provide proof verifying that the applicant will be supervised by a qualified supervisor in this state.**

(d) ~~Provide proof acceptable to the department that he or she will be supervised by a qualified supervisor in this state.~~

(3) ~~An applicant shall have his or her license, certification, or registration verified by the licensing agency of any state of the United States in which the applicant holds a current license, certification, or registration or has ever held a license, certification, or registration as a genetic counselor or temporary-licensed genetic counselor. If applicable, verification must include the record of any disciplinary action taken or pending against the applicant.~~

R 338.2462 Application for license by endorsement; qualifications.

Rule 162. (1) **An applicant for a genetic counselor license by endorsement shall satisfy the requirements of the code and the rules promulgated under the code, as well as all the following requirements:**

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

(b) **Provide proof verifying the holding of a current and full genetic counselor license in another state or in a province of Canada.**

(c) Provide proof verifying current certification in good standing from the ABGC or the ABMGG.

(2) An applicant that is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force when applying. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.2463 ~~Relicensure.~~ **Application for relicensure; qualifications.**

Rule 163. (1) An applicant ~~whose license has lapsed for less than 3 years preceding the date of application for relicensure~~ may be relicensed **within 3 years after the expiration date of the license** under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies **the requirements of the code and the rules promulgated under the code, as well as** all of the following requirements:

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

(b) ~~Pays the required fee to the department.~~ **Provides proof verifying 1 of the following, as applicable:**

(i) **If applying for relicensure as a genetic counselor, current certification in good standing from the ABGC or the ABMGG.**

(ii) **If applying for relicensure as a temporary-licensed genetic counselor, active candidate status from the ABGC or the ABMGG.**

(c) ~~Provides proof of 1 of the following directly to the department, as applicable:~~ **Establishes good moral character as that term is defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.**

(i) ~~If applying for relicensure as a genetic counselor, current certification in good standing with the ABGC or the ABMGG.~~

(ii) ~~If applying for relicensure as a temporary-licensed genetic counselor, active candidate status with the ABGC or the ABMGG.~~

(d) ~~Establishes that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.~~ **If applying for relicensure as a temporary-licensed genetic counselor, provides proof verifying that the applicant will be supervised by a qualified supervisor in this state.**

(e) ~~If applying for relicensure as a temporary-licensed genetic counselor, provides proof acceptable to the department that he or she will be supervised by a qualified supervisor in this state.~~

(2) An applicant whose license has lapsed for 3 years or more preceding the date of application for relicensure may be relicensed **more than 3 years after the expiration date of the license** under section 16201(4) of the code, MCL 333.16201(4), if the applicant satisfies **the requirements of the code and the rules promulgated under the code, as well as** all of the following requirements:

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

(b) ~~Pays the required fee to the department.~~ **Provides proof verifying 1 of the following, as applicable:**

(i) **If applying for relicensure as a genetic counselor, current certification in good standing from the ABGC or the ABMGG.**

(ii) **If applying for relicensure as a temporary-licensed genetic counselor, active candidate status from the ABGC or the ABMGG.**

(c) ~~Provides proof of 1 of the following directly to the department, as applicable:~~ **Establishes good moral character as that term is defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.**

(i) ~~If applying for relicensure as a genetic counselor, current certification in good standing with the ABGC or the ABMGG.~~

(ii) ~~If applying for relicensure as a temporary-licensed genetic counselor, active candidate status with the ABGC or the ABMGG.~~

(d) ~~Establishes that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.~~ **Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.**

(e) ~~Submits fingerprints as required under section 16174(3) of the code, MCL 333.16174.~~ **If applying for relicensure as a temporary-licensed genetic counselor, provides proof verifying that the applicant will be supervised by a qualified supervisor in this state.**

(f) ~~If applying for relicensure as a temporary-licensed genetic counselor, provides proof acceptable to the department that he or she will be supervised by a qualified supervisor in this state.~~

(3) ~~An applicant shall have his or her license, certification, or registration verified by the licensing agency of any state of the United States in which the applicant holds a current license, certification, or registration or has ever held a license, certification, or registration as a genetic counselor or temporary-licensed genetic counselor. If applicable, verification must include the record of any disciplinary action taken or pending against the applicant. An applicant that is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force when applying. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.~~

R 338.2465 Application for renewal of license; qualifications.

Rule 165. (1) An applicant for renewal of a genetic counselor license shall satisfy **the requirements of the code and the rules promulgated under the code, as well as all of** the following requirements:

(a) ~~Submit~~ **Provide the required fee and** a completed application on a form provided by the department.

(b) ~~Pay the required fee to the department.~~ **Provide proof verifying current certification in good standing from the ABGC or the ABMGG.**

(c) ~~Provide proof directly to the department of current certification in good standing with the ABGC or the ABMGG.~~ **Satisfy the requirements under R 338.2471, as applicable.**

(d) ~~Satisfy the requirements under R 338.2471, as applicable.~~

(2) An applicant for renewal of a temporary-licensed genetic counselor license shall satisfy **the requirements of the code and the rules promulgated under the code, as well as** all of the following requirements:

(a) ~~Submit~~ **Provide the required fee and** a completed application on a form provided by the department.

(b) ~~Pay the required fee to the department.~~ **Provide proof verifying active candidate status from the ABGC or the ABMGG.**

(c) ~~Provide proof directly to the department of active candidate status with the ABGC or the ABMGG.~~ **Provide proof verifying that the licensee will be supervised by a qualified supervisor in this state.**

(d) ~~Provide proof acceptable to the department that he or she will be supervised by a qualified supervisor in this state.~~

(3) ~~An applicant shall have his or her license, certification, or registration verified by the licensing agency of any state of the United States in which the applicant holds a current license, certification, or registration or has ever held a license, certification, or registration as a genetic counselor or temporary-licensed genetic counselor. If applicable, verification must include the record of any disciplinary action taken or pending against the applicant. A temporary-licensed genetic counselor license may be renewed 4 times.~~

(4) ~~A temporary-licensed genetic counselor license may be renewed not more than 5 years.~~

### PART 3. CONTINUING EDUCATION

R 338.2471 License renewals.

Rule 171. (1) This part applies to an application for renewal of a genetic counselor license under R 338.2465 and sections 16201 and 17091 of the code, MCL 333.16201 and ~~MCL~~ 333.17091.

(2) An applicant for license renewal ~~who~~ **that** has been licensed in the 3-year period immediately preceding the application for renewal shall accumulate a minimum of 75 contact hours of continuing education in activities approved ~~by the board~~ under R 338.2473 during the 3 years immediately 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 licensee shall retain documentation of satisfying the requirements of this rule for 4 years ~~from~~ **after** the date of applying for

license renewal. Failure to satisfy this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(4) The department may select and audit a sample of licensees ~~who~~ **that** have renewed their license and request proof of compliance with subrule (2) of this rule. If audited, a licensee shall ~~submit~~ **provide** documentation as specified in R 338.2473.

R 338.2473 Acceptable continuing education; requirements; limitations.

Rule 173. (1) The 75 contact hours of continuing education required under R 338.2471 must satisfy the following requirements, as applicable:

(a) Credit for a continuing education program or activity that is identical or substantially ~~identical~~ **equivalent** to a program or activity for which the licensee has already earned credit during the renewal period cannot be granted.

(b) A minimum of 1 contact hour of continuing education must be earned in ~~the area of~~ medical ethics.

(c) A minimum of 1 contact hour of continuing education must be earned in ~~the area of~~ pain and symptom management under section 16204 of the code, MCL 333.16204.

Continuing education contact hours in pain and symptom management may include, but are not limited to, any of the following areas:

- (i) Public health burden of pain.
- (ii) Ethics and health policy related to pain.
- (iii) Michigan pain and controlled substance laws.
- (iv) Pain definitions.
- (v) Basic sciences related to pain including pharmacology.
- (vi) Clinical sciences related to pain.
- (vii) Specific pain conditions.
- (viii) Clinical physician communication related to pain.
- (ix) Management of pain, including evaluation and treatment and non-pharmacological and pharmacological management.
- (x) Ensuring quality pain care.
- (xi) Michigan programs and resources relevant to pain.

(2) The ~~board considers any of the~~ following activities **as are** acceptable continuing education:

	Activity and Proof of Completion	Number of Continuing Education Contact Hours Granted/ <del>Permitted</del> <b>Allowed</b> for the Activity
(a)	Attendance at or participation in a continuing education program or activity related to the practice of genetic counseling that includes, but is not limited to, live in-person programs, interactive or monitored teleconference, audio-conference, or web-based programs, online programs, and journal articles with a self-study component or other self-study programs approved or offered by any of the following organizations:	The number of continuing education contact hours credit for a specific program or activity is the number of contact hours approved by the sponsor or the approving organization for the specific program.

	<ul style="list-style-type: none"> <li>- Accreditation Council for Continuing Medical Education.</li> <li>- American College of Medical Genetics and Genomics.</li> <li>- American College of Obstetricians and Gynecologists.</li> <li>- American Medical Association.</li> <li>- American Nurses Credentialing Center’s Commission on Accreditation.</li> <li>- American Osteopathic Association.</li> <li>- American Society for Reproductive Medicine.</li> <li>- Michigan Association of Genetic Counselors.</li> <li>- Michigan Osteopathic Association.</li> <li>- Michigan State Medical Society.</li> <li>- National Society of Genetic Counselors.</li> <li>- Society for Maternal Fetal Medicine.</li> </ul> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> a copy of the letter or certificate of completion showing the licensee’s name, number of continuing education contact 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 the activity completed.</p>	<p>A minimum of 45 hours of continuing education <b>credit</b> must be earned in this activity in each renewal period.</p> <p>A maximum of 75 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(b)	<p>Serving as a clinical supervisor for a student at a site used by an <b>Accreditation Council for Genetic Counseling ACGC (ACGC)</b> accredited program.</p> <p>To receive credit, the clinical supervision must not be the licensee’s primary employment function.</p> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> the student’s initials, training program, dates supervision began and ended, and number of supervision hours provided per week.</p>	<p>Five contact hours of continuing education credit is granted for a minimum of 25 hours of direct clinical supervision.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(c)	<p>Publication of an article or chapter in a peer-reviewed journal or book related to practice-based competency.</p> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> a copy of the publication that identifies the licensee as the author.</p>	<p>Ten contact hours of continuing education credit is granted for serving as the first, second, or senior author.</p> <p>Five contact hours of continuing education credit is granted for serving as any other author that is not</p>

		<p>first, second, or senior author.</p> <p>A maximum of 10 contact hours of continuing education credit may be earned per article or chapter.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(d)	<p>Service in a leadership position role as a board member, chair, or leader of a genetics-related organization.</p> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> the organization name, contact information, dates of service, dated agenda, and meeting minutes documenting <del>at least</del> <b>not less than</b> 25 hours of service.</p>	<p>Five contact hours of continuing education credit is granted for 25 hours of service for each organization.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(e)	<p>Serving as an instructor for a graduate-level course in an area related to genetics competency.</p> <p>To receive credit, the instructorship must not be the licensee's primary employment function.</p> <p>If audited, the licensee shall provide document titles, course description, faculty list of each course, dates of all courses, scheduled instructional hours, and a letter from the program director verifying the licensee's role.</p>	<p>Five contact hours of continuing education credit is granted for a minimum of 5 hours of teaching.</p> <p>A maximum of 10 contact hours of continuing education credit may be earned for each course.</p> <p>A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.</p>
(f)	<p>Serving as a <del>peer reviewer</del> <b>peer-reviewer</b> of a manuscript by invitation for a scientific journal.</p> <p>If audited, a licensee shall <del>submit</del> <b>provide</b> copies of documentation inviting the licensee to complete the review and thanking them for completing the review.</p>	<p>Two contact hours of continuing education credit is granted for each manuscript reviewed.</p>

		A maximum of 30 contact hours of continuing education credit may be earned for this activity in each renewal period.
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#### PART 4. STANDARDS OF PRACTICE

R 338.2481 Certification; active candidate status; requirement.

Rule 171. (1) A genetic counselor licensee shall maintain certification with the ABGC or the ABMGG.

(2) A temporary-licensed genetic counselor license automatically expires upon issuance of a genetic counselor license or upon loss of active candidate status with the ABGC or the ABMGG. **A licensee shall report to the department a change in active candidate status not later than 30 days after the change occurs.**

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MEDICINE - GENERAL RULES

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16174, 16204, 16215, 16287, 17031, 17033, 17048, and 17076 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16174, 333.16204, 333.16215, 333.16287, 333.17031, 333.17033, 333.17048, and 333.17076, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.2401, R 338.2407, R 338.2411, R 338.2413, R 338.2421, R 338.2423, R 338.2425, R 338.2427, R 338.2429, R 338.2431, R 338.2435, R 338.2437, R 338.2441, and R 338.2443 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 338.2401 Definitions.

Rule 101. (1) As used in these rules:

(a) "Board" means the Michigan board of medicine created under section 17021 of the code, MCL 333.17021.

(b) ~~"Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.~~  
**"CK" means clinical knowledge.**

(c) ~~"Department" means the department of licensing and regulatory affairs.~~ **"Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.**

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

(e) **"ECFMG" means the Educational Commission for Foreign Medical Graduates.**

(f) **"FSMB" means the Federation of State Medical Boards.**

(g) **"USMLE" means the United States Medical Licensing Examination.**

(2) A term defined in the code has the same meaning when used in these rules.

R 338.2407 Telehealth.

Rule 107. (1) ~~A licensee shall obtain Consent~~ **consent** for treatment ~~must be obtained~~ before providing a telehealth service under section 16284 of the code, MCL 333.16284.

(2) ~~A licensee shall keep Proof~~ **proof** of consent ~~for telehealth treatment must be maintained~~ in the patient's up-to-date medical record and ~~retained in compliance with~~ **satisfy** section 16213 of the code, MCL 333.16213.

(3) ~~A physician licensee~~ providing a telehealth service may prescribe a drug if the ~~physician licensee~~ is a prescriber acting within the scope of ~~his or her~~ **the licensee's** practice and in compliance with section 16285 of the code, MCL 333.16285, and if ~~he or she~~ **the licensee** does both of the following:

(a) If medically necessary, refers the patient to a provider who is geographically accessible to the patient.

(b) Makes ~~himself or herself~~ **the licensee** available to provide follow-up care services to the patient, or to refer the patient to another provider, for follow-up care.

(4) ~~A physician licensee~~ providing ~~any~~ a telehealth service shall do both of the following:

(a) Act within the scope of ~~his or her~~ **the licensee's** practice.

(b) Exercise the same standard of care applicable to a traditional, in-person health care service.

R 338.2411 Delegation of prescribing controlled substances to an advanced practice registered nurse; limitation.

Rule 111. (1) A physician may delegate the prescription of controlled substances listed in schedules 2 to 5 to a registered nurse who holds a specialty certification under section 17210 of the code, MCL 333.17210, ~~with the exception of~~ **except for** a nurse anesthetist, if the delegating physician establishes a written authorization that ~~contains~~ **has** all of the following information:

(a) The name, license number, and signature of the delegating physician.

(b) The name, license number, and signature of the nurse practitioner, nurse midwife, or clinical nurse specialist.

(c) The limitations or exceptions to the delegation.

(d) The effective date of the delegation.

(2) The delegating physician shall review and update a written authorization on an annual basis from the original date or the date of amendment, if amended. The delegating physician shall note the review date on the written authorization.

(3) The delegating physician shall ~~maintain~~ **keep** a written authorization at the delegating physician's primary place of practice.

(4) The delegating physician shall provide a copy of the signed, written authorization to the nurse practitioner, nurse midwife, or clinical nurse specialist.

(5) The delegating physician shall ensure that an amendment to the written authorization ~~is in compliance with~~ **satisfies** subrules (1), (2), (3), and (4) of this rule.

(6) A delegating physician may authorize a nurse practitioner, a nurse midwife, or a clinical nurse specialist to issue a multiple prescriptions allowing the patient to receive a total of up to a 90-day supply of a schedule 2 controlled substance.

(7) A delegating physician shall not delegate the prescription of a drug or device individually, in combination, or in succession for a woman known to be pregnant with the intention of causing either a miscarriage or fetal death.

R 338.2413 Training standards for identifying victims of human trafficking; requirements.

Rule 113. (1) Under section 16148 of the code, MCL 333.16148, an individual seeking licensure or **who is** licensed shall complete training in identifying victims of human trafficking that satisfies the following standards:

(a) Training content must cover all of the following:

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

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

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

(iv) ~~Resources~~ **Identifying resources** for reporting the suspected victims of human trafficking.

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

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

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

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

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

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

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

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

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

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

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

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

(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the 2017 renewal cycle and for initial licensure beginning December 6, 2021.

## PART 2. LICENSES

R 338.2421 Accreditation standards for approval of medical schools and medical residency programs.

Rule 121. (1) ~~The board approves and adopts by reference the standards for accrediting medical schools developed and adopted by the Liaison Committee on Medical Education, 655 K Street, Street NW, Suite 100, Washington, District of Columbia 20001-2399, set forth in the publication entitled "Functions and Structures Structure of a Medical School", School," March 2018 2021 edition, which is are available at no cost on the committee's website at: [www.lcme.org](http://www.lcme.org).~~ **at <https://lcme.org> are approved and adopted by reference.** ~~The board considers any A medical school accredited by the Liaison Committee on Medical Education is approved. by the board.~~

(2) ~~The board approves and adopts by reference the standards for approval of a postgraduate training program developed and adopted by the Accreditation Council for Graduate Medical Education, 401 N. Michigan Avenue, Suite 2000, Chicago, Illinois 60611, set forth in the publication entitled "ACGME Common Program Requirements," effective July 1, 2016, 2021, and which are available at no cost on the council's website at: [www.acgme.org](http://www.acgme.org).~~ **at <https://www.acgme.org> are approved and adopted by reference.** ~~The board considers any A medical postgraduate training program accredited by the Accreditation Council for Graduate Medical Education is approved. by the board.~~

(3) ~~The board approves and adopts by reference the standards for approval of a resident training program by the College of Family Physicians of Canada, 2630 Skymark Avenue, Mississauga, Ontario, Canada L4W 5A4, set forth in the publication entitled "Specific Standards for Family Medicine Training Programs Accredited by the College of Family Physicians of Canada," "Standards of Accreditation for Residency Programs in Family Medicine," 2016 edition July 2020 version, which are available at no cost from on the college's website at: [http://www.cfpc.ca/Residency\\_Program\\_Accreditation](http://www.cfpc.ca/Residency_Program_Accreditation).~~ **at <https://www.cfpc.ca/en/home> are approved and adopted by reference.** ~~The board considers any A residency program accredited by the College of Family Physicians of Canada is approved. by the board.~~

(4) ~~The board approves and adopts by reference the standards for approval of a resident training program by the Royal College of Physicians and Surgeons of Canada, 774 Echo Drive, Ottawa, Ontario, Canada K1S 5N8, set forth in the publication entitled "General Standards of Accreditation," Accreditation for Residency Programs," June 2013 July 2020 edition, which are available at no cost from on the college's website: <http://www.royalcollege.ca/portal/page/portal/rc/credentials>.~~ **website at <https://www.royalcollege.ca/rcsite/home-e> are approved and adopted by reference.** ~~The board considers any A residency program accredited by the Royal College of Physicians and Surgeons is approved. by the board.~~

~~(5) The board approves and adopts by reference the standards for approval of a resident training program by the Canadian Medical Association's Conjoint Accreditation Services, 1867 Alta Vista Drive, Ottawa, Ontario, Canada K 1G 5W8, set forth in the publication entitled "Requirements for Accreditation," 2014 edition, available at no cost from the association's website at: <http://www.cma.ca/learning/conjointaccreditation>. The board considers any residency program accredited by the Conjoint Accreditation Service approved by the board.~~

~~(6)~~ **(5)** Copies of the standards ~~and criteria~~ adopted by reference in subrules (1), (2), (3), (4), ~~and (5)~~ **and (4)** of this rule are available for inspection and distribution at a cost of 10 cents per page from the Board of Medicine, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 W. Ottawa, P.O. Box 30670, Lansing, Michigan 48909.

R 338.2423 ~~Medical doctor;~~ **Doctor of medicine;** license requirements; United States and Canadian graduates.

Rule 123. An applicant for a **doctor of medicine** ~~medical~~ license who graduated from a medical school ~~located inside the United States, its territories, States or the Dominion of Canada, Canada in addition to satisfying~~ **shall satisfy** the requirements of the ~~code, code and the administrative rules promulgated under the code, shall satisfy as well as~~ all of the following requirements:

(a) ~~Submit~~ **Provide** the required fee and a completed application on a form provided by the department.

(b) ~~Possess~~ **Provide proof verifying completion of** a degree from a medical school that satisfies the standards ~~set forth in~~ **under** R 338.2421(1).

(c) ~~Have passed~~ **Provide proof verifying passing scores on all parts** ~~steps of the United States Medical Licensing Examination (USMLE) USMLE adopted under R 338.2431-~~ **and proof verifying satisfaction of all the requirements under R 338.2431.**

(d) ~~Have completed~~ **Provide proof verifying completion of** a minimum of 2 years of postgraduate clinical training in a program that satisfies the requirements ~~of~~ **under** R 338.2421(2), (3), (4), ~~or (5).~~ **or (4).**

(e) ~~Submit~~ **Provide** a certificate of completion of the postgraduate training required under subdivision (d) of this rule to the department no more than 15 days ~~prior to~~ **before** the scheduled date of completion.

R 338.2425 ~~Medical doctor;~~ **Doctor of medicine;** license requirements; foreign graduates.

Rule 125. An applicant for a **doctor of medicine** ~~medical~~ license who graduated from a medical school ~~located outside the United States, its territories, States or the Dominion of Canada, Canada in addition to satisfying~~ **shall satisfy** the requirements of the ~~code, code and the administrative rules promulgated under the code, shall satisfy as well as~~ all of the following requirements:

(a) ~~Submit~~ **Provide** the required fee and a completed application on a form provided by the department.

**(b) Provide proof verifying** ~~Have certification provided directly to the department from the Educational Commission for Foreign Medical Graduates (ECFMG) verifying ECFMG that the applicant has satisfied both of the following requirements:~~ **graduated from a medical school listed in the World Directory of Medical Schools.**

~~(i) Graduated from a medical school listed in the World Directory of Medical Schools.~~

~~(ii) Passed all parts of the USMLE adopted under R 338.2431.~~

**(c) Provide proof verifying passing scores on all steps of the USMLE adopted under R 338.2431 and proof verifying satisfaction of all the requirements under R 338.2431.**

~~(e)~~ **(d) Provide proof verifying completion of** ~~Completed~~ a minimum of 2 years of postgraduate clinical training in a program that satisfies the requirements ~~of~~ **under R 338.2421(2), (3), (4), or (5). or (4).**

~~(d)~~ **(e) Submit Provide** a certificate of completion of the postgraduate training required under subdivision ~~(e)~~ **(d)** of this rule to the department no more than 15 days ~~prior to~~ **before** the scheduled date of completion.

R 338.2427 Licensure by endorsement.

Rule 127. (1) An applicant for a ~~Michigan~~ **doctor of medicine** ~~medical~~ license by endorsement shall ~~submit the required fee and a completed application on a form provided by the department.~~ **satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:**

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

**(b) Provide proof verifying a current and full doctor of medicine license in another state or in a province of Canada.**

**(c) If the applicant is licensed as a doctor of medicine in a province in Canada, provide proof verifying that the applicant completed the educational requirements in Canada or in the United States for licensure as a doctor of medicine in Canada or in the United States.**

**(d) Provide proof verifying passing scores on either of the following examinations for a doctor of medicine license in another state or in a province of Canada to obtain licensure as a doctor of medicine in another state or in a province of Canada:**

**(i) All steps of the USMLE adopted under R 338.2431 and provide proof verifying satisfaction of all the requirements under R 338.2431.**

**(ii) Part I of the Medical Council of Canada Qualifying Examination (MCCQE).**

**(e) Provide proof verifying completion of a minimum of 2 years of postgraduate clinical training in a program that satisfies the requirements under R 338.2421(2), (3), or (4).**

~~(2) An applicant shall satisfy 1 of the following requirements:~~ **An applicant who provides proof verifying a current and full license in good standing as a doctor of medicine in another state or in a province of Canada for not less than 10 years before the date of filing the application for a doctor of medicine license by**

endorsement is presumed to satisfy the requirements of subrule (1)(c), (d), and (e) of this rule.

~~(a) Has first been licensed in good standing in another state and actively engaged in the practice of medicine for at least 10 years prior to the date of filing the application.~~

~~(b) Has first been licensed in good standing in another state and actively engaged in the practice of medicine less than 10 years prior to the date of filing the application and satisfies both of the following requirements:~~

~~(i) Passed all parts of the USMLE adopted under R 338.2431.~~

~~(ii) Completed a minimum of 2 years of postgraduate clinical training in a program that satisfies the requirements of R 338.2421(2), (3), (4), or (5).~~

**(3) An applicant's license shall be verified by the licensing agency of any state of the United States in which the applicant holds a current license or has ever held a license as a medical doctor. Verification includes, but is not limited to, showing proof that the applicant's license is in good standing and, if applicable, any disciplinary action taken or pending against the applicant. An applicant who is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and, except as otherwise provided under section 17011(4) of the code, MCL 333.17011, sanctions are not in force when the application is submitted. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.**

R 338.2429 Educational limited license.

Rule 129. (1) An individual not eligible for a ~~Michigan~~ **doctor of medicine** medical license shall obtain an educational limited license before engaging in postgraduate training.

~~(2) An applicant for an educational limited license who is from a medical school located inside the United States, its territories, States or the Dominion of Canada, Canada in addition to satisfying~~ **shall satisfy** the requirements of the code, ~~code and the administrative rules promulgated under the code,~~ **shall satisfy as well as** all of the following requirements:

~~(a) Submit~~ **Provide** the required fee and a completed application on a form provided by the department.

~~(b) Have documentation provided directly to the department~~ **Provide proof verifying that the applicant has graduated or is expected to graduate within 3 months of the date of the application** from a medical school that satisfies the requirements of ~~under R 338.2421(1), verifying that the applicant has graduated or is expected to graduate within 3 months of the date of the application.~~

~~(c) Have documentation provided directly to the department verifying~~ **Provide proof verifying** that the applicant has been accepted into a postgraduate training program that satisfies the requirements of ~~under R 338.2421(2).~~

(3) An applicant for an educational limited license who is from a medical school located outside the United States, its territories, States or the Dominion of Canada, ~~Canada in addition to satisfying~~ **shall satisfy** the requirements of the code, ~~code and the administrative rules promulgated under the code, shall satisfy as well as~~ all of the following requirements:

(a) ~~Submit~~ **Provide** the required fee and a completed application on a form provided by the department.

(b) ~~Have~~ **Provide proof verifying** certification ~~provided directly from the ECFMG to the department verifying~~ **and** that the applicant has satisfied both of the following requirements:

(i) Graduated from a medical school listed in the World Directory of Medical Schools.

(ii) ~~Passed parts~~ **Received passing scores on step 1 and step 2 CK** of the USMLE adopted under R 338.2431.

(c) ~~Have documentation provided directly to the department~~ **Provide proof** verifying that the applicant has been accepted into a postgraduate training program that satisfies the requirements of **under** R 338.2421(2).

(4) Under section 17012(2) of the code, MCL 333.17012, an educational limited license ~~may be renewed~~ **is not renewable for** more than 5 years.

R 338.2431 Examination; adoption; passing scores; limitation on attempts; time limitations.

Rule 131. (1) ~~The board adopts the United States Medical Licensing Examination (USMLE)~~ **USMLE**, developed and administered by the ~~Federation of State Medical Boards (FSMB), FSMB, is approved and adopted,~~ which consists of the following ~~parts:~~ **steps:**

(a) ~~USMLE part 1.~~ **USMLE Step 1.**

(b) ~~USMLE part 2.~~ **USMLE Step 2 CK.**

(c) ~~USMLE part 3.~~ **USMLE Step 3.**

(2) The passing score for each ~~part~~ **step** of the USMLE accepted for licensure is the passing score established by the FSMB.

(3) An applicant shall not make more than ~~3~~ **4** attempts to pass any ~~part~~ **step** of the USMLE.

(4) An applicant shall successfully pass all ~~parts~~ **steps** of the USMLE within 7 years ~~from after~~ the date that ~~he or she~~ **the applicant** first passed ~~any part~~ **a step** of the USMLE. An applicant may request consideration of a variance of the 7-year requirement by providing, at a minimum, proof ~~of~~ **verifying** both of the following requirements to the board:

(a) That the applicant has already passed all ~~parts~~ **steps** of the USMLE, but that the time taken to pass all ~~parts~~ **steps** is more than 7 years.

(b) That the applicant has completed either of the following activities:

(i) Graduation from an accredited graduate degree program in addition to medical school.

(ii) Completion of a residency or fellowship program with demonstrated consistent participation in the program.

R 338.2435 Clinical academic limited license.

Rule 135. An applicant for a clinical academic limited license shall ~~submit the required fee and a completed application on a form provided by the department. In addition to satisfying~~ **satisfy** the requirements of the ~~code,~~ **code and the administrative rules promulgated under the code, as well as all** the applicant shall satisfy both of the following requirements:

(a) ~~Have documentation provided directly to the department verifying that he or she has been appointed to a position in an academic institution as defined in section 17001(1)(a) of the code, MCL 333.17001.~~ **Provide the required fee and a completed application on a form provided by the department.**

(b) ~~Provide documentation from either of the following entities:~~ **Provide proof verifying that the applicant has been appointed to a position in an academic institution, as that term is defined in section 17001 of the code, MCL 333.17001.**

(i) ~~Verification provided directly to the department from a medical school that satisfies the requirements of R 338.2421(1), indicating that the applicant has graduated or is expected to graduate within 3 months of the date of the application.~~

(ii) ~~Certification provided directly to the department from the ECFMG indicating that the applicant has satisfied both of the following requirements:~~

(A) ~~Graduated from a medical school listed in the World Directory of Medical Schools.~~

(B) ~~Passed parts 1 and 2 of the USMLE adopted under R 338.2431.~~

**(c) Provide proof verifying 1 of the following:**

(i) **The applicant has graduated from a medical school that satisfies the requirements under R 338.2421(1).**

(ii) **Certification from the ECFMG that the applicant has satisfied both of the following requirements:**

(A) **Graduated from a medical school listed in the World Directory of Medical Schools.**

(B) **Received passing scores on step 1 and step 2 CK of the USMLE adopted under R 338.2431.**

R 338.2437 Relicensure.

Rule 137. (1) An applicant whose ~~Michigan doctor of medicine medical~~ license has lapsed for less than 3 years preceding the date of application for relicensure may be relicensed under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies **the requirements of the code and the administrative rules promulgated under the code, as well as** all of the following requirements:

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

(b) ~~Submits~~ **Provides** proof ~~verifying the to the department of completing~~ **completion** of not less than 150 hours of continuing education that satisfies the requirements of R 338.2443 during the 3 years immediately preceding the date of the application for relicensure.

(c) Establishes ~~that he or she is~~ of good moral character, as **that term is defined and determined** under 1974 PA 381, MCL 338.41 to 338.47.

(d) An applicant who holds or has ever held a license to practice medicine shall establish all of the following requirements:

(i) Disciplinary proceedings are not pending against the applicant.

(ii) If sanctions have been imposed against the applicant, the sanctions are not in force **when at the time of application. application is submitted.**

(iii) A previously held license was not surrendered or allowed to lapse to avoid discipline.

(2) An applicant whose ~~Michigan~~ **doctor of medicine** ~~medical~~ license has been lapsed for 3 years but less than 5 years may be relicensed under section 16201(4) of the code, MCL 333.16201, if the applicant ~~submits~~ **provides** fingerprints as set forth in section 16174(3) of the code, MCL 333.16174, and satisfies the requirements of subrule (1) of this rule and either of the following requirements:

(a) ~~Presents~~ **Provides** proof ~~verifying to the department that he or she~~ **the applicant** is ~~actively~~ **currently** licensed and in good standing as a **doctor of medicine** ~~medical doctor~~ in another ~~state.~~ **state or in a province of Canada.**

(b) **Provides proof verifying** ~~Completes completion of~~ 1 of the following during the 3 years immediately preceding the date of the application for relicensure:

(i) ~~Takes and~~ **Successfully passes** ~~passed~~ the Special Purpose Examination (SPEX) offered by the FSMB. The passing score is the passing score established by the FSMB.

(ii) ~~Successfully completes~~ **completed** a postgraduate training program that satisfies the requirements of ~~under R 338.2421(2), (3), (4), or (5).~~ **or (4).**

(iii) ~~Successfully completes~~ **completed** a physician re-entry program ~~accredited by~~ **that is an organizational member of** the Coalition for Physician Enhancement (CPE).

(iv) ~~Successfully completes~~ **completed** a physician re-entry program affiliated with a medical school that satisfies the requirements of ~~under R 338.2421(1).~~

(3) An applicant whose ~~Michigan~~ **doctor of medicine** ~~medical~~ license has been lapsed for 5 years or more may be relicensed under section 16201(4) of the code, MCL 333.16201, if the applicant ~~submits~~ **provides** fingerprints as set forth in section 16174(3) of the code, MCL 333.16174, and satisfies the requirements of subrule (1) of this rule and either of the following requirements:

(a) ~~Presents~~ **Provides** proof ~~verifying to the department that he or she~~ **the applicant** is ~~actively~~ **currently** licensed and in good standing as a **doctor of medicine** ~~medical doctor~~ in another ~~state.~~ **state or in a province of Canada.**

(b) **Provides proof verifying** ~~Completes completion of~~ both of the following during the 3 years immediately preceding the date of the application for relicensure:

(i) ~~Takes and~~ **Successfully passes** ~~passed~~ the SPEX offered by the FSMB. The passing score is the passing score established by the FSMB.

(ii) ~~Successfully completes~~ **completed** 1 of the following training options:

(A) A postgraduate training program that satisfies the requirements of ~~under R 338.2421(2), (3), (4), or (5).~~ **or (4).**

(B) A physician re-entry program that is ~~accredited by~~ **an organizational member of** the CPE.

(C) A physician re-entry program affiliated with a medical school that satisfies the requirements of ~~under R 338.2421(1).~~

(4) If required to complete the requirements of subrule (2)(b) or (3)(b) of this rule, the applicant may obtain an educational limited license for the sole purpose of completing that training.

(5) An applicant with an educational limited license may be relicensed under section 16201(3) or (4) of the code, MCL 333.16201(3) or (4), ~~if he or she~~ **the applicant** ~~complies with~~ **satisfies** subrule (1) of this rule and R 338.2429.

~~(6) 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 to practice as a medical doctor. Verification must include information that the license is in good standing and, if applicable, the record of any disciplinary action taken or pending against the applicant. An applicant who is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force when the application is submitted. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.~~

### PART 3. CONTINUING EDUCATION

R 338.2441 License renewals.

Rule 141. (1) ~~This part applies to an application for renewal of a medical license under section 17031 of the code, MCL 333.17031, and a medical special volunteer license under section 16184 of the code, MCL 333.16184. An applicant for renewal shall satisfy the requirements of the code and the administrative rules promulgated under the code.~~

(2) An applicant for license renewal who has been licensed in the 3-year period immediately preceding the application for renewal shall accumulate a minimum of 150 hours of continuing education in activities approved ~~by the board~~ under R 338.2443 during the 3 years immediately 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 licensee shall ~~retain~~ **keep** documentation of satisfying the requirements of this rule for 4 years ~~from~~ **after** the date of applying for license renewal. Failure to satisfy this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(4) The department may select and audit a sample of licensees who have renewed their license and request proof of compliance with subrule (2) of this rule. If audited, a licensee shall ~~submit~~ **provide** documentation as specified in R 338.2443.

R 338.2443 Acceptable continuing education; requirements; limitations.

Rule 143. (1) The 150 hours of continuing education required under R 338.2441 must satisfy the following requirements, as applicable:

(a) Credit for a continuing education program or activity that is identical or substantially ~~identical~~ **equivalent** to a program or activity for which the licensee has already earned credit during the renewal period cannot be granted.

(b) A minimum of 1 hour of continuing education must be earned in ~~the area of~~ medical ethics.

(c) For license renewals filed **on** December 6, 2017, or later, a minimum of 3 hours of continuing education must be earned in ~~the area of~~ pain and symptom management under section 17033(2) of the code, MCL ~~333.17033(2)~~. **333.17033**. At least 1 of the 3 hours must include controlled substances prescribing. Continuing education hours in pain and symptom management may include, but are not limited to, any of the following areas:

- (i) Public health burden of pain.
- (ii) Ethics and health policy related to pain.
- (iii) Michigan pain and controlled substance laws.
- (iv) Pain definitions.
- (v) Basic sciences related to pain including pharmacology.
- (vi) Clinical sciences related to pain.
- (vii) Specific pain conditions.
- (viii) Clinical physician communication related to pain.
- (ix) Management of pain, including evaluation and treatment and non-pharmacological and pharmacological management.
- (x) Ensuring quality pain care and controlled substances prescribing.
- (xi) Michigan programs and resources relevant to pain.

(d) A minimum of 75 continuing education credits must be obtained through category 1 programs listed in subrule (2) of this rule.

(2) ~~The board considers any of the~~ following activities **as are** acceptable category 1 continuing education:

	Activity and Proof of Completion	Number of Continuing Education Hours granted/permitted for the activity
(a)	Attendance at or participation in a continuing education program or activity related to the practice of medicine, which includes, but is not limited to, live, in-person programs, interactive or monitored teleconference, audio-conference, or web-based programs, online programs, and journal articles with a self-study component or other self-study programs approved or offered by any of the following organizations:  - American Medical Association - Michigan State Medical Society	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. A maximum of 150 hours of continuing education may be earned for this activity during the renewal period.

	<ul style="list-style-type: none"> <li>- Accreditation Council for Continuing Medical Education</li> <li>- American Osteopathic Association</li> <li>- Michigan Osteopathic Association</li> </ul> <p>If audited, the licensee must <del>submit</del> <b>provide</b> a copy of the letter or certificate of completion showing the licensee's name, number of continuing education 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 the activity completed.</p>	
(b)	<p>Taking and passing a specialty board certification or recertification examination for a specialty board recognized by the American Board of Medical Specialties, the American Board of Physician Specialties, or the National Board of Physicians and Surgeons.</p> <p>If audited, the licensee shall provide proof from the specialty board of the successful passing of the examination.</p>	<p>A specialty board certification or recertification examination successfully passed during the renewal period is granted 50 hours of continuing education. <del>credit</del>. A maximum of 50 hours of continuing education may be earned for this activity in each renewal period.</p>
(c)	<p>Successfully completing an activity that is required for maintenance of a specialty certification for a board recognized by the American Board of Medical Specialties, the American Board of Physician Specialties, or the National Board of Physicians and Surgeons that does not satisfy the requirements of subrule 2(a) or 2(b) of this rule.</p> <p>If audited, the licensee shall provide proof from the specialty board that the activity was required for maintenance of certification, that the activity was successfully completed and the date of completion.</p>	<p>One hour of continuing education is granted for every 60 minutes spent on the activity. A maximum of 30 hours may be earned for this activity in each renewal period.</p>
(d)	<p>Participation in a clinical training program that satisfies any of the</p>	<p>Fifty hours of continuing education <del>credit</del> per year may be granted for this</p>

<p>requirements of R 338.2421(2), (3), <del>or (4), or (5)</del> <b>(4)</b> or is accredited by a board recognized by the American Board of Medical Specialties, the American Board of Physician Specialties, or the National Board of Physicians and Surgeons. To receive credit, the licensee shall be enrolled for a minimum of 5 months in a 12-month period.</p> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> a letter from the program director verifying the licensee <del>participated</del> <b>took part</b> in the program.</p>	<p>activity. A maximum of 150 hours of continuing education <del>credit</del> may be earned per renewal period.</p>
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(3) The ~~board considers any of the~~ following activities as **are** acceptable category 2 continuing education:

	Activity and Proof of Completion	Number of Continuing Education Hours granted/permitted for the activity
(a)	<p>Serving as a clinical instructor for medical students or residents engaged in a postgraduate training program that satisfies requirements of R 338.2421(2), (3), <del>(4), or (5)</del>. <b>or (4)</b>.</p> <p>To receive credit, the clinical instructorship must not be the licensee’s primary employment function.</p> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> proof of scheduled instructional hours and a letter from the program director verifying the licensee’s role.</p>	<p>Two hours of continuing education is granted for each 50 to 60 minutes of scheduled instruction. Additional credit for preparation of a lecture cannot be granted. A maximum of 48 hours of continuing education may be earned for this activity in each renewal period.</p>
(b)	<p>Initial presentation of a scientific exhibit, poster, or paper to a professional medical organization.</p> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> a copy of the document presented with proof of presentation or a letter from the program sponsor verifying the date of the presentation.</p>	<p>Two hours of continuing education is granted for each presentation. No additional credit is granted for preparation of the presentation. A maximum of 24 hours of continuing education may be earned in this activity in each renewal period. Under R 338.2443(1)(a), credit for a presentation is granted only once per renewal period.</p>

(c)	<p>Publication of a scientific article relating to the practice of medicine in a peer-reviewed journal or periodical.</p> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> a copy of the publication that identifies the licensee as the author or a publication acceptance letter and documentation of the peer-review process.</p>	<p>Six hours of continuing education is granted for serving as the primary author. Three hours of continuing education is granted for serving as a secondary author. A maximum of 24 hours of continuing education may be earned for this activity in each renewal period. Under R 338.2443(1)(a), credit for an article is granted once per renewal period.</p>
(d)	<p>Initial publication of a chapter or a <del>portion</del> <b>part</b> of a chapter related to the practice of medicine in either of the following textbooks:</p> <ul style="list-style-type: none"> <li>- A professional health care textbook.</li> <li>- A peer-reviewed textbook.</li> </ul> <p>If audited, the licensee shall <del>submit</del> <b>provide</b> a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>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 24 hours of continuing education may be earned for this activity in each renewal period. Under R 338.2443(1)(a), credit for publication is granted once per renewal period.</p>
(e)	<p>Participating on any of the following committees:</p> <ul style="list-style-type: none"> <li>- A peer review committee dealing with quality of patient care as it relates to the practice of medicine.</li> <li>- A committee dealing with utilization review as it relates to the practice of medicine.</li> <li>- A health care organization committee dealing with patient care issues related to the practice of medicine.</li> <li>- A national or state committee, board, council, or association related to the practice of medicine.</li> </ul> <p>Participation in a committee, board, council, or association is considered acceptable <del>by the board</del> if it enhances the participant's knowledge and understanding of the field of medicine. If audited, the licensee shall <del>submit</del> <b>provide</b> a letter from an</p>	<p>Eighteen hours of continuing education is granted for <del>participating</del> <b>taking part</b> on a committee. A maximum of 18 hours of continuing education may be earned for this activity in each renewal period.</p>

	organization official verifying the licensee's participation in <b>at least not less than</b> 50% of the regularly scheduled meetings of the committee, board, council, or association.	
(f)	<p><del>Until December 6, 2019, attendance at or participation in a continuing education activity that had been approved by the board prior to the effective date of this rule but does not satisfy the requirements of subrule (2)(a) of this rule.</del></p> <p>If audited, the licensee shall submit a copy of the letter or certificate of completion showing the licensee's name, number of continuing education 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 the activity was completed.</p>	<p><del>The number of continuing education hours for a specific program or activity is the number of hours approved by the board. A maximum of 36 hours of continuing education may be earned for this activity.</del></p>
(g)	<p><del>Independently reading a peer-reviewed journal that does not satisfy the requirements of subrule (2)(a) of this rule. The reading must have been completed prior to the effective date of this rule.</del></p> <p>If audited, a licensee shall submit a bibliography listing the journal, article, authors, publication date, and date read.</p>	<p><del>Two hours of continuing education credit is granted for each article read. A maximum of 18 hours of continuing education may be earned for this activity.</del></p>
(h)	<p><del>Prior to December 6, 2016, completing a multi-media self-assessment program that does not satisfy the requirements of subrule (2)(a) of this rule. The self-assessment program must improve the licensee's knowledge and understanding of the practice of medicine.</del></p>	<p><del>The number of continuing education hours is the number of hours approved by the activity sponsor. A maximum of 18 hours of continuing education credit may be earned for this activity.</del></p>

	If audited, the licensee shall submit a certificate of self-assessment provided by the program sponsor.	
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