

## Guidelines for Filing a Continuing Education Waiver Request

May 11, 2022

The Public Health Code and the Occupational Code allow a licensee to request a waiver of continuing education (CE) requirements from the board if the licensee is unable to complete the CE requirements.\* See [MCL 333.16205](#) and [MCL 339.204\(2\)](#). \*

### **Requirements to Request a Waiver:**

- The licensee was unable to complete CE due to a disability, military service, absence from the continental United States, or circumstances beyond the control of the licensee which the board considers good and sufficient.
- The licensee must make a written request to the board for a waiver and should supply as much information and documentation as possible to support the request so that the board can make an informed decision. (This includes any CE that the licensee has completed during the license cycle). A licensee should send a waiver request to [BPLHelp@michigan.gov](mailto:BPLHelp@michigan.gov).
- The department must receive a request for a waiver for the board's consideration at least 30 days before the last regularly scheduled board meeting before the expiration date of the license. This is to allow adequate time for the department to receive and review the request, place the request on the board's agenda, and for the board to consider the request before the license expires. The public notice which contains the board meeting dates can be found on the board's page on the Bureau of Professional Licensing's [website](#).

### **Process Once the Department Properly received a Waiver Request:**

- Upon receiving a submission that follows the above requirements, the department will place the CE waiver request on the board's meeting agenda.
- The board will review the request and decide whether to grant or deny the waiver.
- After the meeting, the department will notify the licensee of the board's decision.
- The licensee must not apply for renewal until the board decides whether to grant or deny the waiver.
  - If the board grants the waiver request, the department will make a notation in the license file about the number of hours the board waived. The licensee must then apply for renewal.
  - If the board denies the waiver request, the licensee will have to complete and certify that the licensee completed the CE requirements to renew the license.

### **Considerations When Applying for a Waiver:**

- A board does not automatically grant a waiver. The burden is solely on the licensee to sufficiently inform the board of the circumstances that call for the waiver. The decision on a CE waiver request is solely within the board's discretion.
- The board may deny the CE waiver request. If the board denies the request, the licensee must complete all CE requirements to renew the license.
- The department may have to cancel a board meeting due to lack of quorum. If this happens, the department will place the waiver request on the next meeting agenda.
  - However, the license will still expire without renewal, regardless of any pending CE request, and the license will go into a lapsed status.
  - **Public Health Code Professions:** These professions are provided a statutory grace period of 60 days to renew their license after the license expiration date. During this period, the license is lapsed but the licensee may continue to practice. However, if the license is lapsed for more than 60 days, regardless of any pending CE waiver request, the licensee may no longer renew the license and must instead satisfy the requirements for relicensure.
  - **Occupational Code Professions:** After the license expires, the license is lapsed. A licensee may **not** practice while the license is in a lapsed status. After 60 days, regardless of any pending CE request, the licensee may no longer renew the license and must instead satisfy the requirements for relicensure.

\* **Note:** There are two professions regulated by the Occupational Code that may not seek a waiver of continuing education via MCL 339.204(2).

- **Landscape Architects:** MCL 339.204 requires that the licensee apply to the board for a waiver of continuing education. Landscape Architects do not have a board. The administrative rules are being revised to provide an avenue for this profession to seek a waiver through the department.
- **Real Estate Appraisers** may not seek a waiver of continuing education. The continuing education requirements for this profession are regulated by the Appraisal Qualifications Board.

If you have any additional questions, you can contact the Bureau of Professional Licensing at 517-241-0199 or [BPLHELP@michigan.gov](mailto:BPLHELP@michigan.gov).