DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

PART 17. HEARINGS

R 336.2701
Source: 2018 AACS.

R 336.2702
Source: 2018 AACS.

R 335.2703
Source: 1998-2000 AACS.

R 336.2703
Source: 1980 AACS.

R 336.2704
Source: 2018 AACS.

R 336.2705
Source: 2018 AACS.

R 336.2706
Source: 2018 AACS.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 18. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY

R 336.2801
Source: 2019 AACS.

R 336.2801a
Source: 2019 AACS.

R 336.2802
Source: 2019 AACS.

R 336.2803
Source: 2012 AACS.

R 336.2804
Source: 2006 AACS.

R 336.2805
Source: 2006 AACS.

R 336.2806
Source: 2006 AACS.

R 336.2807

Source: 2019 AACS.

R 336.2808
Source: 2006 AACS.

R 336.2809
Source: 2019 AACS.

R 336.2810
Source: 2019 AACS.

R 336.2811
Source: 2006 AACS.

R 336.2812
Source: 2006 AACS.

R 336.2813
Source: 2019 AACS.

R 336.2814
Source: 2006 AACS.

R 336.2815
Source: 2006 AACS.

R 336.2816
Source: 2019 AACS.

R 336.2817
Source: 2006 AACS.

R 336.2818
Source: 2008 AACS.

R 336.2819
Source: 2006 AACS.

R 336.2823
Source: 2019 AACS.

R 336.2830
Source: 2012 AACS.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 19. NEW SOURCE REVIEW FOR MAJOR SOURCES IMPACTING NONATTAINMENT AREAS

R 336.2901
Source: 2019 AACS.

R 336.2901a
Source: 2019 AACS.

R 336.2902
Source: 2019 AACS.

R 336.2903
Source: 2012 AACS.

R 336.2907
Source: 2019 AACS.

R 336.2908
Source: 2019 AACS.

R 336.2910
Source: 2011 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

AUDIOLOGY - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.1
Source: 2021 AACS.

R 338.1a Training standards for identifying victims of human trafficking; requirements.
Rule 1a. (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 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 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 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 acceptable proof of completion of training, that includes 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 and author of the article, publication name of 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 renewals beginning with the 2017 renewal cycle and for initial licenses issued after April 22, 2021.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.2 Application for audiologist license; requirements.

Rule 2. (1) An applicant for an audiologist license shall 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) Possess a master's or doctoral degree in audiology from an accredited educational program under R 338.8(1) or (2) and (3) or (4).

(c) Successfully completed a minimum of 9 months of supervised clinical experience in audiology as shown by 1 of the following requirements:

(i) For an applicant who has a doctor of audiology (Au.D.) degree, submission of an official transcript that shows the awarding of an Au.D. from an accredited educational institution under R 338.8(1) or (2) and (3) or (4).

(ii) For an applicant who has either a doctoral or master's degree in audiology, submission of a certification of clinical experience form that shows that the applicant completed the required supervised clinical experience.

(d) Successfully completed an examination in audiology under R 338.7.

(2) If an applicant for an audiologist license provides either a Certificate of Clinical Competence in Audiology (CCC-A) from the American Speech-Language-Hearing Association (ASHA) or an American Board of Audiology Certified credential from the American Board of Audiology (ABA) that has been held up to September 1, 1995, then it is presumed that the applicant satisfies the requirements of subrule (1)(b), (c), and (d) of this rule.

History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.3 Licensure by endorsement; audiologist.

Rule 3. (1) An applicant for an audiologist license by endorsement shall 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) Hold a current and full audiologist license in another state or in a province of Canada.

(c) Complete the educational requirements for an audiologist license in another state or a province of Canada to obtain licensure as an audiologist in another state or a province of Canada.

(d) Receive passing scores on either of the following examinations for an audiologist license in another state or in a province of Canada to obtain licensure as an audiologist in another state or in a province of Canada:

(i) One of the examinations adopted under R 338.7.

(ii) The Canadian Entry-to-Practice Exam for Audiology (CETP Exam).

(e) If the applicant has held an audiologist license for less than 18 months, the applicant completes, in the United States, 9 months of supervised clinical experience under a licensed audiologist, and the supervised clinical experience satisfies R 338.5.

(2) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other 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 at the time of application. 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.

History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.4 Supervised clinical experience; limited license requirements.

Rules 4. (1) An applicant for an audiologist limited license who has earned a master's or doctoral degree in audiology but who still must complete the required 9 months of supervised clinical experience in audiology shall 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) Graduate from an accredited educational program in audiology under R 338.8(1) or (2) and (3) or (4).

(c) Be accepted for training in a clinical situation under the supervision of an individual who is licensed in audiology in this state.

(2) The applicant shall document on a form provided by the department the completion of 9 months of clinical supervised experience (1,080 clock hours) or the equivalent of 9 months of experience after having graduated from an accredited master's degree program in audiology under R 338.8(1) or (2) and (3) or (4). Both of the following requirements apply:

(a) The experience is subject to R 338.5.

(b) Only experience obtained in an approved supervised clinical situation by an individual who holds a limited license counts toward the experience requirement.

(3) If an applicant transfers to a different supervised clinical situation, then the applicant shall provide information about the supervised clinical situation on an updated form provided by the department under subrule (2) of this rule.

History: 2005 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.5 Clinical experience requirements.

Rule 5. (1) The 9 months of supervised clinical experience required for licensure in R 338.2(1)(c) and R 338.4(2) must satisfy the following requirements:

(a) The experience must be obtained under the supervision of a licensed audiologist.

(b) Except as otherwise provided in subrule (2) of this rule, experience must be full time, which means at least 30 hours per week, and be obtained within 24 consecutive months.

(2) The supervised clinical experience required under subrule (1) of this rule may be fulfilled on a part-time basis and must satisfy the following requirements:

(a) The experience must be obtained under the supervision of a licensed audiologist.

(b) The experience must be part time, which means at least 15 hours per week, and be obtained within 36 consecutive months.

History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.6 Foreign trained applicants; licensure requirements.

Rule 6. An applicant for an audiologist license who graduated from a postsecondary institution outside of the United States or Canada shall satisfy all the following requirements:

(a) That the applicant has completed an educational degree program in audiology that is substantially equivalent to the educational requirements in R 338.2(1)(b). The department accepts as proof of an applicant's completion of the educational requirements a credential evaluation completed by a credential evaluation organization that is a current member organization of the National Association of Credential Evaluation Services (NACES).

(b) That the applicant may practice as an audiologist without limitation in a country currently recognized by the United States. An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other 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 at the time of application. 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.

(c) That the applicant has completed, in the United States, 9 months of supervised clinical experience under a licensed audiologist, and the supervised clinical experience satisfies R 338.5.

History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.7 Examination; adoption; passing scores.

Rule 7. Examinations approved and adopted are the National Teachers Examination (NTE) in Audiology and the Praxis Series II Examination in Audiology that are administered by the Educational Testing Service (ETS) or its successor organization. Applicants must achieve a passing score on the National Teachers Examination (NTE) in Audiology or the Praxis Series II Examination in Audiology or any successor examination.

History: 2005 AACS; 2013 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.8 Educational standards; adoption by reference.

Rule 8. (1) The standards for accrediting audiology educational programs developed and adopted by the Council on Academic Accreditation in Audiology and Speech-Language Pathology (CAA), American Speech-Language-Hearing Association, 2200 Research Boulevard, #310, Rockville, Maryland 20850, in the publication entitled "Standards for Accreditation of Graduate Education Programs in Audiology and Speech-Language Pathology," effective August 1, 2017, which are available at no cost on the council's website at https://caa.asha.org are approved and adopted by reference. Any audiology educational program accredited by the CAA is approved.

(2) The standards for accrediting doctor of audiology programs developed and adopted by the Accreditation Commission for Audiology Education (ACAE), 11480 Commerce Park Dr., Ste. 220, Reston, Virginia 20191, in the publication entitled "Accreditation Standards for the Doctor of Audiology (Au.D.) Program," adopted March 2016, which are available at no cost on the commission's website at https://acaeaccred.org are approved and adopted by reference. Any audiology educational program accredited by the ACAE is approved.

(3) The standards for recognition of accrediting organizations developed and adopted by the Council for Higher Education Accreditation (CHEA), One Dupont Circle NW, Suite 510, Washington, D.C. 20036, in the publication entitled "Recognition of Accrediting Organizations Policy and Procedures," effective September 24, 2018, which are available at no cost on the

council's website at https://www.chea.org are approved and adopted by reference. Any higher education institution accredited by the accrediting body of the region in which the institution is located and the accrediting body satisfies the recognition standards of CHEA is approved.
(4) The criteria for recognition and the recognition process for the secretary's recognition of accrediting agencies of the United States Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, in 34 CFR 602.10 to 602.39, effective July 1, 2020, which are available at no cost on the department's website at https://www2.ed.gov/about/offices/list/ope/index.html are approved and adopted by reference. Any higher education institution accredited by the accrediting body of the region in which the institution is located and the accrediting body satisfies the recognition criteria and process of the United States Department of Education is approved.
(5) Copies of the standards in this rule are available for inspection and distribution at a cost of 10 cents per page from the Board of Audiology, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, Lansing, Michigan 48909.
History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.9 Relicensure.
Rule 9. (1) An applicant 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 administrative rules promulgated under the code, as well as all the following requirements:
(a) Provides the required fee and a completed application on a form provided by the department.
(b) Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.
(c) Provides proof to the department of accumulating not less than 20 hours of continuing education credit that satisfies the requirements of R 338.10 and R 338.11 during the 2 years immediately preceding the application for relicensure.
(2) An applicant may be relicensed more than 3 years after the expiration date of the license under section 16201(4) 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 the following requirements:
(a) Provides the required fee and a completed application on a form provided by the department.
(b) Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.
(c) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.
(d) Satisfies either of the following requirements:
(i) Passes an examination required under R 338.7.
(ii) Presents proof to the department that the applicant was licensed as an audiologist in another state or a province of Canada during the 2-year period prior to the application for relicensure.
(3) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other 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 at the time of application. 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.
History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.10 License renewal; requirements; applicability.
Rule 10. (1) 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 for the 2-year period immediately preceding the expiration date of the license shall accumulate not less than 20 hours of continuing education in activities approved under these rules during the 2 years preceding the end of the license cycle.
(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. A licensee shall keep documentation of satisfying the requirements of this rule for a period of 4 years from 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.
History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.11 Acceptable continuing education; requirements; limitations.
Rule 11. (1) The 20 hours of continuing education required under R 338.10(2) for the renewal of an audiology license must satisfy the following requirements:
(a) For the purpose of this rule, "instruction" means education time, exclusive of breakfast, lunch, or dinner periods, or any other breaks in the program.

(b) Not more than 10 hours of continuing education may be earned during a 24-hour period.
(c) A licensee may not earn credit for a continuing education program or activity that is identical or substantially equivalent to a program or activity the licensee has already earned credit for during the license cycle.
(d) Under section 16204 of the code, MCL 333.16204, at least 1 hour of continuing education must be earned in pain and symptom management. Continuing education hours in pain and symptom management may include, but are not limited to, courses in behavior management, behavior modification, stress management, and clinical applications, as they relate to professional practice under sections 16801 to 16811 of the code, MCL 333.16801 to 333.16811.
(2) The following are acceptable continuing education activities:

Activity Code	Activity and Proof Required	Number of continuing education hours granted/allowed per activity
(a)	Initial presentation of a continuing education program related to the practice of audiology provided to a state, regional, national, or international audiology organization. To receive credit, the presentation must not be a part of the licensee's regular job description and must satisfy the standards in R 338.12. If audited, the licensee shall provide a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter, and the name of the organization that approved or offered the presentation for continuing education credit.	Three hours of continuing education are granted for each 50 to 60 minutes of presentation. No other credit is granted for preparation of a presentation. A maximum of 9 hours of continuing education are allowed for this activity in each renewal period. Under subrule (1)(c) of this rule, credit for a presentation is granted once per renewal period.
(b)	Initial presentation of a scientific exhibit, paper, or clinical demonstration to an audiology organization. To receive credit, the presentation must not be part of the licensee's regular job description or performed in the normal course of the licensee's employment. If audited, the licensee shall provide a copy of the document presented with proof of presentation or a letter from the program sponsor verifying the length and date of the presentation.	Two hours of continuing education are granted for each 50 to 60 minutes of presentation. No other credit is granted for preparation of a presentation. A maximum of 6 hours of continuing education are allowed for this activity in each renewal period. Under subrule (1)(c) of this rule, credit for a presentation is granted once per renewal period.
(c)	Passing a postgraduate academic course related to the practice of audiology offered in an educational program approved under R 338.8(1) or (2) and (3) or (4). If audited, the licensee shall provide an official transcript documenting successful completion of the course.	Five hours of continuing education are granted for each academic credit hour passed. Three hours of continuing education are granted for each academic term or quarter credit hour passed. A maximum of 20 hours of continuing education are allowed for this activity in each renewal period.
(d)	Attendance at a continuing education program approved under R 338.12. If audited, the licensee shall provide a program description, a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned,	One continuing education hour is granted for each 50 to 60 minutes of program attendance. A maximum of 20 hours of continuing education are allowed for this activity in

	sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.	each renewal period.
(e)	Attendance at a continuing education program approved by another state board of audiology. If audited, the licensee shall provide a program description, a copy of a 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 activity completed.	One continuing education hour is granted for each 50 to 60 minutes of program attendance. A maximum of 20 hours of continuing education are allowed for this activity in each renewal period.
(f)	Initial publication of an article related to the practice of audiology in a non-peer reviewed journal or newsletter. If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	One hour of continuing education is granted for each article. A maximum of 5 hours of continuing education are allowed for this activity in each renewal period. Under subrule (1)(c) of this rule, credit for publication is granted once per renewal period.
(g)	Initial publication of a chapter related to the practice of audiology in either of the following: A professional or health care textbook. A peer-reviewed journal. If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	Five hours of continuing education are granted for serving as the primary author. Two hours of continuing education are granted for serving as the secondary author. Under subrule (1)(c) of this rule, credit for publication is granted once per renewal period.
(h)	Reading an audiology professional journal and successfully completing an evaluation created for continuing education credit in audiology practice education. If audited, the licensee shall provide a copy of the publication and the evaluation created for continuing education credit in audiology practice education.	One hour of continuing education is granted for each 50 to 60 minutes of this activity. A maximum of 5 hours of continuing education are allowed for this activity in each renewal period.
(i)	Attendance at a program approved for continuing education by the board of medicine or the board of osteopathic medicine related to audiology practice. If audited, the licensee shall provide a program description, a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned,	One continuing education hour is granted for each 50 to 60 minutes of program attendance. A maximum of 5 hours of continuing education are allowed for this activity in each renewal period.

	sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.	
(j)	Participating on a state or national committee, board, council, or association related to the field of audiology. A committee, board, council, or association must enhance the participant's knowledge and understanding of the field of audiology. If audited, the licensee shall provide documentation verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.	Two hours of continuing education are granted for each committee, board, council, or association. A maximum of 2 hours of continuing education are allowed for this activity in each renewal period.

History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.12 Continuing audiology education providers and programs; methods of approval.

Rule 12. (1) Any continuing education provider or program approved by ASHA is approved. The standards for continuing education providers developed and adopted by the American Speech-Language-Hearing Association Continuing Education Board (ASHA-CEB), 2200 Research Boulevard, Rockville, Maryland 20850-3289, in the publication entitled "American Speech-Language-Hearing Association Continuing Education Board Manual," updated June 2021, which are available at no cost on the association's website at https://www.asha.org, are approved and adopted by reference.

(2) Any continuing education provider or program approved by the American Academy of Audiology is approved. The standards for continuing education programs developed and adopted by the American Academy of Audiology, 11480 Commerce Park Drive, Suite 220, Reston, Virginia 20191, in the publication entitled "CE Provider Course Application Requirements and Guidelines," revised October 1, 2020, which are available at no cost on the academy's website at https://www.audiology.org, are approved and adopted by reference.

(3) Any continuing education provider or program approved by the board is approved. Providers or programs that need to be reviewed and preapproved must provide the following requirements:

(a) Course content related to current issues in audiology practice.

(b) An outline of the course or program provided with time allotted for each section of the program.

(c) Documentation of qualifications of presenters.

(d) Description of the method for delivering the course or program.

(e) Inclusion of defined measurements of pre-knowledge and post-knowledge or skill improvement.

(f) Monitoring of participant attendance at the program or course.

(g) Records of a course or program kept that include the number of participants in attendance, the date of the program, the program's location, the credentials of the presenters, rosters of the individuals who attended, and the continuing education time awarded to each participant.

(h) A participant must receive a certificate or written proof of attendance at a program that shows a participant's name, the date of the program, the location of program, the sponsor or program approval number, and the hours of continuing education awarded.

(4) Copy of the standards in this rule are available for inspection and distribution at a cost of 10 cents per page from the Michigan Board of Audiology, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

History: 2005 AACS; 2019 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.13 Telehealth.

Rule 13. (1) A licensee shall obtain consent from the patient for treatment before providing a telehealth service under section 16284 of the code, MCL 333.16284.

(2) A licensee shall keep proof of consent for telehealth treatment in the patient's up-to-date medical record and satisfy section 16213 of the code, MCL 333.16213.

(3) A licensee providing any telehealth service shall do both of the following:
(a) Act within the scope of the licensee's practice.
(b) Exercise the same standard of care applicable to a traditional, in-person health care service.
History: 2022 MR 6, Eff. Mar. 16, 2022.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

DECLARATORY RULINGS

R 338.81
Source: 2001 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OSTEOPATHIC MEDICINE AND SURGERY - GENERAL RULES

CONTINUING EDUCATION

R 338.91
Source: 2016 AACS.

R 338.92
Source: 2016 AACS.

R 338.93
Source: 1991 AACS.

R 338.94
Source: 2016 AACS.

R 338.95
Source: 2016 AACS.

R 338.96
Source: 2016 AACS.

R 338.97
Source: 2016 AACS.

R 338.98
Source: 2016 AACS.

R 338.99
Source: 2016 AACS.

R 338.101
Source: 2016 AACS.

R 338.102
Source: 2016 AACS.

R 338.103
Source: 2016 AACS.

R 338.105
Source: 2016 AACS.

R 338.106
Source: 2016 AACS.

R 338.107
Source: 2016 AACS.

R 338.107a
Source: 2016 AACS.

R 338.108
Source: 2013 AACS.

R 338.108a
Source: 2016 AACS.

R 338.108b
Source: 2016 AACS.

R 338.109a
Source: 2016 AACS.

PART 2. ADMINISTRATIVE HEARINGS

R 338.110
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OSTEOPATHIC MEDICINE AND SURGERY - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.111
Source: 2021 AACS.

R 338.113
Source: 2021 AACS.

R 338.114
Source: 2021 AACS.

R 338.115
Source: 2021 AACS.

R 338.117
Source: 2021 AACS.

R 338.119
Source: 2021 AACS.

R 338.120
Source: 2021 AACS.

PART 2. LICENSES

R 338.121
Source: 2021 AACS.

R 338.123
Source: 2021 AACS.

R 338.125
Source: 2021 AACS.

R 338.127
Source: 2021 AACS.

R 338.129
Source: 2021 AACS.

R 338.131
Source: 2021 AACS.

R 338.133
Source: 2021 AACS.

PART 3. CONTINUING EDUCATION

R 338.141
Source: 2021 AACS.

R 338.143
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF PROFESSIONAL LICENSING

A STANDING ORDER FOR DISPENSING OPIOID ANTAGONISTS

R 338.201
Source: 2018 AACS.

R 338.202
Source: 2018 AACS.

R 338.203
Source: 2018 AACS.

R 338.204
Source: 2018 AACS.

LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF OPTOMETRY - GENERAL RULES

R 338.241
Source: 2010 AACS.

R 338.251
Source: 2016 AACS**.**

R 338.252
Source: 2016 AACS**.**

R 338.253
Source: 2016 AACS**.**

R 338.254
Source: 2016 AACS**.**

R 338.255
Source: 2010 AACS.

R 338.256
Source: 2016 AACS**.**

R 338.256a
Source: 2016 AACS**.**

R 338.256b
Source: 2016 AACS**.**

R 338.257
Source: 2016 AACS**.**

R 338.258
Source: 2016 AACS**.**

R 338.259
Source: 2016 AACS**.**

R338.260
Source: 1997 AACS.

R 338.261
Source: 2010 AACS.

R 338.262
Source: 1997 AACS.

R 338.263
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R 338.264
Source: 1997 AACS.

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Source: 1998-2000 AACS.

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Source: 1997 AACS.

R 338.267
Source: 1998-2000 AACS.

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Source: 1997 AACS.

R 338.269
Source: 1998-2000 AACS.

R 338.270
Source: 2016 AACS**.**

R 338.271
Source: 1997 AACS.

R 338.272
Source: 1995 AACS.

R 338.273
Source: 1995 AACS.

R 338.275
Source: 2016 AACS**.**

R 338.276
Source: 2016 AACS**.**

R 338.277
Source: 2016 AACS**.**

R 338.278
Source: 2016 AACS**.**

R 338.279
Source: 1983 AACS.

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R 338.281
Source: 1997 AACS.

R 338.282
Source: 1997 AACS.

R 338.283
Source: 1997 AACS.

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Source: 1997 AACS.

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Source: 1997 AACS.

R 338.287
Source: 1997 AACS.

R 338.288
Source: 1997 AACS.

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R 338.291
Source: 2016 AACS**.**

R 338.292
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

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R 338.302
Source: 2019 AACS.

R 338.303
Source: 2019 AACS.

R 338.304
Source: 2021 AACS.

R 338.305
Source: 2021 AACS.

R 338.306
Source: 2019 AACS.

PART 2. LICENSES

R 338.307
Source: 2016 AACS**.**

R 338.309
Source: 2021 AACS.

R 338.311
Source: 2021 AACS.

R 338.313
Source: 2021 AACS.

R 338.315
Source: 2021 AACS.

R 338.317
Source: 2021 AACS.

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R 338.319
Source: 2021 AACS.

R 338.320
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R 338.321
Source: 2021 AACS.

R 338.323
Source: 2019 AACS.

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SCOPE OF EXAMINATIONS FOR LICENSURE

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Source: 1997 AACS.

R 338.312
Source: 1997 AACS.

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R 338.342
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R 338.473c
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R 338.480a
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R 338.485
Source: 1997 AACS.

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R 338.485y
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R 338.486
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Source: 2020 AACS.

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R 338.493e
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R 338.493f
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R 338.493g
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R 338.497
Source: 2014 AACS.

R 338.500
Source: 2020 AACS.

PHARMACY SERVICES IN MEDICAL INSTITUTIONS

PART 1. GENERAL PROVISIONS

R 338.501 Definitions.
Rule 1. (1) As used in these rules:
(a) "Approved education program" means a school of pharmacy that is accredited by or has candidate status by the Accreditation Council for Pharmacy Education (ACPE).
(b) "Board" means the Michigan board of pharmacy, created in section 17721 of the code, MCL 333.17721.
(c) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
(d) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of a drug or device by a pharmacist under any of the following circumstances:

(i) Upon the receipt of a prescription for a specific patient.
(ii) Upon the receipt of a medical or dental order from a prescriber or agent for use in the treatment of patients within the course of the prescriber's professional practice.
(iii) In anticipation of the receipt of a prescription or medical or dental order based on routine, regularly observed prescription or medical or dental order patterns.
(iv) For the purpose of or incidental to research, teaching, or chemical analysis and not for the purpose of sale or dispensing.
(e) "Compounding" does not include any of the following:
(i) Except as provided in section 17748c of the code, MCL 333.17748c, the compounding of a drug product that is essentially a copy of a commercially available product.
(ii) The reconstitution, mixing, or other similar act that is performed pursuant to the directions contained in approved labeling provided by the manufacturer of a commercially available product.
(iii) The compounding of allergenic extracts or biologic products.
(iv) Flavoring agents added to conventionally manufactured and commercially available liquid medications. Flavoring agents must be nonallergenic and inert, not exceeding 5% of a drug product's total volume.
(f) "Department" means the department of licensing and regulatory affairs.
(g) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by an individual with the intent to sign the record. An electronic signature is a unique identifier protected by appropriate security measures that is only available for use by the intended individual and ensures non-repudiation so that the signature may not be rejected based on its validity.
(h) "Error prevention technology" means machinery and equipment used in a pharmacy setting to reduce dispensing medication errors including, but not limited to, barcode verification and radio frequency identification.
(i) "Manual signature" means a signature that is handwritten or computer-generated if a prescription is electronically transmitted as defined in section 17703(8) of the code, MCL 333.17703.
(j) "Practical experience" means professional and clinical instruction in, but not limited to, all of the following areas:
(i) Pharmacy administration and management.
(ii) Drug distribution, use, and control.
(iii) Legal requirements.
(iv) Providing health information services and advising patients.
(v) Pharmacist's ethical and professional responsibilities.
(vi) Drug and product information.
(vii) Evaluating drug therapies and preventing or correcting drug-related issues.
(k) "Virtual manufacturer" means a person who engages in the manufacture of prescription drugs or devices and meets all of the following:
(i) Owns either of the following:
(A) The new prescription drug application or abbreviated new prescription drug application number.
(B) The unique device identification number, as available, for a prescription device.
(ii) Contracts with a contract manufacturing organization for the physical manufacture of the drugs or devices.
(iii) Is not involved in the physical manufacture of the drugs or devices.
(iv) At no time takes physical possession of or stores the drugs or devices.
(v) Sells or offers for sale to other persons, for resale, compounding, or dispensing of, drugs or devices, salable on prescription only.
(l) "Written" includes both paper and electronic forms.
(2) Unless otherwise defined in these rules, the terms defined in the code have the same meaning when used in these rules.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.503
Source: 2020 AACS.

R 338.505 Inspection of applicants and licensees.
Rule 5. (1) The board, board inspector, board agent, or an entity approved pursuant to R 338.532, may enter at reasonable times, any building, place, or facility that is owned or controlled by any applicant for, or holder of, a license to inspect to enable the board to determine if the applicant possesses the qualifications and competence for the license sought or to determine whether a license holder is and has been complying with the code and rules. The inspection must concern only matters relevant to the applicant's or license holder's practice of pharmacy, manufacturing, and wholesale distributing of drugs and devices saleable by prescription only.
(2) Inspections in subrule (1) of this rule must not extend to any of the following information, however, the following

information is subject to a disciplinary investigation:
(a) Financial data.
(b) Sales data other than shipment data.
(c) Pricing data.
(d) Personnel data other than data as to the qualifications of personnel performing functions subject to the acts and rules enforced by the board.
(e) Research data.
(3) An applicant or license holder shall permit and cooperate with the inspection.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 2. PHARMACIST LICENSES

R 338.511
Source: 2020 AACS.

R 338.513 Educational limited license; application and renewal; practices.
Rule 13. (1) An applicant for an educational limited license shall submit to the department a completed application on a form provided by the department with the requisite fee. In addition to satisfying the requirements of sections 16174 and 17737 of the code, MCL 333.16174 and MCL 333.17737, the applicant shall establish either of the following:
(a) That the applicant is actively enrolled in, or is within 180 days of completing, an approved educational program.
(b) That the applicant has received a Foreign Pharmacy Graduate Examination Committee (FPGEC) certification from the National Association of Boards of Pharmacy (NABP) Foreign Pharmacy Graduate Examination Committee, 1600 Feehanville Dr., Mount Prospect, Illinois, 60056, https://nabp.pharmacy/programs/fpgec/.)
(2) The educational limited license must be renewed annually as follows:
(a) At the time of renewal, the applicant shall submit verification to the department that he or she is actively enrolled in, or is within 180 days of completing, an approved educational program. The educational limited license is valid for 1 year.
(b) If an applicant is a graduate of a non-accredited college or school of pharmacy at the time of renewal, the applicant shall submit verification to the department from his or her preceptor that the applicant is currently in an internship program under the preceptor's supervision. The educational limited license is valid for 1 year and may be renewed 1 time.
(3) An educational limited licensee may engage in the practice of pharmacy only under the personal charge of a pharmacist.
(4) An educational limited licensee shall verify that his or her pharmacy preceptor holds a valid preceptor license prior to engaging in the practice of pharmacy if the internship hours will be submitted to the department for credit.
(5) An educational limited licensee shall notify the board within 30 days if he or she is no longer actively enrolled in an approved educational program.
(6) An applicant for an educational limited license shall meet the requirements of R 338.511.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.515
Source: 2020 AACS.

R 338.517 Preceptor license and responsibilities.
Rule 17. (1) An applicant for licensure as a pharmacist preceptor shall submit to the department a completed application on a form provided by the department.
(2) The applicant shall satisfy both of the following:
(a) Have an unrestricted pharmacist license from this state that is in good standing for the past year.
(b) Have been engaged in the practice of pharmacy in this state for at least 1 year.
(3) A preceptor shall do all of the following:
(a) Ensure that the pharmacist on duty is supervising not more than 2 pharmacist interns at the same time. The approved preceptor is responsible for the overall internship program at the pharmacy.
(b) Determine the degree of the intern's professional skill on the topics listed in R 338.501(1)(j) and develop a training program whereby the intern can improve his or her skill in these areas.
(c) Ensure sufficient time to instruct the intern on the topics in R 338.501(1)(j) and review and discuss the intern's progress on the topics in R 338.501(1)(j).
(d) Annually submit to the department training affidavits that include the number of internship hours completed by the intern in the practice of pharmacy.

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.519 Examinations adoption; passing scores; reexamination.

Rule 19. (1) The board adopts the North American pharmacist licensure examination (NAPLEX) developed and administered by the NABP.

(2) The board adopts the Michigan multistate pharmacy jurisprudence examination (MPJE) that is developed and administered by NABP.

(3) The passing score for the NAPLEX or the MPJE accepted for licensure will be the passing score established by the NABP.

(4) An applicant who fails to pass the NAPLEX shall wait at least 45 days to retest or comply with the current waiting period established by NABP, whichever is longer. An applicant who has not achieved a passing score on the NAPLEX may not take the NAPLEX more than 3 times in a 12-month period.

(5) An applicant who fails to pass the MPJE shall wait at least 30 days to retest or comply with the current waiting period established by NABP, whichever is longer.

(6) If an applicant for licensure fails to pass either of these examinations, within 3 attempts, the applicant shall request preapproval from the department, after consultation with a board member, if necessary, of a live or interactive examination preparation course, or instruction with an instructor with expertise on the subject matter, for the examination that he or she failed. After participating in the course or instruction the applicant shall provide the department with proof that he or she completed the course or instruction.

(7) An applicant may not sit for the NAPLEX specified in subrule (4) of this rule more than 5 times, unless he or she successfully repeats an approved education program, as specified in R 338.521(2)(a)(i) and provides proof of completion to the department.

(8) An applicant may not sit for the MPJE specified in subrule (5) of this rule more than 5 times, unless he or she successfully repeats an approved pharmacy law course in an educational program, as specified in R 338.521(2)(a)(i) and provides proof of completion to the department.

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.521 Pharmacist licensure by examination.

Rule 21. (1) An applicant for licensure as a pharmacist by examination shall submit to the department a completed application on a form provided by the department with the requisite fee.

(2) In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an applicant for licensure shall satisfy all of the following requirements:

(a) Have earned either of the following:

(i) A professional degree from a school of pharmacy accredited by the ACPE.

(ii) A FPGEC certification from the NABP. An applicant who has an FPGEC certification from NABP has met the English proficiency requirement as the applicant's credentials and English proficiency have been evaluated and determined to be equivalent to the credentials required in this state.

(b) Passed the MPJE and the NAPLEX.

(c) Completed an internship as set forth in R 338.515.

(d) Completed a 1-time training identifying victims of human trafficking as required in R 338.511 and section 16148 of the code, MCL 333.16148.

(e) Completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.

(f) Submitted proof to the department of meeting the English language requirement under R 338.7002b and the implicit bias training required in R 338.7004. An applicant who has an FPGEC certification from NABP has met the English proficiency requirement as the applicant's credentials and English proficiency have been evaluated and determined to be equivalent to the credentials required in this state.

(3) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:

(a) Disclose each license, registration, or certification on the application form.

(b) 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 at the time of application.

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.523 Pharmacist license by endorsement; requirements.

Rule 23. (1) An applicant for licensure as a pharmacist by endorsement shall submit to the department a completed application on a form provided by the department with the requisite fee. An applicant who meets the requirements of this rule is presumed to meet the requirements of section 16186 of the code, MCL 333.16186.

(2) An applicant shall satisfy all of the following requirements:
(a) Establish 1 of the following:
(i) He or she holds a license in good standing as a pharmacist in another state and submits the NABP licensure transfer report to the department.
(ii) He or she holds a pharmacy license in Canada that is in good standing and meets all of the following:
(A) He or she has passed the NAPLEX or both part I and part II of the Pharmacy Examining Board of Canada (PEBC) Pharmacists Qualifying Examination.
(B) He or she completed educational requirements for a pharmacist license from a school of pharmacy accredited by the ACPE or accredited by the Canadian Council for Accreditation of Pharmacy Programs (CCAPP).
(C) If he or she held a pharmacist license for less than 1 year in Canada, he or she had acquired a minimum of 1,600 hours of pharmacy practice either through an approved internship or hours engaged in the practice as a pharmacist.
(b) Pass the MPJE as required under R 338.519.
(c) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:
(i) Disclose each license, registration, or certification on the application form.
(ii) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.
(d) He or she meets section 16174 of the code, MCL 333.16174, and submits his or her fingerprints to the department of state police to have a criminal background check conducted by the state police and the federal bureau of investigation.
(e) He or she completes a 1-time training identifying victims of human trafficking as required in R 338.511 and section 16148 of the code, MCL 333.16148.
(f) He or she completes a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.
(g) He or she submits proof to the department of meeting the English language requirement under R 338.7002b and the implicit bias training required in R 338.7004.
(3) An applicant who has an FPGEC certification from NABP has met the English proficiency requirement. The applicant's credentials and English proficiency have been evaluated and determined to be equivalent to the credentials required in this state.

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.525 Relicensure of a pharmacist license; requirements.

Rule 25. (1) An applicant for relicensure whose pharmacist license has lapsed in this state, under sections 16201(3) or (4) and 17733 of the code, MCL 333.16201and MCL 333.17733, as applicable, may be relicensed by complying with the following requirements as noted by (x):

For a pharmacist who has let his or her license lapse in this state and who is not currently licensed in another state or a province of Canada:	License lapsed 0-3 years	License lapsed more than 3 years, but less than 8 years	License lapsed 8 or more years
(a) Application and fee: submit to the department a completed application on a form provided by the department, with the requisite fee.	X	X	X
(b) Good moral character: establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to MCL 338.47.	X	X	X
(c) Submit fingerprints: submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		X	X
(d) Continuing education: submit proof of completing 30 hours of continuing education that satisfy R 338.3041 to R 338.3045 in the 2 years immediately preceding the date of application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The	X	X	X

application will be held and the license will not be issued until the continuing education requirements have been met.			
(e) Pass MPJE: retake and pass the MPJE as provided in R 338.519.		X	X
(f) Submit proof of completing a 1-time training in identifying victims of human trafficking as required in R 338.511, a 1-time training in opioids and other controlled substances awareness as required in R 338.3135, and implicit bias training as required in R 338.7004.	X	X	X
(g) Practical experience: complete 200 hours of practical experience under the personal charge of a currently licensed Michigan pharmacist in or outside of Michigan, within 6 months of of being granted a limited license.		X	
(h) Practical experience: complete 400 hours of practical experience under the personal charge of a currently licensed Michigan pharmacist in or outside of Michigan, within 6 months of of being granted a limited license.			X
(i) Examination: pass the NAPLEX within 2 years before applying for relicensure, as provided in R 338.519.			X
(j) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (i) Disclose each license, registration, or certification on the application form. (ii) 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 at the time of application.	X	X	X

(2) For purposes of subrule (1)(g) and (h) of this rule, an applicant may be granted a nonrenewable limited license to complete the practical experience.

(3) To demonstrate compliance with subrule (1)(g) or (h), the supervising pharmacist shall provide verification to the department of the applicant's completion of the experience on a form provided by the department.

(4) For a pharmacist who has let his or her pharmacist license lapse in this state, but who holds a current and valid pharmacist license in good standing in another state or a Canadian province:	License lapsed 0-3 Years	License lapsed more than 3 years, but less than 8 years	License lapsed 8 or more years
(a) Application and fee: submit to the department a completed application on a form provided by the department, with the requisite fee.	X	X	X
(b) Good moral character: establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to MCL 338.47.	X	X	X
(c) Submit fingerprints: submit fingerprints as		X	X

required under section 16174(3) of the code, MCL 333.16174.			
(d) Continuing education: submit proof of completing 30 hours of continuing education that satisfy R 338.3041 to R 338.3045 in the 2 years immediately preceding the date of application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application will be held and the license will not be issued until the continuing education requirements have been met.	X	X	X
(e) Submit proof of completing a 1-time training in identifying victims of human trafficking as required in R 338.511, a 1-time training in opioids and other controlled substances awareness as required in R 338.3135, and implicit bias training as required in R 338.7004.	X	X	X
(f) Examination: retake and pass the MPJE as provided in R 338.519.		X	X
(g) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (i) Disclose each license, registration, or certification on the application form. (ii) 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 at the time of application.	X	X	X

(5) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 3. PHARMACY LICENSES

R 338.531 Pharmacy license; remote pharmacy license; applications; requirements.

Rule 31. (1) An applicant for a pharmacy license or a remote pharmacy license shall submit to the department a completed application on a form provided by the department together with the requisite fee.

(2) An applicant shall submit all of the following information:

(a) Certified copies of articles of incorporation or partnership certificates and certified copies of assumed name certificates, if applicable.

(b) Submission of fingerprints for the purpose of a criminal history background check required under section 17748(6) of the code, MCL 333.17748.

(c) A federal employer identification number (FEIN) certificate.

(d) The name and license number of the pharmacist in this state designated as the pharmacist in charge (PIC) pursuant to section 17748(2) of the code, MCL 333.17748, who must have a valid and unrestricted license.

(e) The identity and address of each partner, officer, or owner, as applicable.

(f) A completed self-inspection form.

(g) If the applicant intends to provide compounding services, proof of application with an entity that satisfies the requirements

of R 338.532.
(h) An inspection report that satisfies the requirements of R 338.534.
(i) If the applicant is an in-state pharmacy that intends to compound pharmaceutical products, the applicant shall submit to an inspection from an approved accrediting organization under R 338.532.
(j) If the applicant is a governmental entity, an individual must be designated as the licensee. The licensee and the pharmacist on duty shall be responsible for complying with all federal and state laws regulating the practice of pharmacy and the dispensing of prescription drugs.
(k) If the applicant is applying for a remote pharmacy license, the applicant shall submit the following:
(i) Ownership documents to demonstrate to the satisfaction of the department that the parent pharmacy and the proposed remote pharmacy share common ownership.
(ii) Copies of the policies and procedure manual required in section 17742b of the code, MCL 333.17742b.
(iii) A map showing all of the existing pharmacies within 10 miles of the proposed remote pharmacy if the remote pharmacy will not be located at a hospital or mental health facility.
(l) If the applicant is or has ever been licensed, registered, or certified as a pharmacy by any other state, the United States military, the federal government, or another country, the applicant shall do both of the following:
(i) Disclose each license, registration, or certification on the application form.
(ii) Submit verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.
(3) The department shall issue only 1 pharmacy license per address. If an applicant has more than 1 location at which drugs are prepared or dispensed, each address location must obtain a separate license.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.531a Remote pharmacy waiver from mileage requirement.
Rule 31a. (1) An applicant seeking a remote pharmacy license may apply to the board for a waiver from the prohibition of locating a remote pharmacy within 10 miles of another pharmacy in section 17742a(2)(c) of the code, MCL 333.17742a, by submitting a completed application to the department, on a form provided by the department.
(2) The applicant shall submit the following with the application:
(a) A map showing the location of any existing pharmacies within 10 miles of the proposed remote pharmacy if the remote pharmacy will not be located at a hospital or mental health facility.
(b) A list and explanation of the services or availability of services that will be offered at the remote pharmacy or otherwise not readily available to patients that are different from the services offered at a pharmacy located within 10 miles of the proposed remote pharmacy.
(c) A statement of facts to support the statement of 1 or more of the following:
(i) The proposed remote pharmacy is located in an area where there is limited access to pharmacy services.
(ii) The proposed remote pharmacy will offer a service or the availability of a service that is unique from other pharmacies in the 10-mile radius from the remote pharmacy and the service will satisfy an unmet need of the surrounding community.
(iii) There exists a limitation on travel that justifies waiving the requirement.
(iv) There are other compelling circumstances that justify waiving the requirement.
(3) If the waiver is denied, the application is considered closed unless within 30 days of receipt of the denial, the applicant notifies the department that it is requesting a hearing on the matter.
History: 2022 MR 4, Eff. Feb. 22, 2022.

R 338.532
Source: 2020 AACS.

R 338.533 Compounding standards and requirements; outsourcing facilities; requirements.
Rule 33. (1) The board approves and adopts by reference the compounding standards of the United States Pharmacopeia (USP), published by the United States Pharmacopeial Convention, 12601 Twinbrook Parkway, Rockville, Maryland, 20852-1790. This includes, but is not limited to, USP Chapters 795 and 797.
(2) The standards adopted by reference in subrule (1) of this rule are available at no cost at http://www.usp.org/compounding, or at a cost of 10 cents per page from the Board of Pharmacy, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, Ottawa Building, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.
(3) A pharmacy that provides compounding services shall comply with all current standards adopted in subrule (1) of this rule.
(4) An outsourcing facility located in this state or that dispenses, provides, distributes, or otherwise furnishes compounded pharmaceuticals in this state must be inspected and registered as an outsourcing facility by the United States Food and Drug Administration (FDA) prior to applying for a pharmacy license in this state.

(5) A licensed outsourcing facility shall submit to the board a copy of the biannual report it provided to the FDA that identifies the drugs compounded in the previous 6-month period, including a drug's active ingredients, strength, and dosage form.
(6) An outsourcing facility shall do all of the following:
(a) Compound drugs by or under the supervision of a licensed pharmacist.
(b) Compound drugs pursuant to current good manufacturing practices for finished pharmaceuticals set forth in 21 CFR 211.1 to 211.208 (2021).
(c) Ensure that a pharmacist who conducts or oversees compounding at an outsourcing facility is proficient in the practice of compounding and has acquired the education, training, and experience to maintain that proficiency by doing any of the following:
(i) Participating in seminars.
(ii) Studying appropriate literature.
(iii) Consulting with colleagues.
(iv) Being certified by a compounding certification program approved by the board.
(d) Label compounded drugs with all of the following and label compounded drugs that are patient specific with all of the following and consistent with the requirements in R 338.582:
(i) Required drug and ingredient information.
(ii) Facility identification.
(iii) The following or similar statement: "This is a compounded drug. For office use only" or "Not for resale."
(e) Ensure that bulk drug substances used for compounding meet specified FDA criteria.
(7) An outsourcing facility may compound drugs that appear on an FDA shortage list, if the bulk drug substances used to compound the drugs comply with the criteria specified in this rule.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.534 Inspections.
Rule 34. (1) A pharmacy located outside of this state that applies for licensure in this state as a pharmacy that will not ship compounded sterile pharmaceutical products into this state shall submit to the department a copy of its most recent pharmacy inspection that was performed within the last 2 years from the date of application.
(2) An applicant for a new pharmacy located in this state shall have an inspection conducted by the department or its designee prior to licensure.
(3) Unless accredited by a national accrediting organization, recognized by the board, an applicant for licensure or renewal of an in-state or out-of-state pharmacy that will provide sterile compounded pharmaceuticals in this state shall have an inspection and submit the inspection report to the department, completed no more than 18 months before the date of application, that demonstrates compliance with all applicable standards that are adopted by reference in R 338.533. The inspection must be conducted by 1 of the following:
(a) The department.
(b) The NABP-Verified Pharmacy Program (NABP-VPP).
(c) An accrediting organization according to R 338.532.
(d) A state licensing agency of the state in which the applicant is a resident and in accordance with the NABP's multistate pharmacy inspection blueprint program.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.535 Discontinuing, starting, or resuming sterile compounding services; requirements to resume sterile compounding services.
Rule 35. (1) A sterile compounding pharmacy or outsourcing facility that ceases to provide sterile compounding services in this state shall notify the department within 30 days of ceasing to provide sterile compounding services.
(2) A pharmacy shall apply for approval to start or resume sterile compounding services by submitting to the department an application on a form provided by the department together with the requisite fee.
(3) A pharmacy shall not start or resume sterile compounding services in this state until the pharmacy submits to the department an inspection report as required in R 338.534(3), is approved by the department, and is accredited or an organization satisfying the requirements of R 338.532(1) verifies that the pharmacy is USP compliant.
(4) An outsourcing facility shall not start or resume providing sterile compounding services in this state until the outsourcing facility is approved by the department and verifies that it is compliant with the requirements of R 338.533(4) to (7).
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.536 Housing of a pharmacy.
Rule 36. (1) All professional and technical equipment and supplies and prescription drugs must be housed in a suitable, well-

lighted, and well-ventilated room or department with clean and sanitary surroundings.
(2) All pharmacies shall have a prescription department that is devoted primarily to the practice of pharmacy that occupies not less than 150 square feet of space, and that includes a prescription counter that provides not less than 10 square feet of free working surface. For each additional pharmacist who is on duty at any 1 time, the free working space must be increased by not less than 4 square feet. The prescription counter must be kept orderly and clean. The space behind the prescription counter must be sufficient to allow free movement within the area and must be free of obstacles.
(3) All pharmacies that occupy less than the entire area of the premises owned, leased, used, or controlled by the licensee must be permanently enclosed by partitions from the floor to the ceiling. All partitions must be of substantial construction and must be securely lockable so that drugs and devices that can be sold only by a pharmacist will be unobtainable during the absence of the pharmacist. Only the area of the premises owned, leased, used, or controlled by the licensee may be identified by the terms "drugstore," "apothecary," or "pharmacy," or by use of a similar term or combination of terms as listed in section 17711(2) of the code, MCL 333.17711. A pharmacy department must be locked when the pharmacist is not on the premises.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.537 Professional and technical equipment and supplies.
Rule 37. A pharmacy must be equipped with both of the following:
(a) The necessary facilities, apparatus, utensils, and equipment to permit the pharmacy to provide prompt and efficient services.
(b) Current print, electronic, or internet accessible editions of the Michigan pharmacy laws and rules, and at least 2 current pharmacy reference texts that pertain to pharmacology, drug interactions, or drug composition.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.538 Closing pharmacy.
Rule 38. (1) A pharmacy that is ceasing operations shall return to the department the pharmacy license and the controlled substance license, if applicable, and provide the department with written notification of all of the following at least 15 days prior to closing:
(a) The effective date of closing.
(b) How controlled substances will be disposed.
(c) How non-controlled substances will be disposed.
(d) The location where records and prescription files will be stored.
(2) A pharmacy shall comply with all applicable federal requirements for discontinuing operation as a pharmacy that dispenses controlled substances.
(3) Records must be maintained for the same amount of time that is required if the pharmacy remained open.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.539 Relicensure and renewal.
Rule 39. (1) An applicant with an expired license may apply for relicensure of a pharmacy license by submitting to the department a completed application on a form provided by the department, satisfying all the requirements for licensure in part 3 of these rules, R 338.531 to R 338.539, and paying the requisite fee.
(2) A pharmacy that renews its license during the license renewal period submit to the department a completed application, on a form provided by the department, together with the requisite fee.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 4. MANUFACTURER LICENSE

R 338.551 Manufacturer license; application.
Rule 51. (1) An applicant for a manufacturer license shall submit to the department a completed application on a form provided by the department with the requisite fee.
(2) An applicant shall provide all of the following information:
(a) A criminal history background check required pursuant to section 17748(6) of the code, MCL 333.17748.
(b) A FEIN certificate.
(c) Certified copies of articles of incorporation or certificates of partnership and assumed name certificates, if applicable.
(d) The identity and address of each partner, officer, or owner, as applicable.
(e) A completed compliance checklist for manufacturers.
(f) A list or a catalog of all drug products or devices to be manufactured by the facility.
(g) Unless exempt under section 17748(2) of the code, MCL 333.17748, the name and license number of the pharmacist designated as the PIC or the name of the facility manager. For an individual who is designated as a facility manager, the

applicant shall provide proof, in the form of an affidavit, that the facility manager has achieved the following:
(i) A high school equivalency education, or higher, defined as 1 of the following:
(A) A high school diploma.
(B) A general education development certificate (GED).
(C) A parent-issued diploma for home schooled individuals.
(D) Completion of post-secondary education, including either an associate's degree, a bachelor's degree, or a master's degree.
(ii) Completion of a training program that includes, but is not limited to, all of the following subjects:
(A) Knowledge and understanding of laws in this state and federal laws relating to the distribution of drugs and devices.
(B) Knowledge and understanding of laws in this state and federal laws relating to the distribution of controlled substances.
(C) Knowledge and understanding of quality control systems.
(D) Knowledge and understanding of the USP standards relating to the safe storage and handling of prescription drugs.
(E) Knowledge and understanding of pharmaceutical terminology, abbreviations, dosages, and format.
(iii) Experience equal to either of the following:
(A) A minimum of 1 year of work experience related to the distribution or dispensing of prescription drugs or devices where the responsibilities included, but were not limited to, recordkeeping.
(B) Previous or current employment as a designated representative of a manufacturer.
(iv) Employment with the applicant.
(h) A copy of the FDA certification for the site to be licensed, if an applicant is a manufacturer of biologicals.
(i) An inspection from the manufacturer's resident state board of pharmacy or verified-accredited wholesale distributors (VAWD) accreditation dated not more than 2 years prior to the application.
(j) An applicant that is or has ever been licensed, registered, or certified as a manufacturer by any other state, the United States military, the federal government, or another country, shall do both of the following:
(i) Disclose each license, registration, or certification on the application form.
(ii) Submit verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.
(3) A separate license is required for each location where prescription drugs or devices are manufactured.
(4) A manufacturer who changes its facility manager shall submit all of the information required in subrule (2)(i) of this rule to the department within 30 days of the change.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.553
Source: 2020 AACS.

R 338.555 Federal regulation on good manufacturing practice for finished pharmaceuticals; adoption by reference; compliance.
Rule 55. (1) The board approves and adopts by reference the current good manufacturing practice for finished pharmaceuticals regulations set forth in 21 CFR 211.1 to 211.208 (2021).
(2) A manufacturer shall comply with the standards adopted in subrule (1) of this rule.
(3) The standards adopted by reference in subrule (1) of this rule are available at no cost at https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfCFR/CFRSearch.cfm?CFRPart=211, or at 10 cents per page from the Board of Pharmacy, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, Ottawa Building, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.557 Closure of a manufacturer.
Rule 57. (1) A manufacturer that is ceasing operations shall return the manufacturer license and the controlled substance license, if applicable, to the department, and provide the department with written notification of all of the following at least 15 days prior to closing:
(a) The effective date of closing.
(b) How controlled substances will be disposed.
(c) How non-controlled substances will be disposed.
(d) The location where records and prescription files will be stored.
(2) A manufacturer shall comply with all applicable federal requirements for discontinuing a controlled substance business.
(3) Records must be maintained for the same amount of time that is required if the manufacturer remains open.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.559 Relicensure and renewal.

Rule 59. (1) An applicant with an expired license may apply for relicensure of a manufacturer license by submitting to the department a completed application on a form provided by the department, satisfying all the requirements for licensure in part 3 of these rules, R 338.531 to R 338.539, and paying the requisite fee.

(2) A manufacturer that renews its license during the license renewal period shall submit to the department a completed application on a form provided by the department together with the requisite fee.

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 5. WHOLESALE DISTRIBUTOR AND WHOLESALE DISTRIBUTOR-BROKER LICENSE

R 338.561 Pharmacy as wholesale distributor; licensure.

Rule 61. A pharmacy shall obtain a license as a wholesale distributor under this part if the total number of dosage units of all prescription drugs distributed by the pharmacy to a person during any consecutive 12-month period is more than 5% of the total number of dosage units of prescription drugs distributed and dispensed by the pharmacy during the same 12-month period. The calculation of this 5% threshold must not include a distribution of a prescription drug that is exempt from the definition of wholesale distribution under 21 USC 353(e)(4).

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.563 Wholesale distributor, wholesale distributor-broker; application for licensure; requirements.

Rule 63. (1) An applicant for a wholesale distributor or wholesale distributor-broker license shall submit to the department a completed application on a form provided by the department with the requisite fee. A wholesale distributor includes virtual manufacturers.

(2) An applicant shall comply with all of the following:

(a) Provide a criminal history background check required pursuant to section 17748(6) of the code, MCL 333.17748.

(b) Disclose on the application form each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country.

(c) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(d) Provide certified copies of articles of incorporation or certificates of partnership and assumed names if applicable.

(e) Provide the identity and address of each partner, officer, or owner as applicable.

(f) Provide a completed compliance checklist.

(g) Provide a FEIN certificate.

(h) Provide a copy of the FDA certification, if a certification is required by the FDA, for the site to be licensed, if the applicant is distributing biologicals.

(i) Unless exempt under section 17748(2) of the code, MCL 333.17748, provide the name and the license number of the pharmacist designated as the PIC or the name of the facility manager. For individuals designated as a facility manager, the applicant shall provide proof, in the form of an affidavit, that the facility manager has achieved the following:

(i) A high school equivalency education, or higher, defined as 1 of the following:

(A) A high school diploma.

(B) A GED.

(C) A parent-issued diploma for home schooled individuals.

(D) Completion of post-secondary education, including an associate's, bachelor's, or master's degree.

(ii) Completion of a training program that includes, but is not limited to, all of the following subjects:

(A) Knowledge and understanding of laws in this state and federal laws relating to the distribution of drugs and devices.

(B) Knowledge and understanding of laws in this state and federal laws relating to the distribution of controlled substances.

(C) Knowledge and understanding of quality control systems.

(D) Knowledge and understanding of the USP standards relating to the safe storage and handling of prescription drugs.

(E) Knowledge and understanding of pharmaceutical terminology, abbreviations, dosages, and format.

(iii) Experience equal to either of the following:

(A) A minimum of 1 year of work experience related to the distribution or dispensing of prescription drugs or devices where the responsibilities included, but were not limited to, recordkeeping.

(B) Previous or current employment as a designated representative of a wholesale distributor certified by the VAWD of NABP or of a wholesale distributor-broker.

(iv) Current employment with the applicant.

(j) Provide a list or catalog of all drug products and devices to be distributed, if a wholesale distributor.
(k) Submit an affidavit, at the time of the application for initial licensure, that the applicant facilitates deliveries or trades for at least 50 qualified pharmacies and that each pharmacy holds a license in good standing as a pharmacy from the state in which it is located at the time of application, if a wholesale distributor-broker.
(3) A wholesale distributor or wholesale distributor-broker that changes its facility manager shall submit all of the information required in subrule (2)(i) of this rule to the department within 30 days of the change.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.565
Source: 2020 AACS.

R 338.567
Source: 2020 AACS.

R 338.569 Wholesale distributor and wholesale distributor-broker recordkeeping and policy requirements.
Rule 69. (1) A wholesale distributor shall establish and maintain inventories and records of transactions regarding the receipt, if applicable, and the distribution or other disposition of prescription drugs or devices. These records must include all of the following information:
(a) The source of the prescription drugs or devices, including the name and principal address of the seller or transferor and the address from which the prescription drugs or devices were shipped.
(b) The identity and quantity of the prescription drugs or devices received, if applicable, and distributed or disposed of.
(c) The dates of receipt, if applicable, and distribution of the prescription drugs or devices.
(2) A wholesale distributor shall establish and maintain a list of officers, directors, managers, and other persons who are in charge of wholesale drug distribution, storage, and handling, including a description of their duties and a summary of their qualifications.
(3) A wholesale distributor shall have written policies and procedures that include all of the following:
(a) A procedure whereby the oldest stock of a prescription drug is distributed first. The procedure may permit deviation from this requirement if the deviation is temporary and appropriate.
(b) A procedure for handling recalls and withdrawals of the prescription drugs or devices. The procedure must deal with recalls and withdrawals due to any of the following:
(i) Any action initiated at the request of the FDA; other federal**,** state**,** or local law enforcement agency; or other governmental agency.
(ii) Any voluntary action by the manufacturer to remove defective or potentially defective prescription drugs or devices from the market.
(iii) Any action undertaken to promote public health and safety by replacing existing merchandise with an improved product or new package design.
(c) A procedure to ensure that a wholesale distributor prepares for, protects against, and handles, any crises that affects security or operation of any facility in the event of employee strike, flood, fire, or other natural disaster, or other local, state, or national emergency.
(d) A procedure to ensure that any outdated prescription drugs or devices will be segregated from other prescription drugs or devices and either returned to the manufacturer or destroyed. This procedure must include a provision for the written documentation of the disposition of outdated prescription drugs or devices that must be maintained for 2 years after the disposition of the outdated prescription drugs or devices.
(e) Procedures for identifying, recording, and reporting losses or thefts of prescription drugs or devices and for correcting errors and inaccuracies in inventory.
(4) A wholesale distributor-broker shall establish and maintain a list of officers, directors, managers, and other persons who are in charge of wholesale drug delivery and trade, including a description of their duties and a summary of their qualifications.
(5) A wholesale distributor-broker shall maintain for at least 7 years the transaction history, transaction statements, and transaction information required by section 17748e of the code, MCL 333.17748e.
(6) The records described in subrules (1) to (5), and (8) of this rule and section of 17748e of the code, MCL 333.17748e, must be made available for inspection and photocopying by the department, board, authorized federal, state, or local law enforcement agency officials. The records that are kept on-site or that are immediately retrievable by computer or other electronic means must be readily available for an authorized inspection during the retention period described in subrules (5) and (7) of this rule. Records that are kept at a central location apart from the site must be made available for inspection within 2 working days of a request.
(7) A wholesale distributor shall retain the records described in this rule for a minimum of 2 years after the disposition of the

prescription drugs or devices.
(8) A purchasing pharmacy using a wholesale distributor-broker to facilitate a transaction from a pharmacy that is not licensed in Michigan shall request the transaction history, transaction statement or transaction information for the drugs supplied.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.571
Source: 2020 AACS.

R 338.573
Source: 2020 AACS.

R 338.575 Closing a wholesale distributor or wholesale distributor-broker.
Rule 75. (1) A wholesale distributor that is ceasing operations shall return the wholesale distributor license and controlled substance license, if applicable, to the department, and shall provide the department with written notification of all of the following at least 15 days prior to closing:
(a) The effective date of closing.
(b) How controlled substances will be disposed.
(c) How noncontrolled substances will be disposed.
(d) The location where records and prescription files will be stored.
(2) A wholesale distributor shall comply with all applicable federal requirements for discontinuing a business that handles a controlled substance.
(3) A wholesale distributor-broker that is ceasing operations shall return the wholesale distributor-broker license and provide the department with written notification of the location where records will be stored at least 15 days prior to closing.
(4) Records must be maintained for the same amount of time that is required if the wholesale distributor or wholesale distributor-broker remained open.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.577 Relicensure and renewal of wholesale distributor and wholesale distributor-broker.
Rule 77. (1) An applicant with an expired license may apply for relicensure of a license by submitting to the department a completed application on a form provided by the department, satisfying all the requirements for licensure in part 3 of these rules, and paying the requisite fee.
(2) An applicant that renews its license during the license renewal period shall submit to the department a completed application on a form provided by the department, together with the requisite fee.
(3) A wholesale distributor-broker seeking renewal shall submit an affidavit, at the time of the application for renewal that the applicant facilitates deliveries or trades for at least 50 qualified pharmacies and that each pharmacy holds a license in good standing as a pharmacy from the state in which it is located at the time of renewal.
History: 2022 MR 4, Eff. Feb. 22, 2022.

PART 6. PRACTICE OF PHARMACY

R 338.582 Prescription drug labeling and dispensing.
Rule 82. (1) All labeling of prescription drugs must comply with the requirements of the code and sections 351 to 399f of the Federal Food, Drug, and Cosmetic Act, 21 USC 351 to 399f.
(2) All containers in which prescription medication is dispensed must bear a label that contains, at a minimum, all of the following information:
(a) Pharmacy name and address.
(b) Prescription number.
(c) Patient's name.
(d) Date the prescription was dispensed.
(e) Prescriber's name.
(f) Directions for use.
(g) The name of the medication and the strength, unless the prescriber indicates "do not label."
(h) The quantity dispensed, if applicable.
(i) The name of the manufacturer or supplier of the drug if the drug has no brand name, unless the prescriber indicates “do not label.”
(3) If a drug is dispensed that is not the brand prescribed, the pharmacy shall notify the purchaser and the prescription label

must indicate both the name of the brand prescribed and the name of the brand dispensed. If the dispensed drug does not have a brand name, the prescription label must indicate the name of the brand prescribed followed by the generic name of the drug dispensed. This subrule does not apply if the prescriber indicates "do not label."
(4) If drug product selection takes place, the brand name or the name of the manufacturer or supplier of the drug dispensed must be noted on the prescription.
(5) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.583 Prescription drug receipts.
Rule 83. (1) The purchaser of a prescription drug shall receive, at the time the drug is delivered to the purchaser, a receipt that contains all of the following information:
(a) The brand name of the drug dispensed, if applicable, unless the prescriber indicates "do not label."
(b) The name of the manufacturer or supplier of the drug if the drug has no brand name, unless the prescriber indicates "do not label."
(c) The strength of the drug, if significant, unless the prescribed indicates "do not label."
(d) The quantity dispensed, if applicable.
(e) The name and address of the pharmacy.
(f) The serial number of the prescription.
(g) The date the prescription was dispensed.
(h) The name of the prescriber.
(i) The name of the patient for whom the drug was prescribed.
(j) The price for which the drug was sold to the purchaser.
(2) Notwithstanding R 338.582, the information required in this rule must appear on either the prescription label or on a combination label and receipt.
(3) For prescription services that are covered by a third-party pay contract, the price included in the receipt is the amount paid by the patient.
(4) A pharmacist shall retain a copy of the receipt for a period of 90 days. The inclusion of the information required in this rule in the automated data processing system or on the written prescription form and the retention of the form constitutes retaining a copy of the receipt. The physical presence of the prescription form in the pharmacy or the ability to retrieve the information from the automated data processing system constitutes compliance with the requirement of having the name and address of the pharmacy on the form.
(5) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.583a Pharmacy acquisition and distribution records.
Rule 83a. (1) A pharmacy must keep and make available for inspection all acquisition and distribution records for prescription and non-prescription drugs and devices, such as invoices, packing slips or receipts, for 5 years. All records, which may be electronic, must be readily retrievable within 48 hours.
(2) Acquisition and distribution records must include the following information:
(a) The source of the prescription drugs or devices, including the name and principal address of the seller or transferor and the address from which the prescription drugs or devices were shipped.
(b) The identity and quantity of the prescription drugs or devices received, if applicable, and distributed or disposed of.
(c) The dates of receipt, if applicable, and distribution of the prescription drugs or devices.
History: 2022 MR 4, Eff. Feb. 22, 2022.

R 338.584 Noncontrolled prescriptions.
Rule 84. (1) A prescriber who issues a prescription for a noncontrolled prescription drug shall date the prescription; provide a manual signature on the prescription; and ensure that the prescription contains all of the following information:
(a) The full name of the patient for whom the drug is being prescribed.
(b) The prescriber’s preprinted, stamped, typed, or manually printed name and address.
(c) The drug name and strength, and dosage form if necessary.
(d) The quantity prescribed.
(e) The directions for use.
(f) The number of refills authorized.
(g) The date the prescription was issued.
(h) If the prescription is for an animal, then the species of the animal and the full name of the owner.

(2) A prescriber shall ensure that a prescription is legible and that the information specified in subrule (1)(c) to (h) of this rule is clearly separated.
(3) A prescriber shall not prescribe more than either of the following on a single prescription form as applicable:
(a) For a prescription prescribed in handwritten form, up to 4 prescription drug orders.
(b) For a prescription prescribed on a computer-generated form or a preprinted list or produced on a personal computer or typewriter, up to 6 prescription drug orders.
(4) A prescription is valid for 1 year from the date the prescription was issued.
(5) A pharmacy shall keep the original prescription record for 5 years. After 2 years from the date of the prescription's issue date, a pharmacy may make an electronic duplicate of the original non-controlled paper prescription, which becomes the original prescription. A pharmacy shall present a paper copy of the electronic duplicate of the prescription to an authorized agent of the board upon request.
(6) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.584a Electronic transmission of prescription; waiver of electronic transmission.
Rule 84a. (1) Until the enforcement date established by the federal Centers for Medicare and Medicaid Services for the Medicare electronic transmission requirement a prescription may be electronically transmitted, and a pharmacist may dispense the electronically transmitted prescription, if all of the following conditions are satisfied:
(a) The prescription is transmitted to the pharmacy of the patient's choice and occurs only at the option of the patient.
(b) The electronically transmitted prescription includes all of the following information:
(i) The name and address of the prescriber.
(ii) An electronic signature or other board-approved means of ensuring prescription validity.
(iii) The prescriber's telephone number for verbal confirmation of the
order.
(iv) The time and date of the electronic transmission.
(v) The name of the pharmacy intended to receive the electronic transmission.
(vi) Unless as otherwise authorized under section 17754(1)(b) of the code, MCL 333.17754, the full name of the patient for whom the prescription is issued.
(vii) All other information that must be contained in a prescription under R 338.584.
(c) The pharmacist exercises professional judgment regarding the accuracy, validity, and authenticity of the transmitted prescription.
(d) All requirements in section 17754 of the code, MCL 333.17754, are met.
(2) An electronically transmitted prescription that meets the requirements of subrule (1) of this rule is the original prescription.
(3) Effective the enforcement date established by the federal Centers for Medicare and Medicaid Services for the Medicare electronic transmission requirement prescribers shall, unless an exception under section 17754a of the code, MCL 333.17754a, applies, electronically transmit a prescription consistent with both of the following requirements:
(a) All the requirements in section 17754a of the code, MCL 333.17754a, are met.
(b) All the requirements in R 338.584 are met.
(4) A prescriber applying for a waiver from section 17754a of the code, MCL 333.17754a, shall submit a completed application to the department, on a form provided by the department, and shall satisfy either of the following requirements:
(a) The prescriber provides evidence satisfactory to the department that the prescriber has received a waiver of the Medicare requirement for the electronic transmission of controlled substances prescriptions from the federal Centers for Medicare and Medicaid Services.
(b) The prescriber is unable to meet the requirements of section 17754a(1) or (2) of the code, MCL 333.17754a, and also meets 1 of the following:
(i) The prescription is dispensed by a dispensing prescriber.
(ii) The prescriber demonstrates economic hardship or technological limitations that are not within the control of the prescriber.
(iii) The prescriber demonstrates by attesting to exceptional circumstances, including, but not limited to, the following:
(A) Intention to cease practice within the next twelve months.
(B) Limited practice due to an illness or other unforeseen event.
(iv) The prescriber issues prescriptions from a non-profit charitable medical clinic.
(5) A waiver is valid for 2 years and is applicable to the specific circumstances included in the application. A waiver may be renewed by application to the department.
History: 2022 MR 4, Eff. Feb. 22, 2022.

R 338.585 Customized patient medication package.

Rule 85. (1) A pharmacist may, with the consent of the patient, or the patient's caregiver, or a prescriber, provide a customized patient medication package (CPMP). A CPMP is a package that is prepared by a pharmacist for a specific patient and that contains 2 or more prescribed solid oral dosage forms. The CPMP is designed and labeled to indicate the day and time or period of time that the contents within each CPMP are to be taken. The person who dispenses the medication shall instruct the patient or caregiver on the use of the CPMP.
(2) If medication is dispensed in a CPMP, all of the following conditions must be met:
(a) Each CPMP must bear a readable label that states all of the following information:
(i) A serial number for the CPMP and a separate identifying serial number for each of the prescription orders for each of the drug products contained in the CPMP.
(ii) The name, strength, physical description, and total quantity of each drug product contained in the CPMP.
(iii) The name of the prescriber for each drug product.
(iv) The directions for use and cautionary statements, if any, contained in the prescription order for each drug product in the CPMP.
(v) The date of the preparation of the CPMP.
(vi) An expiration date for the CPMP. The date must not be later than the earliest manufacturer's expiration date for any medication included in the CPMP or 60 days after the date of dispensing.
(vii) The name, address, and telephone number of the dispenser.
(viii) Any other information, statements, or warnings required for any of the drug products contained in the CPMP.
(b) A CPMP must be accompanied by any mandated patient information required under federal law. Alternatively, required medication information may be incorporated by the pharmacist into a single educational insert that includes information regarding all of the medications in the CPMP.
(c) At a minimum, each CPMP must comply with the United States Pharmacopeia (USP) and national formulary, as defined in section 17706(2) of the code, MCL 333.17706, for moisture permeation requirements for a class b single-unit or unit-dose container. Each container must be either non-reclosable or so designed as to show evidence of being opened. Each CPMP must comply with all of the provisions of the poison prevention packaging act of 1970, 15 USC 1471 to 1477.
(d) When preparing a CPMP, the dispenser shall consider any applicable compendial requirements or guidelines, the physical and chemical compatibility of the dosage forms placed within each container, and any therapeutic incompatibilities that may attend the simultaneous administration of the medications. Medications must not be dispensed in CPMP packaging in any of the following situations:
(i) The USP monograph or official labeling requires dispensing in the original container.
(ii) The drugs or dosage forms are incompatible with packaging components or each other.
(iii) The drugs are therapeutically incompatible when administered simultaneously.
(iv) The drug products require special packaging.
(e) If 2 medications have physical characteristics that make them indistinguishable from each other, then the medication must not be packaged together in the same CPMP.
(f) Medications that have been dispensed in CPMP packaging may not be returned to stock or dispensed to another patient when returned to the pharmacy for any reason. If a prescription for any drug contained in the CPMP is changed, then a new appropriately labeled CPMP must be prepared for the patient.
(g) In addition to all individual prescription filing requirements, a record of each CPMP dispensed must be made and filed. At a minimum, each record must contain all of the following information:
(i) The name and address of the patient.
(ii) The serial number of the prescription order for each drug product contained in the CPMP.
(iii) Information identifying or describing the design, characteristics, or specifications of the CPMP sufficient to allow subsequent preparation of an identical CPMP for the patient.
(iv) The date of preparation of the CPMP and the expiration date assigned.
(v) Any special labeling instructions.
(vi) The name or initials of the pharmacist who prepared the CPMP.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.586 Prescription records; nonapplicability to inpatient medical institution service.
Rule 86. (1) Each prescription must be chronologically numbered, and the pharmacist performing final verification before dispensing must record, manually or electronically, the prescription number, dispensing date, and his or her initials at the time of the first filling at the pharmacy.
(2) If final product verification is completed by a pharmacy technician, both the initials of the pharmacy technician and delegating pharmacist must be recorded.
(3) If the drug that is dispensed is other than the brand prescribed or if the prescription is written generically, the name of the

manufacturer or supplier of the drug dispensed must be indicated on the prescription.
(4) This rule does not apply to pharmacy services provided in a medical institution.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.587 Prescription refill records; manual systems; profile systems; automated pharmacy data systems; nonapplicability to medical institution service; record confidentiality; and access.
Rule 87. (1) A pharmacist shall record prescription refills using only 1 of the systems described in subrule (2), (3), or (4) of this rule and in compliance with the provisions of subrule (2), (3), or (4) of this rule, as applicable.
(2) A pharmacy may utilize a manual system of recording refills if the system complies with both of the following criteria:
(a) The amount and date dispensed must be entered on the prescription in an orderly fashion and the dispensing pharmacist initials the entry. If the pharmacist only initials and dates the prescription, then the full face amount of the prescription must be deemed dispensed.
(b) If the drug that is dispensed is other than the brand prescribed or if the prescription is written generically, then the name of the manufacturer or supplier of the drug dispensed must be indicated on the prescription.
(3) A pharmacy may utilize a uniform system of recording refills if the system complies with all of the following criteria:
(a) Records must be created and maintained in written form. All original and refill prescription information for a particular prescription appears on single documents in an organized format. The records are subject to inspection by the board or its agents.
(b) The following information for each prescription must be entered on the record:
(i) The prescription number.
(ii) The patient's name and address.
(iii) The prescriber's name.
(iv) The prescriber's federal drug enforcement administration (DEA) number, if appropriate.
(v) The number of refills authorized.
(vi) The "dispense as written" instructions, if indicated.
(vii) The name, strength, dosage form, quantity, and name of the manufacturer of the drug prescribed, and the drug dispensed originally and upon each refill. If the drug dispensed is other than the brand prescribed or if the prescription is written generically, then the name of the manufacturer or supplier of the drug dispensed must be indicated.
(viii) The date of issuance of the prescription.
(ix) The date and identifying designation of the dispensing pharmacist for the original filling and for each refill. If a pharmacy technician performs final product verification, the identification of the delegating pharmacist and pharmacy technician must be recorded.
(c) Prescription entries must be made on the record at the time the prescription is first filled and at the time of each refill, except that the format of the record may be organized so that information already entered on the record may appear for a prescription or refill without reentering the information. The dispensing pharmacist is responsible for the completeness and accuracy of the entries and must initial the record each time a prescription is filled or refilled.
(d) The information required by subdivision (b) of this subrule must be entered on the record for all prescriptions filled at a pharmacy, including nonrefillable prescriptions. This requirement is in addition to the requirements set forth in R 338.586.
(4) A pharmacy may utilize a uniform automated data processing system of recording refills if the system complies with all of the following criteria:
(a) All information that is pertinent to a prescription must be entered on the record, including all of the following information:
(i) The prescription number.
(ii) The patient's name and address.
(iii) The prescriber's name.
(iv) The prescriber's federal DEA number, if appropriate.
(v) The number of refills authorized.
(vi) Whether the drug must be dispensed as written.
(vii) The name, strength, dosage form, quantity, and name of the manufacturer of the drug prescribed and the drug dispensed originally and upon each refill. If the drug dispensed is other than the brand prescribed or if the prescription is written generically, then the name of the manufacturer or supplier of the drug dispensed must be indicated.
(viii) The date of issuance of the prescription.
(ix) The date and identifying designation of the dispensing pharmacist for the original filling and for each refill. If a pharmacy technician performs final product verification, the identification of the delegating pharmacist and pharmacy technician must be recorded.
(b) Prescription entries must be made on the record at the time the prescription is first filled and at the time of each refill, except that the format of the record may be organized so that information already entered on the record may appear for a prescription

or refill without reentering the information. The dispensing pharmacist is responsible for the completeness and accuracy of the entries. A pharmacy shall keep the original prescription record on site for 5 years. After 2 years from the date of the prescription's issue date, a pharmacy may make an electronic duplicate of the original non-controlled paper prescription, which will become the original prescription. The records are subject to inspection by the board or its agents. A procedure must be established to facilitate inspections.

(c) The required information must be entered on the record for all prescriptions filled at the pharmacy, including nonrefillable prescriptions. This requirement is in addition to the requirements set forth in R 338.586.

(d) The recording system must provide adequate safeguards against improper manipulation, the alteration of records, and the loss of records.

(e) The recording system must have the capability of producing a printout of all original and refilled prescription data, including a prescription-by-prescription and refill-by-refill audit trail for any specified strength and dosage form of a controlled substance by either brand or generic name or an audit trail of controlled substance prescriptions written for a particular patient or by a particular practitioner. A printout of an audit trail or other required information must be made available to an authorized agent of the board upon request. The prescription data must be maintained for 5 years. Data older than 2 years must be provided within 72 hours of the time the request is first made by the agent. Prescription data for the most current 2 years must be readily retrievable on site and available for immediate review.

(f) If the automated data processing system is inoperative for any reason, then the pharmacist shall ensure that all refills are authorized and that the maximum number of refills is not exceeded. When the automated data processing system is restored to operation, the pharmacist shall enter the information regarding prescriptions filled and refilled during the inoperative period into the automated data processing system within 48 hours.

(g) A pharmacy shall make arrangements with the supplier of data processing services or materials to ensure that the pharmacy continues to have adequate and complete prescription and dispensing records if the relationship with the supplier terminates for any reason. A pharmacy shall ensure continuity in the maintenance of records.

(h) The automated data processing system must be an integrated system that is capable of complying with all of the requirements of these rules.

(5) This rule does not apply to pharmacy services provided in a medical institution.

(6) Records that are created under subrule (2), (3) or (4) of this rule are subject to the same requirements regarding confidentiality and access that apply to original prescriptions.

History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.588 Automated devices.

Rule 88. (1) "Automated device" means a mechanical system that performs an operation or activity, other than compounding or administration, relating to the storage, packaging, dispensing, or delivery of a drug and that collects, controls, and maintains transaction information.

(2) An automated device may be used only in the following locations:

(a) A pharmacy, or at the same physical address as the pharmacy provided that the location of the automated device is owned and operated by the same legal entity as the pharmacy.

(b) A hospital.

(c) A county medical care facility.

(d) A hospice.

(e) A nursing home.

(f) Other skilled nursing facility as defined in section 20109(4) of the code, MCL 333.20109.

(g) An office of a dispensing prescriber.

(h) A location affiliated with a hospital, but not at the same physical address as the pharmacy, that is owned and operated by the hospital, consistent with section 17760 of the code, MCL 333.17760.

(3) A pharmacy that operates an automated device under this section only to deliver a non-controlled drug or device directly to an ultimate user or health care provider shall notify the department of the automated device's location on a form provided by the department. An automated device located within a licensed pharmacy must be under the control of a pharmacist or his or her pharmacy personnel under the personal charge of a pharmacist. A secured, lockable, and privacy enabled automated device located on the premise of the licensed pharmacy may be utilized as a means for a patient or an agent of the patient to pick up prescription medications.

(4) If an automated device is used in a dispensing prescriber's office, the device must be used only to dispense medications to the dispensing prescriber's patients and only under the control of the dispensing prescriber. A pharmacy shall not own, control, or operate an automatic dispensing device in a dispensing prescriber's office, unless the prescriber's office is affiliated with a hospital consistent with section 17760 of the code, MCL 333.17760, and subrule (2)(h) of this rule. All of the following apply to the use of an automated device in a dispensing prescriber's office:

(a) If a dispensing prescriber delegates the stocking of the automated device, then technologies must be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing a board-approved error prevention technology that complies with R 338.3154.
(b) A dispensing prescriber operating an automated device is responsible for all medications that are stocked and stored in that device as well as removed from that device.
(c) If any medication or device is dispensed from an automated device in a dispensing prescriber's office, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility must be maintained by the dispensing prescriber for review by an agent of the board. This documentation must include at least all of the following information:
(i) Manufacturer name and model.
(ii) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.
(iii) Policy and procedures for system operation that addresses**,** at a minimum**,** all of the following:
(A) Accuracy.
(B) Patient confidentiality.
(C) Access.
(D) Data retention or archival records.
(E) Downtime procedures.
(F) Emergency procedures.
(G) Medication security.
(H) Quality assurance.
(5) An automated device that is to be used for furnishing medications for administration to registered patients in any hospital, county medical care facility, nursing home, hospice, or any other skilled nursing facility, as defined in section 20109(4) of the code, MCL 333.20109, must be supplied and controlled by a pharmacy that is licensed in this state. The use of an automated device in these locations is not limited to the provisions of subrule (3) of this rule. If a pharmacist delegates the stocking of the device, then technologies must be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing bar-coding or another board-approved error-prevention technology. Each automated device must comply with all of the following provisions:
(a) A pharmacy operating an automated device is responsible for all medications that are stocked and stored in that device as well as removed from that device.
(b) If any medication or device is dispensed from an automated device, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility must be maintained by the pharmacy for review by an agent of the board. The documentation must include at least all of the following information:
(i) Name and address of the pharmacy responsible for the operation of the automated device.
(ii) Name and address of the facility where the automated device is located.
(iii) Manufacturer name and model number.
(iv) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.
(v) Policy and procedures for system operation that address**,** at a minimum**,** all of the following:
(A) Accuracy.
(B) Patient confidentiality.
(C) Access.
(D) Data retention or archival records.
(E) Downtime procedures.
(F) Emergency procedures.
(G) Medication security.
(H) Quality assurance.
(I) Ability to provide on demand to an agent of the board a list of medications qualifying for emergency dose removal without pharmacist prior review of the prescription or medication order.
(6) An automated device that is operated at a location affiliated with a hospital, but not at the same physical address as the pharmacy, that is owned and operated by the hospital, must comply with section 17760 of the code, MCL 333.17760.
(7) Records and electronic data kept by automated devices must meet all of the following requirements:
(a) All events involving access to the contents of the automated devices must be recorded electronically.
(b) Records must be maintained for 5 years by the pharmacy or dispensing prescriber and must be retrievable on demand for review by an agent of the board. The records must include all of the following information:
(i) The unique identifier of the automated device accessed.
(ii) Identification of the individual accessing the automated device.
(iii) The type of transaction.

(iv) The name, strength, dosage form, quantity, and name of the manufacturer of the drug accessed.
(v) The name of the patient for whom the drug was ordered.
(vi) Identification of the pharmacist responsible for the accuracy of the medications to be stocked or restocked in the automated device.
(8) Policy and procedures for the use of the automated device must include a requirement for pharmacist review of the prescription or medication order before system profiling or removal of any medication from the system for immediate patient administration. This subrule does not apply to the following situations:
(a) The system is being used as an after-hours cabinet for medication dispensing in the absence of a pharmacist as provided in R 338.486(4)(j).
(b) The system is being used in place of an emergency kit as provided in R 338.486(4)(c).
(c) The system is being accessed to remove medication required to treat the emergent needs of a patient as provided in R 338.486(4)(c). A sufficient quantity to meet the emergent needs of the patient may be removed until a pharmacist is available to review the medication order.
(d) In each of the situations specified in subdivisions (a) to (c) of this subrule, a pharmacist shall review the orders and authorize any further dispensing within 48 hours**.**
(e) The automated device is located in a dispensing prescriber's office.
(9) A copy of all policies and procedures related to the use of an automated device must be maintained at the pharmacy responsible for the device's specific location or at the dispensing prescriber's office and be available for review by an agent of the board.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.589
Source: 2020 AACS.

R 338.590
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SPEECH-LANGUAGE PATHOLOGY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.601
Source: 2021 AACS.

R 338.602
Source: 2021 AACS.

R 338.603
Source: 2021 AACS.

R 338.604
Source: 2021 AACS.

R 338.605
Source: 2021 AACS.

R 338.607
Source: 2021 AACS.

R 338.609
Source: 2016 AACS**.**

R 338.611
Source: 2021 AACS.

R 338.613
Source: 2021 AACS.

R 338.615
Source: 2021 AACS.

R 338.617
Source: 2021 AACS.

R 338.619
Source: 2021 AACS.

R 338.621
Source: 2021 AACS.

R 338.623
Source: 2021 AACS.

R 338.625
Source: 2016 AACS**.**

R 338.627
Source: 2021 AACS.

R 338.629
Source: 2021 AACS.

R 338.641
Source: 2021 AACS.

R 338.645
Source: 2021 AACS.

R 338.647
Source: 2021 AACS.

R 338.649
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MASSAGE THERAPY - GENERAL RULES

PART 1. GENERAL RULES

R 338.701
Source: 2021 AACS.

R 338.702
Source: 2021 AACS.

R 338.703
Source: 2017 AACS**.**

R 338.704

Source: 2019 AACS.

R 338.705
Source: 2019 AACS.

R 338.707
Source: 2019 AACS.

R 338.709
Source: 2019 AACS.

R 338.711
Source: 2019 AACS.

R 338.713
Source: 2019 AACS.

R 338.715
Source: 2019 AACS.

R 338.717
Source: 2019 AACS.

R 338.719
Source: 2019 AACS.

R 338.721
Source: 2017 AACS**.**

PART 2. EDUCATION

R 338.722
Source: 2021 AACS.

R 338.722a
Source: 2021 AACS.

R 338.723
Source: 2019 AACS.

R 338.724
Source: 2021 AACS.

R 338.725
Source: 2017 AACS**.**

R 338.726
Source: 2021 AACS.

R 338.727
Source: 2019 AACS.

PART 3. LICENSURE

R 338.731
Source: 2019 AACS.

R 338.732 Training standards for identifying victims of human trafficking; requirements.
Rule 32. (1) Pursuant to sections 16148 and 17060 of the code, MCL 333.16148 and 333.17060, an individual who is licensed

or seeking licensure shall have completed training in identifying victims of human trafficking that meets the following standards:

(a) Training content that covers 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) 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 meets 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 pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

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

History: 2019 AACS; AACS 2021; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.733

Source: 2019 AACS.

R 338.734

Source: 2021 AACS.

R 338.735 Initial licensure; requirements.

Rule 35. An applicant for a massage therapist license by examination shall submit the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and the rules promulgated under the code, the applicant shall satisfy both of the following requirements:

(a) Have successfully completed a supervised curriculum that satisfies the requirements in R 338.722 or R 338.722a, as applicable.

(b) Pass an examination required under R 338.734.

History: 2019 AACS; AACS 2021; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.736 Foreign-trained applicants; licensure; requirements.

Rule 36. An applicant for a massage therapist license who completed a massage therapy curriculum outside of the United States shall submit the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and the rules promulgated under the code, the applicant shall satisfy both of the following requirements:

(a) Have successfully completed a massage therapy curriculum that is substantially equivalent to a supervised curriculum that meets the requirements in R 338.722 or R 338.722a, as applicable. Evidence of having completed a massage therapy curriculum that is substantially equivalent to a supervised curriculum includes an evaluation of the applicant's education by a recognized

and accredited credential evaluation agency that is a member of the National Association of Credential Evaluation Services.
(b) Pass an examination required under R 338.734.
History: 2019 AACS; AACS 2021; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.737 Licensure by endorsement; requirements.
Rule 37. An applicant for a license by endorsement, pursuant to section 17959(2) of the code, MCL 333.17959, shall hold an active massage therapist license in good standing in another state, country, jurisdiction, territory, or province at the time of application. In addition to meeting the requirements of the code and the administrative rules promulgated under the code, the applicant shall submit a completed application on a form provided by the department together with the required fee and shall satisfy all of the following requirements as noted by (√) below:

		Licensed for less than 3 years.	Licensed 3 years or more.
(a)	Establish that he or she is of good moral character as defined and determined under 1974 PA 381, MCL 338.41 to 338.47.	√	√
(b)	Establish that he or she is at least 18 years of age.	√	√
(c)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.	√	√
(d)	Have satisfied 1 of the following requirements: (i) Have successfully completed a supervised curriculum that satisfies the requirements in R 338.722 or R 338.722a, as applicable. (ii) Have provided evidence that the applicant has completed a massage therapy curriculum that is substantially equivalent to a supervised curriculum that meets the requirements in R 338.722 or R 338.722a, as applicable. Evidence of having completed a massage therapy curriculum that is substantially equivalent to a supervised curriculum includes an evaluation of the applicant's education by a recognized and accredited credential evaluation agency that is a member of the National Association of Credential Evaluation Services.	√	
(e)	Achieve a passing score on an examination adopted under R 338.734.	√	
(f)	Comply with both of the following: (i) Disclose each license,	√	√

	registration, or certification in a health profession or specialty issued by another state, the United States military, the federal government, or another country on the application form. (ii) 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 at the time of application.		

History: 2019 AACS; AACS 2021; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.738 Relicensure.

Rule 38. (1) An applicant whose license has lapsed may be relicensed under section 16201(3) or (4) of the code, MCL 333.16201, as applicable, if the applicant meets the requirements of the code, the administrative rules promulgated under the code, and satisfies the following requirements as noted by a (√) below:

(a) For a massage therapist who has let his or her Michigan license lapse and is not currently licensed in another state, country, jurisdiction, territory, or province:		Lapsed less than 3 years	Lapsed 3 years but less than 7 years	Lapsed 7 years or more
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√
(ii)-	Establish that he or she is of good moral character as defined and determined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv)-	Submit proof of having completed 18 hours of continuing education that satisfy the requirements of R 338.739 and R 338.741 in courses and programs approved by the board and earned within the 3-year period immediately preceding the application for relicensure.	√	√	√
(v)-	Pass the examination approved pursuant to R 338.734 within the 3-year period immediately preceding the application for relicensure.		-	√
(vi)	An applicant who is or has ever 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 do both of the following: (A) Disclose each license, registration, or certification on the application form.	√	√	√

	(B) 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 at the time of application.			
(b) For a massage therapist who has let his or her Michigan license lapse and is currently licensed in another state, country, jurisdiction, territory, or province**:**		Lapsed less than 3 years	Lapsed 3 years but less than 7 years	Lapsed 7 years or more
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√
(ii)	Establish that he or she is of good moral character as defined and determined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv)	Submit proof of having completed 18 hours of continuing education that satisfy the requirements of R 338.739 and R 338.741 in courses and programs approved by the board and earned within the 3-year period immediately preceding the application for relicensure.	√	√	√
(v)	An applicant who is or has ever 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 do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.	√	√	√

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2019 AACS; AACS 2021; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.739 License renewals; massage therapist; requirements; applicability.

Rule 39. (1) An applicant for license renewal shall satisfy the requirements of R 338.7001 to R 338.7005, and shall accumulate not less than 18 hours of continuing education in activities approved by the board under these rules during each license cycle.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. A licensee shall retain documentation of meeting the requirements of this rule for a period of 5 years from the date of application for license renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(3) The requirements of this rule do not apply if a licensee has been licensed for less than 3 years.

(4) A request for a waiver pursuant to section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

(5) The department may select and audit a sample of licensees who have renewed their licenses and request proof of compliance with subrule (1) of this rule.

History: 2019 AACS; AACS 2021; 2022 MR 22, Eff. Nov. 21, 2022.

PART 4. CONTINUING EDUCATION

R 338.741
Source: 2021 AACS.

PART 5. PROFESSIONAL ETHICS

R 338.751
Source: 2021 AACS.

R 338.752
Source: 2021 AACS.

BOARD OF EXAMINERS IN MORTUARY SCIENCE

GENERAL RULES

R 338.863
Source: 1997 AACS.

R 338.864
Source: 1997 AACS.

R 338.865
Source: 1997 AACS.

R 338.866
Source: 1997 AACS.

R 338.867
Source: 1997 AACS.

R 338.868
Source: 1997 AACS.

R 338.869
Source: 1997 AACS.

HEARINGS

R 338.881
Source: 1997 AACS.

DIRECTOR'S OFFICE

MECHANICAL RULES LICENSE EXAMINATION PROCEDURES

R 338.901
Source: 2014 AACS.

R 338.902
Source: 2014 AACS.

R 338.903
Source: 2014 AACS.

R 338.904
Source: 2014 AACS.

R 338.905
Source: 2014 AACS.

R 338.906
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R 338.907
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R 338.908
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R 338.909
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338.910
Source: 2014 AACS.

R 338.911
Source: 2014 AACS.

R 338.912
Source: 2014 AACS.

R 338.913
Source: 2014 AACS.

R 338.914
Source: 2014 AACS.

PLUMBING—LICENSES

R 338.921
Source: 2014 AACS.

R 338.921a
Source: 2014 AACS.

R 338.922
Source: 2014 AACS.

R 338.923
Source: 2014 AACS.

R 338.924
Source: 2014 AACS.

R 338.924a
Source: 2014 AACS.

R 338.924b
Source: 2014 AACS.

R 338.925
Source: 2014 AACS.

R 338.926
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R 338.927
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R 338.928
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Source: 2014 AACS.
R 338.930
Source: 2014 AACS.

R 338.931
Source: 2014 AACS.

R 338.931a
Source: 2014 AACS.

R 338.931b
Source: 2014 AACS.

R 338.932
Source: 2014 AACS.

REFUND OF FEES

R 338.941
Source: 2014 AACS.

R 338.942
Source: 2014 AACS.

R 338.943
Source: 2014 AACS.

R 338.944
Source: 2014 AACS.

HEALTH CODE BOARDS DISCIPLINARY PROCEEDINGS—FILINGS BEFORE APRIL 1, 1994

R 338.951
Source: 2007 AACS.

R 338.952
Source: 2007 AACS.

R 338.953
Source: 2007 AACS.

R 338.954
Source: 2007 AACS.

R 338.955
Source: 2007 AACS.

R 338.956
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R 338.960
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R 338.961
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R 338.962
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R 338.978
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R 338.979
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R 338.980
Source: 2007 AACS.

R 338.981
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R 338.986
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R 338.987
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R 338.988
Source: 2007 AACS.

R 338.989
Source: 2007 AACS.

R 338.990
Source: 2007 AACS.

ELECTRICAL RULES

R 338.1001
Source: 1997 AACS.

R 338.1001a
Source: 1994 AACS.

R 338.1002
Source: 1997 AACS.

R 338.1002a
Source: 1994 AACS.

R 338.1003
Source: 1997 AACS.

R 338.1003a
Source: 1996 AACS.

R 338.1004
Source: 1997 AACS.

R 338.1004a
Source: 1994 AACS.

R 338.1005
Source: 1997 AACS.

R 338.1005a
Source: 1994 AACS.

R 338.1005b
Source: 1996 AACS.

R 338.1005c
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R 338.1005d
Source: 1996 AACS.

R 338.1006
Source: 1997 AACS.

R 338.1006a
Source: 1996 AACS.

R 338.1006b
Source: 1996 AACS.

R 338.1007
Source: 1997 AACS.

R 338.1007a
Source: 1994 AACS.

R 338.1008
Source: 1997 AACS.

R 338.1008a
Source: 1994 AACS.

R 338.1009
Source: 1997 AACS.

R 338.1009a
Source: 1994 AACS.

R 338.1010a
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R 338.1011
Source: 1997 AACS.

R 338.1011a
Source: 1996 AACS.

R 338.1012
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R 338.1012a
Source: 1994 AACS.

R 338.1013
Source: 1997 AACS.

R 338.1013a
Source: 1996 AACS.

R 338.1014
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R 338.1014a
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R 338.1015
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R 338.1015a
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R 338.1016
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R 338.1016a
Source: 1994 AACS.

R 338.1017
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R 338.1017a
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R 338.1018
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R 338.1018a
Source: 1994 AACS.

R 338.1019
Source: 1997 AACS.

R 338.1020
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R 338.1021
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R 338.1022
Source: 1997 AACS.

R 338.1022a
Source: 1994 AACS.

R 338.1023
Source: 1997 AACS.

R 338.1023a
Source: 1994 AACS.

R 338.1024
Source: 1997 AACS.

R 338.1027a
Source: 1996 AACS.

R 338.1031
Source: 1997 AACS.

R 338.1032
Source: 1997 AACS.

R 338.1033
Source: 1997 AACS.

R 338.1035a
Source: 1994 AACS.

R 338.1037a
Source: 1994 AACS.

R 338.1039a
Source: 1994 AACS.

R 338.1041
Source: 1997 AACS.

R 338.1042
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R 338.1085
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R 338.1086
Source: 1997 AACS.

R 338.1087
Source: 1997 AACS.

R 338.1088
Source: 1997 AACS.

R 338.1099a
Source: 1994 AACS.

STATE BOARD OF PHYSICAL THERAPY REGISTRATION

GENERAL RULES

R 338.1131
Source: 1997 AACS.

R 338.1132
Source: 1997 AACS.

R 338.1133
Source: 1997 AACS.

R 338.1134
Source: 1997 AACS.

R 338.1135
Source: 1997 AACS.

R 338.1136
Source: 1997 AACS.

R 338.1137
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R 338.1138
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R 338.1139
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R 338.1140
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R 338.1141
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R 338.1148
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R 338.1149
Source: 1997 AACS.

R 338.1150
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R 338.1151
Source: 1997 AACS.

DIRECTOR'S OFFICE

PHYSICAL THERAPY

PART 3. ADMINISTRATIVE HEARINGS

R 338.1161
Source: 1997 AACS.

R 338.1162
Source: 1997 AACS.

R 338.1163
Source: 1997 AACS.

R 338.1164
Source: 1997 AACS.

R 338.1165
Source: 1997 AACS.

R 338.1166
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R 338.1167
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R 338.1177
Source: 1997 AACS.

R 338.1178
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R 338.1177
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R 338.1178
Source: 1997 AACS.

R 338.1179
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R 338.1180
Source: 1997 AACS.

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R 338.1182
Source: 1997 AACS.

R 338.1183
Source: 1997 AACS.

R 338.1184
Source: 1997 AACS.

R 338.1185
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL THERAPISTS – GENERAL RULES

R 338.1191
Source: 2014 AACS.

R 338.1192
Source: 2014 AACS.

R 338.1194
Source: 2014 AACS.

R 338.1196
Source: 2014 AACS.

R 338.1197
Source: 2014 AACS.

R 338.1197a
Source: 2014 AACS.

R 338.1198
Source: 2014 AACS.

R 338.1200
Source: 2014 AACS.

PART 1. DEFINITIONS

R 338.1211
Source: 2021 AACS.

PART 2. GENERAL PROVISIONS

R 338.1212
Source: 2021 AACS.

R 338.1213
Source: 2021 AACS.

R 338.1215
Source: 2017 AACS.

PART 3. OCCUPATIONAL THERAPISTS

R 338.1221
Source: 2014 AACS.

R 338.1222
Source: 2021 AACS.

R 338.1223
Source: 2021 AACS.

R 338.1223a
Source: 2021 AACS.

R 338.1223a
Source: 2017 AACS.

R 338.1224
Source: 2017 AACS.

R 338.1225
Source: 2021 AACS.

R 338.1226
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R 338.1227
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R 338.1228
Source: 2021 AACS.

R 338.1229
Source: 2021 AACS.

R 338.1229a
Source: 2021 AACS.

PART 4. OCCUPATIONAL THERAPY ASSISTANTS

R 338.1231
Source: 2014 AACS.

R 338.1232
Source: 2021 AACS.

R 338.1233
Source: 2021 AACS.

R 338.1233a
Source: 2021 AACS.

R 338.1234
Source: 2021 AACS.

R 338.1234a
Source: 2021 AACS.

R 338.1235
Source: 2021 AACS.

R 338.1236
Source: 2021 AACS.

R 338.1237
Source: 2021 AACS.

R 338.1238
Source: 2017 AACS.

PART 4. ADMINISTRATIVE HEARINGS

R 338.1241
Source: 1997 AACS.

R 338.1242
Source: 1997 AACS.

R 338.1243
Source: 1997 AACS.

R 338.1244
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R 338.1245
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R 338.1248
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R 338.1249
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R 338.1250
Source: 1997 AACS.

PART 5. CONTINUING EDUCATION

R 338.1251
Source: 2021 AACS.

R 338.1252
Source: 2021 AACS.

R 338.1253
Source: 1997 AACS.

R 338.1254
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R 338.1262
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R 338.1263
Source: 1997 AACS.

R 338.1264
Source: 1997 AACS.

R 338.1265
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULTORY AFFAIRS

DIRECTOR'S OFFICE

ATHLETIC TRAINING - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.1301
Source: 2021 AACS.

R 338.1302
Source: 2021 AACS.

PART 2. LICENSURE

R 338.1303
Source: 2021 AACS.

R 338.1305
Source: 2017 AACS.

R 338.1309
Source: 2021 AACS.

R 338.1313
Source: 2017 AACS.

R 338.1317
Source: 2021 AACS.

R 338.1321
Source: 2021 AACS.

R 338.1321a
Source: 2021 AACS.

R 338.1325
Source: 2021 AACS.

R 338.1329
Source: 2017 AACS.

R 338.1333
Source: 2017 AACS.

R 338.1337
Source: 2019 AACS.

R 338.1341
Source: 2019 AACS.

R 338.1345
Source: 2021 AACS.

R 338.1349
Source: 2021 AACS.

R 338.1353
Source: 2017 AACS.

PART 3. EDUCATIONAL AND TRAINING AND CERTIFICATION PROGRAMS

R 338.1354
Source: 2021 AACS.

R 338.1355
Source: 2021 AACS.

PART 4. CONTINUING EDUCATION

R 338.1357
Source: 2021 AACS.

R 338.1361
Source: 2014 AACS.

R 338.1365
Source: 2017 AACS.

PART 5. DELEGATION AND ADOPTION BY REFERENCE OF PROFESSIONAL STANDARDS

R 338.1369
Source: 2021 AACS.

R 338.1373
Source: 2017 AACS.

R 338.1377
Source: 2017 AACS.

R 338.1378
Source: 2021 AACS.

DIRECTOR'S OFFICE

HOROLOGY

R 338.1401
Source: 1997 AACS.

R 338.1402
Source: 1997 AACS.

R 338.1403
Source: 1997 AACS.

R 338.1404
Source: 1997 AACS.

R 338.1405
Source: 1997 AACS.

R 338.1406
Source: 1997 AACS.

R 338.1407
Source: 1997 AACS.

R 338.1408
Source: 1997 AACS.

R 338.1409
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R 338.1410
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R 338.1411
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R 338.1412
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R 338.1414
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R 338.1415
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R 338.1422
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R 338.1423
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R 338.1424
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

RESIDENTIAL BUILDERS AND MAINTENANCE AND ALTERATION CONTRACTORS

PART 1. GENERAL

R 338.1511
Source: 2006 AACS.

R 338.1512
Source: 1998-2000 AACS.

R 338.1519
Source: 1990 AACS.

R 338.1511
Source: 2014 AACS.

R 338.1521
Source: 2014 AACS.

R 338.1521a
Source: 2014 AACS.

PART 2. LICENSES AND BONDS

R 338.1522
Source: 1997 AACS.

R 338.1523
Source: 1997 AACS.

R 338.1523a

Source: 1998-2000 AACS.

R 338.1524
Source: 2014 AACS.

R 338.1525
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R 338.1526
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R 338.1531
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R 338.1534
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R 338.1535
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R 338.1536
Source: 2006 AACS.

PART 5. COMPLAINTS AND HEARINGS

R 338.1551
Source: 2019 AACS.

R 338.1554
Source: 1997 AACS.

R 338.1555
Source: 2019 AACS.

PART 6. EDUCATION

R 338.1560
Source: 2019 AACS.

R 338.1562
Source: 2011 AACS.

R 338.1564
Source: 2019 AACS.

R 338.1565
Source: 2019 AACS.

R 338.1566
Source: 2011 AACS.

DIRECTOR'S OFFICE

PUBLIC HEALTH CODE – DISCIPLINARY RULES

PART 1. GENERAL RULES

R 338.1601
Source: 2015 AACS.

R 338.1601a
Source: 2021 AACS.

R 338.1601b Disciplinary action for conduct before licensure, registration, relicensure, or reregistration.
Rule 1b. (1) A disciplinary subcommittee may take action against a licensee or registrant for conduct that occurred before the license or registration was issued without regard to whether the department knew of the violation when the license or registration was issued or reinstated.
(2) If relicensure or reregistration is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.
History: 2021 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 338.1602a Continuing duty to report name, address, or electronic mail address change; criminal convictions; duty to report license, registration, or certification in a health profession or specialty for relicensure or reregistration; disciplinary proceedings. —
Rule 2a. (1) In addition to complying with section 16192(1) of the code, MCL 333.16192, a licensee or registrant whose license or registration has expired, lapsed, or been suspended, revoked, or surrendered must notify the department of a change of name, postal address, or electronic mail address within 30 days until the later of 1 of the following occurs:
(a) Seven years after a change in license or registration status occurs.
(b) Three years after all administrative complaints against the license or registration filed with the department have been closed.
(c) The licensee or registrant is in full compliance with all final orders issued against the licensee or registrant.
(2) In addition to complying with section 16222(3) of the code, MCL 333.16222, a licensee or registrant whose license or registration has expired or lapsed for 3 months or less shall notify the department of any criminal conviction within 30 days after the conviction.
(3) In addition to complying with section 16222(3) of the code, MCL 333.16222, a licensee or registrant whose license or registration has been suspended, revoked, or surrendered for 6 months or less shall notify the department of any criminal conviction within 30 days after the conviction.
(4) If a licensee or registrant applies for relicensure or reregistration, the applicant shall comply with both of the following:
(a) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
(b) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.
History: 2021 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 338.1602a
Source: 2021 AACS.

PART 2. HISTORICAL RECORDS

R 338.1603
Source: 2021 AACS.

PART 3. INVESTIGATIONS

R 338.1604 Investigations.
Rule 4. (1) The department may conduct a review of all allegations or historical records as necessary to determine if reasonable grounds for an investigation exists.
(2) The department's investigation conducted as required or permitted by the code may encompass possible violations other than those specifically identified when the investigation was initiated.
History: 1996 AACS; 2021 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 338.1605
Source: 2021 AACS.

R 338.1606
Source: 2021 AACS.

R 338.1607
Source: 2021 AACS.

PART 4. PLEADINGS

R 338.1607a Pleadings.
Rule 7a. (1) Until a notice of hearing has been issued, all original pleadings and related attachments must be filed with the department or office of the attorney general as set forth in the administrative complaint or notice of compliance conference.
(2) After a notice of hearing has been issued, all original pleadings and any related attachments must be filed with the Michigan office of administrative hearings and rules as required in the notice of hearing. A copy of all original pleadings and any related attachments must be transmitted to all other parties listed on the notice.
(3) An answer to an administrative complaint must be filed within 30 days from the date of receipt of the administrative complaint.
(4) An administrative complaint may be amended at any time. A respondent must be given a reasonable time to file an amended answer and to prepare a defense before hearing if the allegations in the administrative complaint are substantially amended.
(5) All pleadings and any related attachments that are properly filed become a part of the official record of the hearing.
History: 2021 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

PART 5. COMPLIANCE CONFERENCE, REQUEST FOR ADJOURNMENT, AND HEARING TO ESTABLISH AN OFFICIAL RECORD FOR DETERMINATION OF DISCIPLINARY ACTION

R 338.1608
Source: 2021 AACS.

R 338.1609
Source: 2021 AACS.

R 338.1610 Cease and desist hearing request; final order; informal conference.
Rule 10. (1) If an individual fails to request a hearing as permitted in section 16233(3) of the code, MCL 333.16233, within 30 days after the effective date of the cease and desist order, the order becomes a final order without further proceedings.
(2) Either party may request that an informal conference be scheduled before the date scheduled for the hearing if the parties determine that a conference will assist in the resolution of the matter.
History: 1996 AACS; 2015 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 338.1611
Source: 2015 AACS.

R 338.1612
Source: 2021 AACS.

R 338.1614
Source: 2015 AACS.

R 338.1615
Source: 2021 AACS.

R 338.1616
Source: 2015 AACS.

R 338.1617
Source: 2015 AACS.

R 338.1618
Source: 2015 AACS.

R 338.1619
Source: 2015 AACS.

R 338.1620
Source: 2015 AACS.

R 338.1621
Source: 2015 AACS.

R 338.1622
Source: 2015 AACS.

R 338.1623
Source: 2015 AACS.

R 338.1624
Source: 2015 AACS.

R 338.1625
Source: 2015 AACS.

R 338.1626
Source: 2015 AACS.

R 338.1627
Source: 2015 AACS.

R 338.1628
Source: 2015 AACS.

R 338.1629
Source: 2015 AACS.

PART 6. FINAL ORDER, RECONSIDERATION OF FINAL ORDER, AND DUTY TO COMPLY WITH FINAL ORDER

R 338.1630 Final order; remand for additional evidence; revisions to findings; majority vote required; department review.
Rule 30. (1) If an agreement has been reached at an informal conference, the disciplinary subcommittee may accept the proposed disposition and enter a final order, suggest other terms, or require that administrative proceedings be commenced.
(2) In a contested case, the disciplinary subcommittee, board, or task force may enter a final order after reviewing the official record of the hearing.
(3) If the disciplinary subcommittee, board, or task force determines that additional testimony or evidence is necessary, it shall

issue an order remanding the case to the administrative law judge.–

(a) The order remanding the case to the administrative law judge must specify what witnesses, evidence, or questions are to be addressed on remand without limiting the witnesses or evidence the parties may present.

(b) After the administrative law judge has held a hearing on the remanded matter, the administrative law judge shall issue a proposal for decision on remand with findings of fact and conclusions of law to the disciplinary subcommittee, board, or task force having jurisdiction over the case.

(4) The disciplinary subcommittee, board, or task force may revise the findings of fact and conclusions of law based on the evidence in the official record of the hearing. The revision must specifically identify the findings of fact or conclusions of law, or both, being modified or rejected and identify the evidence from the official record of the hearing that supports the revision.

(5) In its final order, a disciplinary subcommittee, board, or task force may adopt, modify, or reject, in whole or in part, the opinion or proposal for decision of the administrative law judge. If the disciplinary subcommittee, board, or task force modifies or rejects the opinion or proposal for decision, the reasons for that action must be stated in the final order.

(6) Except as provided in sections 7311(1)(b), 16221(b)(x), 16221(h), and 17768(2) of the code, MCL 333.7311, MCL 333.16221, and MCL 333.17768, a disciplinary subcommittee shall not rely on any prior final order in determining whether grounds for discipline exist in the case under consideration. In determining an appropriate disciplinary action, a disciplinary subcommittee, board, or task force may review any prior final order, and the underlying administrative complaint, that imposed disciplinary action on the applicant, licensee, or registrant.

History: 1996 AACS; 2021 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 338.1631
Source: 2021 AACS.

R 338.1632
Source: 2021 AACS.

PART 7. APPLICATION DENIAL, REQUEST FOR HEARING, SURRENDERED LICENSE

R 338.1632a
Source: 2021 AACS.

R 338.1633
Source: 2015 AACS.

R 338.1634
Source: 2015 AACS.

R 338.1635
Source: 2015 AACS.

R 338.1636
Source: 2015 AACS.

R 338.1637
Source: 2015 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COUNSELING - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.1751

Source: 2021 AACS.

R 338.1751a
Source: 2021 AACS.

R 338.1752
Source: 2021 AACS.

R 338.1752a
Source: 2021 AACS.

R 338.1753
Source: 2021 AACS.

R 338.1753a
Source: 2021 AACS.

R 338.1753b
Source: 2021 AACS.

R 338.1753c
Source: 2021 AACS.

R 338.1754
Source: 2021 AACS.

R 338.1755
Source: 2021 AACS.

R 338.1756
Source: 2012 AACS.

R 338.1757
Source: 2021 AACS.

PART 2. EDUCATION

R 338.1761
Source: 2021 AACS.

R 338.1763
Source: 2021 AACS.

R 338.1765
Source: 2021 AACS.

PART 3. LICENSURE

R 338.1771
Source: 2021 AACS.

R 338.1772
Source: 2021 AACS.

R 338.1773
Source: 2021 AACS.

R 338.1774
Source: 2021 AACS.

R 338.1775
Source: 2021 AACS.

R 338.1776
Source: 2021 AACS.

PART 4. SUPERVISOR TRAINING

R 338.1781
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BEHAVIOR ANALYSTS - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.1801
Source: 2021 AACS.

PART 2. LICENSURE

R 338.1821
Source: 2021 AACS.

R 338.1823
Source: 2021 AACS.

R 338.1824
Source: 2021 AACS.

R 338.1825
Source: 2021 AACS.

R 338.1827
Source: 2021 AACS.

PART 3. STANDARDS OF PRACTICE

R 338.1831
Source: 2021 AACS.

R 338.1832
Source: 2021 AACS.

R 338.1833
Source: 2021 AACS.

R 338.1835
Source: 2021 AACS.

MARRIAGE COUNSELORS

R 390.1801

Source: 2003 AACS.

PART 1. ORGANIZATION OF BOARD

R 338.1811
Source: 1997 AACS.

R 338.1812
Source: 1997 AACS.

R 338.1813
Source: 1997 AACS.

R 338.1814
Source: 1997 AACS.

R 338.1815
Source: 1997 AACS.

PART 2. CERTIFICATION

R 338.1821
Source: 1997 AACS.

R 338.1822
Source: 1997 AACS.

R 338.1823
Source: 1997 AACS.

R 338.1824
Source: 1997 AACS.

R 338.1825
Source: 1997 AACS.

PART 3. HEARINGS

R 338.1831
Source: 1997 AACS.

R 338.1832
Source: 1997 AACS.

R 338.1833
Source: 1997 AACS.

R 338.1834
Source: 1997 AACS.

R 338.1835
Source: 1997 AACS.

R 338.1836
Source: 1997 AACS.

R 338.1837
Source: 1997 AACS.

R 338.1841
Source: 1998-2000 AACS.

R 338.1842
Source: 1998-2000 AACS.

R 338.1843
Source: 1998-2000 AACS.

R 338.1844
Source: 1998-2000 AACS.

R 338.1861
Source: 1998-2000 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTORS OFFICE

HEARING AID DEALERS

PART 1. LICENSING

R 338.1901
Source: 2014 AACS.

R 338.1905
Source: 2014 AACS.

R 338.1906
Source: 1998-2000 AACS.

R 338.1907
Source: 1998-2000 AACS.

R 338.1908
Source: 2014 AACS.

R 338.1909
Source: 2014 AACS.

R 338.1910
Source: 2014 AACS.

R 338.1911
Source: 2014 AACS.

R 338.1912
Source: 2014 AACS.

R 338.1913
Source: 2014 AACS.

R 338.1914
Source: 1998-2000 AACS.

PART 2. CONDUCT OF BUSINESS

R 338.1921
Source: 2014 AACS.

R 338.1922
Source: 2014 AACS.

HEARING AID DEALERS

PART 3. COMPLAINTS AND HEARINGS

R 338.1941
Source: 1997 AACS.

R 338.1942
Source: 1997 AACS.

R 338.1943
Source: 1997 AACS.

BARBER EXAMINERS

R 338.2001
Source: 1997 AACS.

R 338.2002
Source: 1997 AACS.

R 338.2003
Source: 1997 AACS.

R 338.2004
Source: 1997 AACS.

R 338.2005
Source: 1997 AACS.

R 338.2006
Source: 1997 AACS.

R 338.2007
Source: 1997 AACS.

R 338.2008
Source: 1997 AACS.

R 338.2009
Source: 1997 AACS.

R 338.2010
Source: 1997 AACS.

R 338.2011
Source: 1997 AACS.

R 338.2012
Source: 1997 AACS.

R 338.2013
Source: 1997 AACS.

R 338.2014
Source: 1997 AACS.

R 338.2015
Source: 1997 AACS.

R 338.2016
Source: 1997 AACS.

R 338.2017
Source: 1997 AACS.

R 338.2018
Source: 1997 AACS.

R 338.2019
Source: 1997 AACS.

R 338.2020
Source: 1997 AACS.

R 338.2021
Source: 1997 AACS.

R 338.2022
Source: 1997 AACS.

R 338.2023
Source: 1997 AACS.

R 338.2024
Source: 1997 AACS.

R 338.2025
Source: 1997 AACS.

R 338.2026
Source: 1997 AACS.

R 338.2027
Source: 1997 AACS.

R 338.2028
Source: 1997 AACS.

R 338.2029
Source: 1997 AACS.

R 338.2030
Source: 1997 AACS.

R 338.2031
Source: 1997 AACS.

R 338.2032
Source: 1997 AACS.

R 338.2033
Source: 1997 AACS.

R 338.2034
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R 338.2035
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R 338.2036
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R 338.2037
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R 338.2038
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R 338.2039
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R 338.2040
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R 338.2041
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R 338.2042
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R 338.2043
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R 338.2044
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R 338.2045
Source: 1997 AACS.

R 338.2046
Source: 1997 AACS.

R 338.2047
Source: 1997 AACS.

R 338.2048
Source: 1997 AACS.

R 338.2049
Source: 1997 AACS.

R 338.2050

Source: 1997 AACS.

R 338.2051
Source: 1997 AACS.

R 338.2052
Source: 1997 AACS.

R 338.2053
Source: 1997 AACS.

R 338.2054
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COSMETOLOGY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.2101
Source: 2021 AACS.

R 338.2102
Source: 2014 AACS.

R 338.2103
Source: 1998-2000 AACS.

R 338.2106
Source: 1998-2000 AACS.

R 338.2107
Source: 1998-2000 AACS.

R 338.2109
Source: 1979 AC.

PART 2. LICENSES AND PERMITS

R 338.2121a
Source: 2021 AACS.

R 338.2121b
Source: 2021 AACS.

R 338.2121c
Source: 2021 AACS.

R 338.2122
Source: 2014 AACS.

R 338.2123
Source: 2014 AACS.

R 338.2124

Source: 1998-2000 AACS.

R 338.2125
Source: 1998-2000 AACS.

R 338.2126
Source: 1998-2000 AACS.

SUBPART 2. ESTABLISHMENTS AND SCHOOLS

R 338.2126a
Source: 2021 AACS.

R 338.2127
Source: 2021 AACS.

R 338.2128
Source: 1979 AC.

PART 3. GENERAL TRAINING ADMINISTRATION

R 338.2131
Source: 2021 AACS.

R 338.2132
Source: 2021 AACS.

R 338.2132a
Source: 1998-2000 AACS.

R 338.2133
Source: 2021 AACS.

R 338.2134
Source: 2021 AACS.

R 338.2135
Source: 2014 AACS.

R 338.2136
Source: 2021 AACS.

R 338.2137
Source: 2021 AACS.

R 338.2138
Source: 2021 AACS.

R 338.2139
Source: 2021 AACS.

R 338.2139a
Source: 2014 AACS.

PART 4. SCHOOL TRAINING PROGRAMS

R 338.2141
Source: 2014 AACS.

R 338.2142
Source: 2014 AACS.

R 338.2143
Source: 2014 AACS.

R 338.2144
Source: 2014 AACS.

R 338.2145
Source: 2014 AACS.

R 338.2146
Source: 1998-2000 AACS.

R 338.2147
Source: 1997 AACS.

R 338.2148
Source: 1998-2000 AACS.

R 338.2149
Source: 1998-2000 AACS.

PART 5. APPRENTICE TRAINING PROGRAMS

R 338.2151
Source: 2021 AACS.

R 338.2151a
Source: 1998-2000 AACS.

R 338.2152
Source: 1998-2000 AACS.

R 338.2153
Source: 2021 AACS.

R 338.2155
Source: 1997 AACS.

R 338.2156
Source: 1998-2000 AACS.

PART 4. CURRICULUM

R 338.2158
Source: 2021 AACS.

R 338.2161
Source: 2021 AACS.

R 338.2161a
Source: 2021 AACS.

R 338.2161b
Source: 2021 AACS.

R 338.2162
Source: 2021 AACS.

R 338.2162a
Source: 2021 AACS.

R 338.2163
Source: 2021 AACS.

R 338.2163a
Source: 2021 AACS.

R 338.2163b
Source: 2021 AACS.

R 338.2163c
Source: 2021 AACS.

R 338.2164
Source: 1981 AACS.

R 338.2165
Source: 1981 AACS.

R 338.2166
Source: 2021 AACS.

R 338.2167
Source: 2021 AACS.

R 338.2168
Source: 2021 AACS.

R 338.2169
Source: 2021 AACS.

R 338.2169a
Source: 2021 AACS.

R 338.2169b
Source: 2021 AACS.

PART 5. HEALTH AND SAFETY

R 338.2171
Source: 2021 AACS.

R 338.2171a
Source: 2021 AACS.

R 338.2171b
Source: 2021 AACS.

R 338.2171c
Source: 2021 AACS.

R 338.2172
Source: 1998-2000 AACS.

R 338.2173
Source: 2021 AACS.

R 338.2174
Source: 1998-2000 AACS.

R 338.2175
Source: 1998-2000 AACS.

R 338.2176
Source: 2021 AACS.

R 338.2178
Source: 2021 AACS.

R 338.2179
Source: 2021 AACS.

R 338.2179a
Source: 2021 AACS.

R 338.2179b
Source: 2021 AACS.

R 338.2179c
Source: 2021 AACS.

R 338.2179d
Source: 2021 AACS.

R 338.2179e
Source: 2004 AACS.

R 338.2179f
Source: 2021 AACS.

R 338.2179g
Source: 2021 AACS.

R 338.2179h
Source: 2021 AACS.

PART 6. OPERATION OF MOBILE SALON

R 338.2180
Source: 2021 AACS.

R 338.2181
Source: 1998-2000 AACS.

R 338.2182
Source: 1998-2000 AACS.

R 338.2183
Source: 1998-2000 AACS.

R 338.2184

Source: 1998-2000 AACS.

R 338.2185
Source: 1998-2000 AACS.

R 338.2186
Source: 1998-2000 AACS.

R 338.2187
Source: 2021 AACS.

R 338.2188
Source: 2021 AACS.

R 338.2191
Source: 1997 AACS.

R 338.2192
Source: 1997 AACS.

R 338.2193
Source: 1997 AACS.

R 338.2194
Source: 1997 AACS.

R 338.2195
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

RESPIRATORY CARE - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.2201
Source: 2021 AACS.

R 338.2201a
Source: 2021 AACS.

R 338.2201b
Source: 2021 AACS.

PART 2. LICENSURE

R 338.2202
Source: 2019 AACS.

R 338.2202a
Source: 2019 AACS.

R 338.2202b
Source: 2021 AACS.

R 338.2203

Source: 2019 AACS.

R 338.2204
Source: 2019 AACS.

R 338.2205
Source: 2021 AACS.

PART 3. EDUCATION

R 338.2206
Source: 2021 AACS.

PART 4. RELICENSURE

R 338.2207
Source: 2021 AACS.

CHIROPRACTIC

R 338.2208
Source: 1997 AACS.

R 338.2209
Source: 1997 AACS.

R 338.2210
Source: 1997 AACS.

R 338.2211
Source: 1997 AACS.

R 338.2212
Source: 1997 AACS.

R 338.2213
Source: 1997 AACS.

R 338.2214
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R 338.2215
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R 338.2216
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R 338.2217
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R 338.2218
Source: 1997 AACS.

R 338.2219
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R 338.2220
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R 338.2221
Source: 1997 AACS.

R 338.2222
Source: 1997 AACS.

R 338.2223
Source: 1997 AACS.

R 338.2224
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R 338.2225
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R 338.2226
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R 338.2227
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R 338.2228
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R 338.2229
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R 338.2230
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R 338.2231
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R 338.2232
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R 338.2234
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R 338.2235
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R 338.2236
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R 338.2237
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R 338.2238
Source: 1997 AACS.

R 338.2239
Source: 1997 AACS.

R 338.2240
Source: 1997 AACS.

R 338.2241
Source: 1997 AACS.

R 338.2242
Source: 1997 AACS.

R 338.2243
Source: 1997 AACS.

R 338.2244
Source: 1997 AACS.

R 338.2245
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MEDICINE - GENERAL RULES

R 338.2301
Source: 2016 AACS**.**

R 338.2302
Source: 2016 AACS**.**

R 338.2303
Source: 2013 AACS.

R 338.2304
Source: 2016 AACS**.**

R 338.2305
Source: 2016 AACS**.**

R 338.2308
Source: 2016 AACS**.**

R 338.2309
Source: 1979 AC.

PART 2. LICENSES

R 338.2311
Source: 1997 AACS.

R 338.2312
Source: 1997 AACS.

R 338.2313
Source: 2016 AACS**.**

R 338.2314
Source: 2016 AACS**.**

R 338.2315

Source: 1997 AACS.

R 338.2316
Source: 2016 AACS**.**

R 338.2317
Source: 2016 AACS**.**

R 338.2318
Source: 2016 AACS**.**

R 338.2319
Source: 2016 AACS**.**

R 338.2320
Source: 1997 AACS.

R 338.2322
Source: 1997 AACS.

R 338.2323
Source: 1997 AACS.

R 338.2325
Source: 1997 AACS.

R 338.2326
Source: 2016 AACS**.**

R 338.2327
Source: 1997 AACS.

R 338.2327a
Source: 2016 AACS**.**

R 338.2328
Source: 1997 AACS.

R 338.2329
Source: 1997 AACS.

R 338.2329a
Source: 2016 AACS**.**

PART 3. ADMINISTRATIVE HEARINGS

R 338.2330
Source: 1997 AACS.

R 338.2331
Source: 1997 AACS.

R 338.2332
Source: 1997 AACS.

R 338.2333
Source: 1997 AACS.

R 338.2334
Source: 1997 AACS.

R 338.2335
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R 338.2336
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R 338.2340
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R 338.2341
Source: 1997 AACS.

R 338.2342
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R 338.2344
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R 338.2345
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R 338.2349
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R 338.2350
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R 338.2351
Source: 1997 AACS.

R 338.2352
Source: 1997 AACS.

R 338.2353
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R 338.2354
Source: 1997 AACS.

R 338.2355
Source: 1997 AACS.

R 338.2371
Source: 2016 AACS.

R 338.2372
Source: 2016 AACS.

R 338.2373
Source: 2016 AACS.

R 338.2374
Source: 2016 AACS.

R 338.2375
Source: 2016 AACS.

R 338.2376
Source: 2016 AACS.

R 338.2377
Source: 2016 AACS.

R 338.2378
Source: 2016 AACS.

R 338.2379
Source: 2016 AACS.

R 338.2380
Source: 2016 AACS.

R 338.2381
Source: 2016 AACS.

R 338.2382
Source: 2016 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MEDICINE - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.2401
Source: 2021 AACS.

R 338.2403
Source: 2021 AACS.

R 338.2405
Source: 2021 AACS.

R 338.2407
Source: 2021 AACS.

R 338.2409
Source: 2021 AACS.

R 338.2411
Source: 2021 AACS.

R 338.2413
Source: 2021 AACS.

PART 2. LICENSES

R 338.2421
Source: 2021 AACS.

R 338.2423
Source: 2021 AACS.

R 338.2425
Source: 2021 AACS.

R 338.2427
Source: 2021 AACS.

R 338.2429
Source: 2021 AACS.

R 338.2431
Source: 2021 AACS.

R 338.2433
Source: 2021 AACS.

R 338.2435
Source: 2021 AACS.

R 338.2437
Source: 2021 AACS.

PART 3. CONTINUING EDUCATION

R 338.2441
Source: 2021 AACS.

R 338.2443
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENETIC COUNSELING – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.2451
Source: 2021 AACS.

R 338.2455
Source: 2021 AACS.

R 338.2457
Source: 2021 AACS.

PART 2. LICENSURE

R 338.2461
Source: 2021 AACS.

R 338.2463
Source: 2021 AACS.

R 338.2465
Source: 2021 AACS.

PART 3. CONTINUING EDUCATION

R 338.2471
Source: 2021 AACS.

R 338.2473
Source: 2021 AACS.

PART 4. STANDARDS OF PRACTICE

R 338.2481
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PSYCHOLOGY - GENERAL RULES

R 338.2501
Source: 2015 AACS.

R 338.2502
Source: 2015 AACS.

R 338.2503
Source: 2007 AACS.

R 338.2504

Source: 2015 AACS.

R 338.2505
Source: 2015 AACS.

R 338.2505a
Source: 2015 AACS.

R 338.2506
Source: 2015 AACS.

R 338.2507
Source: 2015 AACS.

R 338.2507a
Source: 2015 AACS.

R 338.2508
Source: 2003 AACS.

R 338.2509
Source: 2003 AACS.

R 338.2510
Source: 2015 AACS.

R 338.2510a
Source: 2015 AACS.

R 338.2511
Source: 2015 AACS.

R 338.2511a
Source: 2015 AACS.

R 338.2512
Source: 1997 AACS.

R 338.2513
Source: 2015 AACS.

R 338.2514
Source: 2015 AACS.

R 338.2515
Source: 2015 AACS.

R 338.2516
Source: 2015 AACS.

PART 1. GENERAL PROVISIONS

R 338.2521
Source: 2019 AACS.

R 338.2523
Source: 2021 AACS.

R 338.2525
Source: 2021 AACS.

R 338.2526
Source: 2021 AACS.

R 338.2527
Source: 2019 AACS.

R 338.2529
Source: 2021 AACS.

PART 2. PSYCHOLOGISTS

R 338.2541
Source: 2021 AACS.

R 338.2543
Source: 2021 AACS.
R 338.2545
Source: 2021 AACS.

R 338.2547
Source: 2021 AACS.

R 338.2549
Source: 2021 AACS.

R 338.2551
Source: 2021 AACS.

R 338.2553
Source: 2021 AACS.

R 338.2555
Source: 2021 AACS.

PART 3. LIMITED LICENSED PSYCHOLOGISTS

R 338.2561
Source: 2021 AACS.

R 338.2563
Source: 2021 AACS.

R 338.2565
Source: 2021 AACS.

R 338.2567
Source: 2021 AACS.

R 338.2569
Source: 2021 AACS.

R 338.2571
Source: 2021 AACS.

R 338.2573

Source: 2021 AACS.

PART 4. CONTINUING EDUCATION

R 338.2581
Source: 2021 AACS.

R 338.2583
Source: 2021 AACS.

R 338.2585
Source: 2021 AACS.

REAL ESTATE SCHOOLS

R 338.2601
Source: 1997 AACS.

R 338.2602
Source: 1997 AACS.

R 338.2603
Source: 1997 AACS.

R 338.2604
Source: 1997 AACS.

R 338.2605
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Source: 1997 AACS.

DEPARTMENT LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SOCIAL WORK - GENERAL RULES

R 338.2901
Source: 2016 AACS**.**

R 338.2902
Source: 1997 AACS.

R 338.2903
Source: 1997 AACS.

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Source: 2005 AACS.

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R 338.2915
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SOCIAL WORK - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.2921 Definitions.
Rule 21. (1) As used in these rules:
(a) "Board" means the Michigan board of social work.
(b) “Code” means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
(c) "Continuing education contact hour" means a 60-minute clock hour of instruction for the first hour, with no less than 50 minutes of uninterrupted instruction for every hour following the first hour.
(d) “Department” means the department of licensing and regulatory affairs.
(e) “Supervisory review” means that the limited social service technician registrant, limited bachelor’s social work licensee, or limited master’s social work licensee is meeting with his or her Michigan-licensed bachelor’s or Michigan-licensed master’s social worker supervisor, as applicable, individually or in a group modality, during which active work functions and the work records of the supervisee are reviewed.
(2) Terms defined in the code have the same meanings when used in these rules.
History: 2016 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2923 Educational standards; adoption by reference.
Rule 23. (1) The board adopts by reference the standards of the Council on Social Work Education (CSWE) for the accreditation of social work education programs in the publication entitled, “Educational Policy and Accreditation Standards,” (2015), which is available at no cost from the CSWE’s website at www.cswe.org. A copy of the standards and procedures also is available for inspection and distribution at a cost of 10 cents per page from the Board of Social Work, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, Ottawa Building, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.
(2) A social work education program accredited by CSWE or recognized by the CSWE through a memorandum of understanding as equivalent to a social work education program accredited by CSWE is approved by the board. A social work education program that is not accredited by CSWE may be approved by the board if the board determines that it is substantially equivalent to a program accredited by the CSWE.
(3) The board adopts by reference the policies and procedures for recognizing accrediting organizations of the Council for Higher Education Accreditation (CHEA), effective September 24, 2018, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in CFR part 602. Copies of the policies and procedures of the CHEA and the procedures and criteria of the United States Department of Education are available for inspection and distribution at a cost of 10 cents per page from the Board of Social Work, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, Ottawa Building, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909. The CHEA recognition standards also may be obtained from the CHEA’s website at www.chea.org at no cost. The federal recognition criteria may be obtained from the United States Department of Education, Office of Postsecondary Education, LBJ Building, 400 Maryland Avenue SW, Washington, DC 20202 or from its website at https://www2.ed.gov/admins/finaid/accred/accreditation_pg11.html#Part602-Secretary'sRecognition at no cost.
History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2925
Source: 2021 AACS.

R 338.2929 Training standards for identifying victims of human trafficking; requirements.
Rule 29. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure or registration or who is

licensed or registered shall have completed training in identifying victims of human trafficking that meets 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 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 registration, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets 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 may 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 pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

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

History: 2016 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2930

Source: 2021 AACS.

PART 2. SOCIAL SERVICE TECHNICIAN REQUIREMENTS

R 338.2931 Limited social service technician registration requirements; limitation on renewal.

Rule 31. (1) An applicant for a limited social service technician registration shall submit a completed application on a form provided by the department, together with the required fee. In addition to meeting the requirements of the code and the administrative rules promulgated under the code, an applicant for the limited social service technician registration shall meet both of the following requirements:

(a) Successful completion of 60 semester or 90 quarter credit hours from an accredited college meeting the standards of R 338.2923.

(b) Employment in human services or social services or the submission of documentation that the applicant has been made an offer of employment in the practice of social service work at an agency recognized by the board pursuant to subrule (2) of this rule.

(2) Agencies recognized by the board include those that employ social workers engaged in the practice of social work as that term is defined in section 18501(1)(f) or (g) of the code, MCL 333.18501.

(3) The limited social service technician registration is granted for 1 year and may be renewed only once, as specified in section 18507(2) of the code, MCL 333.18507.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2933 Social service technician registration requirements.

Rule 33. (1) An applicant for social service technician registration shall submit a completed application on a form provided by

the department, together with the required fee. In addition to meeting the requirements of the code and the administrative rules promulgated under the code, the applicant shall meet 1 of the following requirements:
(a) Successful completion of 2,000 hours of social work experience in compliance with the requirements of subrules (2), (3), and (4) of this rule and accumulated while holding a Michigan limited social service technician registration.
(b) Successful completion of a minimum of 60 semester or 90 quarter credit hours from an accredited college meeting the standards of R 338.2923, including a minimum of 20 semester or 30 quarter credit hours of relevant human services coursework and current employment in the practice of social work. As used in this subdivision, "relevant human services coursework" includes, but is not limited to, coursework in social work, ethical and legal issues, sociology, psychology, counseling, human development, human behavior, health care, philosophy, criminal justice, early childhood development, cultural diversity, and social policy and administration.
(c) Successful completion of an associate degree in social work from an accredited college meeting the standards of R 338.2923 that included supervised instructional field experience.
(2) Social work experience for an applicant for registration as a social service technician under section 18507(1)(a) of the code, MCL 333.18507, means the delivery of social work services through any of the following:
(a) Interviewing clients to obtain information about a client's situation, providing information about available services, and providing specific assistance to help people utilize community resources.
(b) Conducting case-finding activities in the community and encouraging and providing linkages to available services.
(c) Monitoring a client's compliance with a program's expectations.
(d) Providing life skills training.
(3) The social work experience must be completed under the supervision of a Michigan-licensed bachelor's or Michigan-licensed master's social worker whose license is in good standing throughout the period of supervision.
(4) The social work experience must comply with all of the following:
(a) An applicant shall meet with his or her supervisor using any of the following methods:
(i) Individually and in person.
(ii) Individually using a telecommunications method that provides for live and simultaneous contact.
(iii) In a group modality, during which active work functions and records of the applicant are reviewed.
(b) Supervisory review must be conducted for at least 4 hours per month with at least 2 hours being conducted between the applicant and the supervisor on an individual basis either in person or using a telecommunication method that provides for live and simultaneous contact.
(c) An applicant may not accumulate more than 2,000 hours of supervised work experience during any 12-month period.
(d) The supervisor shall verify the supervised work experience in writing. If the supervisor is not available, agency staff who are knowledgeable about the individual's work or another person who is knowledgeable about the individual's work, may provide the verification in writing.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2935 Registration by endorsement.
Rule 35. (1) An applicant for registration by endorsement shall meet the requirements of the code and the administrative rules promulgated under the code, and submit a completed application on a form provided by the department, together with the required fee.
(2) If an applicant holds a valid registration in good standing from another state and has been actively engaged in the practice of a social work technician for a minimum of 10 years before the date of application for Michigan registration, it is presumed that the applicant meets the requirements of section 16186 of the code, MCL 333.16186.
(3) If an applicant holds a valid registration in good standing from another state and has been actively engaged in the practice of a social work technician for less than 10 years before the date of application for Michigan registration, then the applicant shall comply with the requirements for registration pursuant to R 338.2933.
(4) An applicant for registration by endorsement shall comply with both of the following:-
(a) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
(b) 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 at the time of application.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2937 Reregistration of social service technician.
Rule 37. (1) An applicant whose registration has lapsed for less than 3 years may be reregistered, as provided under section 16201(3) of the code, MCL 333.16201, by meeting the requirements of the code and the administrative rules promulgated

under the code and submitting a completed application on a form provided by the department, together with the required fee.
(2) An applicant whose registration has lapsed for more than 3 years may be reregistered, as provided under section 16201(4) of the code, MCL 333.16201, by meeting the requirements of the code and the administrative rules promulgated under the code, submitting a completed application on a form provided by the department, together with the required fee, and submitting documentation that the applicant has been made an offer of employment in the practice of social service work at an agency recognized by the board.
(3) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:
(a) Disclose each license, registration, or certification on the application form.
(b) 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 at the time of application.
(4) If reregistration is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2016 AACS; 2022 MR 8, Eff. April 25, 2022.

PART 3. BACHELOR'S SOCIAL WORKER REQUIREMENTS

R 338.2939 Limited bachelor's social worker license requirements; limitations on licensee's accumulation of supervised work experience; limitations on renewal of limited license.

Rule 39. (1) An applicant for a limited bachelor's social worker license to accumulate the supervised work experience hours required pursuant to R 338.2941, in addition to meeting the requirements of the code and the administrative rules promulgated under the code, shall comply with both of the following:
(a) Submit a completed application on a form provided by the department, together with the required fee.
(b) Have completed a baccalaureate degree program from a program of social work that complies with the standards in R 338.2923.
(2) A limited bachelor's social worker licensee shall accumulate supervised work experience in compliance with the requirements in R 338.2941.
(3) A limited bachelor's social worker licensee shall accumulate supervised work experience in an agency, health facility, institution, or other entity approved by the board pursuant to section 18506 of the code, MCL 333.18506. The board approves an agency, health facility, institution, or other entity where a master's social worker engages in the practice of social work at the master's level as that term is defined in section 18501(1)(g) of the code, MCL 333.18501.
(4) A limited bachelor's social worker license issued for the purpose of accumulating supervised work experience hours for licensure pursuant to R 338.2941 is valid for 1 year. This license may be renewed no more than 6 times. Relicensure of this limited license is counted the same as renewal for purposes of this subrule.
(5) A limited bachelor's social worker license issued for the purpose of accumulating supervised work experience for relicensure pursuant to R 338.2945 is valid for 1 year. This license may be renewed no more than 6 times. Relicensure of this limited license is counted the same as renewal for purposes of this subrule.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2941 Bachelor's social worker license by examination; educational requirements; supervised work experience requirements.

Rule 41. (1) An applicant for a bachelor's social worker license by examination shall submit a completed application on a form provided by the department, together with the required fee. In addition to meeting the requirements of the code and the administrative rules promulgated under the code, an applicant for a bachelor's social worker license by examination shall meet all of the following requirements:
(a) Have completed a baccalaureate degree program from a program of social work that complies with the standards in R 338.2923.
(b) Have completed at least 4,000 hours of post-degree supervised work experience accrued over not less than 2 years, as required in section 18509(1)(a) of the code, MCL 333.18509, and described in subrules (2), (3), and (4) of this rule.
(c) Have passed the bachelor's examination approved pursuant to R 338.2925.
(2) Supervised work experience includes, but is not limited to, any of the following:
(a) Assessment, planning, and intervention with individuals, couples, families, or groups to enhance or restore the capacity for social functioning.
(b) Case management of health and human services.

(c) Providing information about and referring individuals to resources.
(d) Planning and collaborating with communities, organizations, or groups to improve their social or health services.
(e) Working with clients in accessing, coordinating, or developing resources to develop solutions for interpersonal or community problems.
(3) Supervised work experience may be earned only while holding a Michigan limited bachelor's of social work license issued pursuant to R 338.2939. The supervised work experience for a bachelor's social worker license must meet all of the following requirements:
(a) The experience must be earned after completion of all the requirements for graduation as verified by the program.
(b) The experience must be completed under the supervision of a Michigan-licensed master's social worker whose license is in good standing throughout the period of supervision.
(4) The supervised work experience must comply with all of the following:
(a) The applicant shall meet with his or her supervisor using any of the following methods:
(i) Individually and in person.
(ii) Individually using a telecommunications method that provides for live and simultaneous contact.
(iii) In a group modality that provides for 50% of the supervision to include individual contact during which active work functions and records of the applicant are reviewed.
(b) Supervisory review must be conducted for at least 4 hours per month with at least 2 hours being conducted between the applicant and the supervisor using either of the following methods:
(i) Individually and in person.
(ii) Individually using a telecommunications method that provides for live and simultaneous contact.
(c) An applicant may not accumulate more than 2,080 hours of supervised work experience during any 12-month period.
(d) An applicant shall accumulate an average of at least 16 hours, but not more than 40 hours, of supervised work experience per week. An applicant who has completed at least 4,000 hours of post-degree supervised work experience but does not satisfy the requirements of this subrule may seek a waiver of the requirements of this subrule from the board.
(e) The applicant shall function as a licensed bachelor's social worker using generally accepted applications of social work knowledge and techniques acquired during the applicant's education and training.
(f) The experience may be earned either in an employment or volunteer capacity.
History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2943 Bachelor's social worker licensure by endorsement.
Rule 43. (1) An applicant for licensure by endorsement shall meet the requirements of the code and the administrative rules promulgated under the code, and submit a completed application on a form provided by the department, together with the required fee.
(2) If an applicant holds an active license or registration in good standing from another state or active license in good standing from a province of Canada and has been actively engaged in the practice of a bachelor's social worker for a minimum of 10 years before the date of application for Michigan licensure, it is presumed that the applicant meets the requirements of section 16186 of the code, MCL 333.16186.
(3) If an applicant holds an active license or registration in good standing from another state or active license in good standing from a province of Canada, but does not satisfy the requirements for licensure by endorsement in subrule (2) of this rule, the applicant shall comply with both of the following:
(a) Pass the bachelor's examination approved pursuant to R 338.2925.
(b) Submit documentation verifying that the applicant has completed a minimum of 4,000 hours of supervised work experience, work experience, or both, at the bachelor's level.
(4) An applicant for licensure by endorsement shall comply with both of the following:
(a) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
(b) 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 at the time of application.
History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2945 Relicensure of bachelor's social worker.
Rule 45. (1) An applicant whose license has lapsed may be relicensed under section 16201(3) or (4), as applicable, MCL 333.16201, if the applicant meets the requirements of the code and the administrative rules promulgated under the code and satisfies the following requirements as indicated by a (√) in the table below:

(a) For a bachelor's social worker who has let his or her	Lapsed	Lapsed more	Lapsed

Michigan license lapse and is not currently licensed or registered in another state or province of Canada.		0-3 years	than 3 years, but less than 7 years	7 years or more
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√
(ii)	Establish that the applicant is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv)	Submit proof of having completed 45 hours of continuing education in courses and programs approved by the board, including at least 5 hours in social work ethics, 2 hours in pain and symptom management, and 2 hours in human trafficking as provided under R 338.2961, which was earned within the 3-year period immediately preceding the application for relicensure.	√	√	√
(v)	Complete 480 hours of supervised work experience under the supervision of a Michigan-licensed master's social worker described in subrules (2) and (3) of this rule.		√	
(vi)	Complete 1,000 hours of supervised work experience under the supervision of a Michigan-licensed master's social worker described in subrules (2) and (3) of this rule.			√
(vii)	Pass the examination approved pursuant to R 338.2925 within 1 year of submitting the application for relicensure.			√
(viii)	An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.	√	√	√
(b) For a bachelor's social worker who has let his or her Michigan license lapse and is currently licensed or registered in another state or province of Canada.		Lapsed 0-3 years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 years or more
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√

(ii)	Establish that the applicant is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv)	Submit proof of having completed 45 hours of continuing education in courses and programs approved by the board, including at least 5 hours in social work ethics, 2 hours in pain and symptom management, and 2 hours in human trafficking as provided under R 338.2961, which was earned within the 3-year period immediately preceding the application for relicensure.	√	√	√
(v)	An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.	√	√	√

(2) Supervised work experience must be earned under a Michigan limited license pursuant to R 338.2939.
(3) A licensee with a limited license for supervised work experience for relicensure shall comply with the supervisory requirements in R 338.2941(2) to (4).
(4) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

PART 4. MASTER'S SOCIAL WORKER REQUIREMENTS

R 338.2947 Limited master's social worker license requirements; limitations on accumulation of supervised work experience; limitation on renewal of limited license.

Rule 47. (1) An applicant for a limited master's social worker license to accumulate the supervised work experience required for full licensure, in addition to meeting the requirements of the code and the administrative rules promulgated under the code, shall comply with both of the following:
(a) Submit a completed application on a form provided by the department, together with the required fee.
(b) Have completed a master's or doctoral degree program from a program of social work that complies with the standards in R 338.2923.
(2) A limited master's social worker licensee shall accumulate supervised work experience in compliance with the requirements in R 338.2949.
(3) A limited master's social worker licensee shall accumulate supervised work experience in an agency, health facility, institution, or other entity approved by the board pursuant to section 18506 of the code, MCL 333.18506. The board approves an agency, health facility, institution, or other entity where a master's social worker engages in the practice of social work at

the master's level as that term is defined in section 18501(1)(g) of the code, MCL 333.18501.
(4) A limited master's social worker license issued for the purpose of accumulating supervised work experience hours for licensure pursuant to R 338.2949 is valid for 1 year. This license may be renewed no more than 6 times. Relicensure of this limited license is counted the same as renewal for purposes of this subrule.
(5) A limited master's social worker license issued for the purpose of accumulating supervised work experience for relicensure pursuant to R 338.2955 is valid for 1 year. This license may be renewed no more than 6 times. Relicensure of this limited license is counted the same as renewal for purposes of this subrule.
History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2949 Master's social worker license; educational requirements; supervised work experience requirements; generally; second specialty designation.
Rule 49. (1) In addition to meeting the requirements of the code and the administrative rules promulgated under the code, an applicant for a master's social worker license shall submit a completed application on a form provided by the department, together with the required fee, and meet all of the following requirement:
(a) Have completed a master's or doctoral degree program from a program of social work that complies with the standards in R 338.2923.
(b) Have completed at least 4,000 hours of post-degree supervised work experience accrued over not less than 2 years, as required in section 18509(1)(a) of the code, MCL 333.18509, and described in subrules (2), (3), and (4) of this rule and R 338.2951 or R 338.2953, as applicable.
(c) Have passed the advanced generalist or clinical examination, as required in R 338.2951 or R 338.2953, or both, as applicable.
(2) An applicant for a master's social worker license shall complete supervised work experience as required by R 338.2951, R 338.2953, or both, as applicable, under the direction of a Michigan-licensed master's social worker who holds a macro designation, clinical practice designation, or both, as applicable, and whose license is in good standing throughout the period of supervision.
(3) Supervised work experience must comply with all of the following:
(a) Supervised work experience may only be earned while holding a Michigan limited master's of social work license issued pursuant to R 338.2947.
(b) The applicant shall meet with his or her supervisor using any of the following methods:
(i) Individually and in person.
(ii) Individually using a telecommunications method that provides for live and simultaneous contact.
(iii) In a group modality that provides for 50% of the supervision to include individual contact during which active work functions and records of the applicant are reviewed.
(c) Supervisory review must be conducted for at least 4 hours per month with at least 2 hours being conducted between the applicant and the supervisor using either of the following methods:
(i) Individually and in person.
(ii) Individually using a telecommunications method that provides for live and simultaneous contact.
(d) The applicant may not accumulate more than 2,080 hours of supervised work experience during any 12-month period.
(e) The applicant shall accumulate an average of at least 16 hours, but not more than 40 hours, of supervised work experience per week. An applicant who has completed at least 4,000 hours of post-degree supervised work experience but does not satisfy the requirements of this subrule may seek a waiver of the requirements of this subrule from the board.
(f) The applicant shall function as a master's social worker using generally accepted applications of social work knowledge and techniques acquired during the applicant's education and training.
(4) In addition to satisfying the requirements of this rule, an applicant for licensure with a macro or clinical practice designation shall satisfy all the requirements of R 338.2951 or R 338.2953, as applicable. An applicant or a licensee may add a second master's level social work specialty designation by completing both of the following requirements:
(a) Complete an additional 2,000 hours of post-degree social work experience, accrued over not less than 1 year, in the second specialty designated area with at least 50 hours of supervisory review.
(b) Pass the appropriate examination for the second designation approved pursuant to R 338.2925.
History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2951 Master's social worker license; macro designation.
Rule 51. An applicant for the license with a macro designation, in addition to meeting the requirements of R 338.2949, shall meet both of the following requirements:
(a) Have passed the advanced generalist examination approved pursuant to R 338.2925.
(b) Have completed at least 4,000 hours of post-degree social work experience accrued over not less than 2 years, as required

in section 18509(1)(b) of the code, MCL 333.18509, as follows:
(i) The experience must be earned after completion of all the requirements for graduation as verified by the program.
(ii) The experience must be completed in compliance with the requirements of R 338.2949 under the supervision of a Michigan-licensed master's social worker holding a macro designation.
(iii) The experience for the macro designation must be completed in either or both of the following areas:
(A) Administration, management, and supervision of human service organizations, including the translating of laws and administrative rulings into organizational policy and procedures; collaboration, coordination, mediation, and consultation between and among organizations, disciplines and communities; community organizing and development; research and evaluation; the seeking of social justice through the legislative process or the social action and advocacy processes; the improvement of social conditions through social planning and policy formulations; and, social work education and training.
(B) The advanced application of macro social work processes and systems to improve the social or health services of communities, groups, or organizations through planned interventions.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2953 Master's social worker license; clinical designation.
Rule 53. An applicant for licensure with a clinical practice designation, in addition to meeting the requirements of R 338.2949, shall meet both of the following requirements:
(a) Have passed the clinical examination approved pursuant to R 338.2925.
(b) Have completed at least 4,000 hours of post-degree social work experience accrued over not less than 2 years, in accordance with section 18509(1)(b) of the code, MCL 333.18509, as follows:
(i) The experience must be earned after completion of all the requirements for graduation as verified by the program.
(ii) The experience must be completed in compliance with the requirements of R 338.2949 under the supervision of a Michigan-licensed master's social worker holding a clinical designation.
(iii) The experience for the clinical practice designation must include 1 or more of the following activities: assessment, treatment, and intervention methods that utilize a specialized and formal interaction between a social worker and an individual, a couple, a family, or a group in which a professional relationship is established; advocating for care; protecting the vulnerable; providing forensic practice functions; increasing social well-being; providing education, and resources; providing psychotherapy; providing case management for complex and high-risk cases; serving on community committees; and, providing clinical supervision or direction of clinical programs.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2955 Relicensure of master's social worker.
Rule 55. (1) An applicant whose license has lapsed may be relicensed under section 16201(3) or (4) of the code, as applicable, MCL 333.16201, if the applicant meets the requirements of the code and the administrative rules promulgated under the code and satisfies the following requirements as indicated by a (√) in the table below:

(a) For a licensed master's social worker who has let his or her Michigan license lapse and is not currently licensed or registered in another state or province of Canada.		Lapsed 0-3 years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 years or more
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√
(ii)	Establish that the applicant is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv)	Submit proof of having completed 45 hours of continuing education in courses and programs approved by the board, including at least 5 hours in social work ethics, 2 hours in pain and symptom management, and 2 hours in human trafficking as provided under R 338.2961, which was earned within the 3-year period immediately preceding the application for relicensure.	√	√	√

(v)	Complete 480 hours of supervised work experience under the supervision of a Michigan-licensed master's social worker described in subrules (2) and (3) of this rule and R 338.2951 or R 338.2953, as applicable.		√	
(vi)	Complete 1,000 hours of supervised work experience under the supervision of a Michigan-licensed master's social worker of the same designation as described in subrules (2) and (3) of this rule and R 338.2951 or R 338.2953, as applicable.			√
(vii)	Pass the applicable examination approved pursuant to R 338.2925 within 1 year of submitting the application for relicensure.			√
(viii)	An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.	√	√	√
(b) For a master's social worker who has let his or her Michigan license lapse and is currently licensed or registered in another state or province of Canada.		Lapsed 0-3 years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 years or more
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√
(ii)	Establish that the applicant is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv)	Submit proof of having completed 45 hours of continuing education in courses and programs approved by the board, including at least 5 hours in social work ethics, 2 hours in pain and symptom management, and 2 hours in human trafficking as provided under R 338.2961, which was earned within the 3-year period immediately preceding the application for relicensure.	√	√	√
(v)	An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal	√	√	√

	government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.			

(2) Supervised work experience must be earned under a Michigan limited license pursuant to R 338.2947.
(3) A licensee with a limited license for supervised work experience for relicensure shall comply with the supervisory requirements in R 338.2949(2) to (4).
(4) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338.2957 Master's social work licensure by endorsement.

Rule 57. (1) An applicant for licensure by endorsement shall meet the requirements of the code and the administrative rules promulgated under the code, and submit a completed application on a form provided by the department, together with the required fee.
(2) If an applicant holds an active master's of social work license or registration in good standing from another state or license in good standing from a province of Canada and has been engaged in the practice of social work at the master's level for a minimum of 10 years before the date of application for Michigan licensure, it is presumed that the applicant meets the requirements for licensure under section 16186 of the code, MCL 333.16186. The applicant shall apply for either the macro designation or the clinical designation and provide an attestation that he or she had engaged in the practice of social work at the master's level as defined under section 18501(1)(g)(ii) or (iii), MCL 333.18501, as applicable. An applicant may apply for a second designation by satisfying the requirements in R 338.2949(4) or by submitting proof that he or she currently holds both designations in the state or province of Canada where he or she is currently licensed.
(3) If an applicant holds an active license or registration in good standing from another state or license in good standing from a province of Canada, but does not satisfy the requirements for licensure by endorsement in subrule (2) of this rule, then the applicant shall comply with both of the following:
(a) Pass the advanced generalist or clinical examination, as applicable, of the examination approved pursuant to R 338.2925.
(b) Submit documentation verifying that the applicant has completed a minimum of 4,000 hours of supervised work experience, work experience, or both, at the master's macro or clinical level, as applicable.
(4) An applicant for licensure by endorsement shall comply with both of the following:
(a) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
(b) 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 at the time of application.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

PART 5. CONTINUING EDUCATION

R 338.2961 Bachelor's and master's of social work license renewals; continuing education requirements.

Rule 61. (1) An applicant for license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall satisfy the requirements of R 338.7001 to R 338.7005, and accumulate not less than 45 continuing education contact hours that are approved by the board under R 338.2963 during the 3 years immediately preceding application for renewal.
(2) At least 5 of the 45 continuing education contact hours in each renewal period must be in ethics.
(3) At least 2 of the 45 continuing education contact hours in each renewal period must be in pain and symptom management. Continuing education contact hours in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, behavior modification, and stress management.

(4) At least 2 of the 45 continuing education contact hours in each renewal period must be in human trafficking.
(5) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of these rules. A licensed master's or licensed bachelor's social worker shall retain documentation of meeting the requirements of this rule for a period of 5 years from the date of applying for license renewal. The board may require an applicant or licensee to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.
(6) The department shall receive a request for a waiver under section 16205 of the code, MCL 333.16205, before the expiration date of the license.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

R 338. 2963 Acceptable continuing education; limitations.

Rule 63. (1) One half of the required continuing education contact hours must be completed in person or using a format that permits live, synchronous contact. The remaining continuing education contact hours may be completed in any other approved format.
(2) The continuing education credit hours earned during 1 renewal cycle may not be carried forward to the next renewal cycle.
(3) A licensee may not earn continuing education credit for completing the same course twice within the same renewal cycle.
(4) The board approves all of the following as acceptable continuing education:

ACCEPTABLE CONTINUING EDUCATION		
(a)	Attendance at a continuing education program related to the practice of social work approved or offered by any of the following: The ASWB. The National Association of Social Workers (NASW). A state chapter of the NASW. If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date or dates on which the program was held or activity completed.	Contact hours may be earned without limitation under this subrule.
(b)	Attendance of an academic course or a continuing education program related to the practice of social work offered by an educational program approved by the board under R 338.2923. If audited, the licensee shall submit an official transcript documenting successful completion of the course, or the licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, name of the educational program offering the academic course or continuing education program, and the date or dates on which the academic course was attended or the continuing education program was held or completed.	Fifteen continuing education contact hours may be earned for each semester credit earned. Ten continuing education contact hours may be earned for each quarter credit earned. One hour of continuing education contact hours may be earned for each hour of attendance of a continuing education program. Credit may be earned without limitation.
(c)	Attendance at a continuing education program that has been granted approval by another state board of social work.	Continuing education contact hours may be earned without limitation.

	If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date or dates on which the program was held or activity completed.	
(d)	Presentation of a board-approved continuing education program that is not part of the licensee's regular job description. If audited, a licensee shall submit a letter from the program sponsor confirming the licensee as the presenter and the presentation date and time, or a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter, and the name of the organization that approved or offered the presentation for continuing education credit.	Three continuing education contact hours may be earned for each 60 minutes of presentation. Credit may be earned for the same program only once in each renewal period. A maximum of 15 continuing education contact hours may be earned per licensure cycle.
(e)	Publication in a peer reviewed journal or textbook of an article or chapter related to the practice of social work. If audited, a licensee shall submit a copy of the publication that identifies the licensee as an author of the chapter or a publication acceptance letter.	Ten continuing education contact hours may be earned for publication in a journal or textbook, with a maximum of 10 contact hours per licensure cycle.

History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 8, Eff. April 25, 2022.

BOARD OF PHARMACY - RADIOPHARMACEUTICALS

R 338.3001
Source: 2015 AACS.

R 338.3002
Source: 2015 AACS.

R 338.3003
Source: 2015 AACS.

R 338.3004
Source: 2015 AACS.

R 338.3005
Source: 2015 AACS.

R 338.3006
Source: 2015 AACS.

R 338.3007
Source: 2015 AACS.

PHARMACY - PUBLIC PARTICIPATION AT OPEN BOARD MEETINGS

R 338.3031

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY – PHARMACIST CONTINUING EDUCATION

R 338.3041
Source: 2020 AACS.

R 338.3042
Source: 1997 AACS.

R 338.3043
Source: 2020 AACS.

R 338.3044
Source: 2020 AACS.

R 338.3045
Source: 2020 AACS.

CENTRALIZED PRESCRIPTION PROCESSING PHARMACIES

PART 1. GENERAL PROVISIONS

R 338.3051
Source: 2008 AACS.

R 338.3052
Source: 2008 AACS.

R 338.3053
Source: 2008 AACS.

R 338.3054
Source: 2008 AACS.

PART 2. CONTROLLED SUBSTANCES PRESCRIPTIONS

R 338.3055
Source: 2008 AACS.

R 338.3056
Source: 2008 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BOARD OF PHARMACY

PHARMACY – CONTROLLED SUBSTANCES

PART 1. GENERAL PROVISIONS

R 338.3101 Definitions; A to H.

Rule 1. As used in these rules:

(a) “Automated device” means a mechanical system that performs an operation or activity, other than compounding or administration, relating to the storage, packaging, dispensing, or delivery of a drug and that collects, controls, and maintains transaction information.

(b) “Board” means the board of pharmacy.

(c) “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 (LARA).

(e) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by an individual with the intent to sign the record. An electronic signature also is a unique identifier protected by appropriate security measures ~~such~~ that ~~it~~ is only available for use by the intended individual and ensures nonrepudiation so that the signature may not be rejected based on its validity.

History: 1979 AC; 1992 AACS; 2002 AACS; 2004 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3102 Definitions; I to P.

Rule 2. As used in these rules:

(a) "Inventory" means all stocks in finished form of a controlled substance that are manufactured or otherwise acquired by a licensee, whether in bulk or commercial containers or contained in pharmaceutical preparations in the possession of the licensee.

(b) "Licensee" means a person who is licensed pursuant to section 7303 of the code, MCL 333.7303.

(c) "Michigan automated prescription system (MAPS) claim form" means a form, to be determined by the department, that is in the format and includes the information as specified by the American Society for Automation in Pharmacy (ASAP) 4.1 Standard for Prescription Drug Monitoring Programs and contains the information specified in R 338.3162b.

(d) "National drug code number (NDC)" means a number that identifies the labeler, vendor, product, and package size and is assigned to each drug product listed under section 510 Registration of Producers of Drugs and Devices, of the Federal Food, Drug, and Cosmetic Act (FDCA) of 2017, 21 USC 360.

(e) "Officer" means a federal, state, county, or local law enforcement officer who enforces the laws of this state.

(f) "Patient identifier" means all of the following information about a patient:

(i) Full name.

(ii) Address, including zip code.

(iii) Date of birth.

(iv) Any 1 of the following identification numbers:

(A) A state-issued driver's license number obtained from a state-issued driver’s license.

(B) A state-issued identification number obtained from a state-issued photo identification card.

(C) A federal passport number obtained from a federal passport.

(D) The number zero. Zeroes must be entered as the identification number, if the positive identification presented for the patient or client does not include a license number, identification number, or passport number as listed in subparagraphs (A) to (C) of this paragraph, the patient is under the age of 16, or the animal’s owner cannot be identified.

(g) "Positive identification" means identification that includes a photograph of an individual in addition to his or her date of birth. Positive identification includes an identification card issued by a governmental agency, if the identification card meets the requirements of this rule.

(h) "Medical institution" means the term as defined in R 338.486.

(i) "Pharmacy services" means the direct and indirect patient care services associated with the practice of pharmacy, as defined in section 17707 of the code, MCL 333.17707.

History: 1979 AC; 1980 AACS; 1992 AACS; 2002 AACS; 2003 AACS; 2004 AACS; 2007 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3104 Definitions; R, S.

Rule 4. As used in these rules:

(a) "Readily retrievable" means a record which is kept so that it can be separated from all other records within 48 hours and in which a listed controlled substance is marked with an asterisk, redlined, or in some other manner visually identifiable apart from the other substances listed in the record.

(b) "Substance" means a controlled substance unless the context indicates otherwise.

History: 1979 AC; 1992 AACS; 2003 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3108 Terms defined in code.
Rule 8. Unless otherwise defined in these rules, the terms defined in the code have the same meaning when used in these rules.
History: 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3109 Rescinded.
History: 1979 AC; 2022 MR 1, Eff. Jan. 6, 2022.

PART 2. SCHEDULES

R 338.3111 Schedules; federal controlled substance schedules adopt by reference; exceptions.
Rule 11. (1) The board approves and adopts by reference the complete list of drugs and other substances that are considered controlled substances under the Controlled Substance Act (CSA) of 1970, 21 USC 801, that have been divided into 5 schedules as published in 21 CFR 1308.11 to 1308.15, except for those drugs or other substances specifically excepted by this state's laws enacted after the effective date of these rules or as listed in subrule (3) of this rule.
(2) The standards adopted by reference in subrule (1) of this rule are available at no cost at https://www.deadiversion.usdoj.gov/21cfr/cfr/2108cfrt.htm, or at 10 cents per page from the Board of Pharmacy, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, Ottawa Building, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.
(3) The following drugs and other substances are scheduled as follows:
(a) Marijuana including pharmaceutical-grade cannabis, as those terms are defined in parts 71 and 81 of the code, MCL 333.7101 to 333.7125 and MCL 333.8101 to 333.8119, is a schedule 2 controlled substance if it is manufactured, obtained, stored, dispensed, possessed, grown, or disposed of in compliance with the code and as allowed by federal authority but only for the purpose of treating a debilitating medical condition as that term is defined in section 3(b) of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26423, and as allowed under the code.
(b) Tianeptine sodium by whatever official, common, usual, chemical, or brand name designated is a schedule 2 controlled substance.
(c) Gabapentin by whatever official, common, usual, chemical, or brand name designated is a schedule 5 controlled substance.
(d) Loperamide is not a scheduled controlled substance in this state.
(e) Pentazocine is a schedule 4 controlled substance.
(f) Brorphine is a schedule 1 controlled substance.
(g) Except in subdivision (h) of this subrule, ephedrine, a salt of ephedrine, an optical isomer of ephedrine, a salt of an optical isomer of ephedrine, or a compound, mixture, or preparation containing ephedrine, a salt of ephedrine, an optical isomer of ephedrine, or a salt of an optical isomer of ephedrine is included in schedule 5.
(h) A product containing ephedrine, a salt of ephedrine, an optical isomer of ephedrine, or a salt of an optical isomer of ephedrine is not included in schedule 5 if the drug product meets all of the following criteria:
(i) May lawfully be sold over the counter without a prescription under federal law.
(ii) Is labeled and marketed in a manner consistent with the pertinent over-the- counter tentative final or final monograph.
(iii) Is manufactured and distributed for legitimate medical use in a manner that reduces or eliminates the likelihood for abuse.
(iv) Is not marketed, advertised, or labeled for an indication of stimulation, mental alertness, energy, weight loss, appetite control, or muscle enhancement.
(v) The drug product is 1 of the following:
(A) A solid dosage form, including, but not limited to, a soft gelatin caplet that combines as active ingredients not less than 400 milligrams of guaifenesin and not more than 25 milligrams of ephedrine per dose and is packaged in blister packs with not more than 2 tablets or caplets per blister.
(B) An anorectal preparation containing not more than 5% ephedrine.
(C) A food product or a dietary supplement containing ephedrine, if the food product or dietary supplement meets all of the following criteria:
(I) Contains, per dosage unit or serving, not more than the lesser of 25 milligrams of ephedrine alkaloids or the maximum amount of ephedrine alkaloids in applicable regulations adopted by the Federal Food and Drug Administration (FDA) and contains no other controlled substance.
(II) Does not contain hydrochloride or sulfate salts of ephedrine alkaloids.
(III) Is packaged with a prominent label securely affixed to each package that includes all of the following:
(1) The amount in milligrams of ephedrine in a serving or dosage unit.
(2) The amount of the food product or dietary supplement that constitutes a serving or dosage unit.
(3) That the maximum recommended dosage of ephedrine for a healthy adult human is the lesser of 100 milligrams in a 24-

hour period or the maximum recommended dosage or period of use in applicable regulations adopted by the FDA.
(4) That improper use of the product may be hazardous to an individual's health.
History: 1979 AC; 1982 AACS; 1985 AACS; 1986 AACS; 1988 AACS; 1995 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3112 Rescinded.
History: 1979 AC; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3113 Rescinded.
History: 1979 AC; 1986 AACS; 1988 AACS; 1994 AACS; 2002 AACS; 2013 AACS; 2016 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3113a Rescinded.
History: 1988 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3114 Rescinded.
History: 1979 AC; 1986 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3114a Rescinded.
History: 1988 AACS; 1994 AACS; 2002 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3116 Rescinded.
History: 1979 AC; 1986 AACS; 1994 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3117 Rescinded.
History: 1979 AC; 1985 AACS; 1988 AACS; 1995 AACS; 2002 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3118 Rescinded.
History: 1979 AC; 1992 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3119 Rescinded.
History: 1979 AC; 1986 AACS; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3119a Rescinded.
History: 1986 AACS; 1994 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3119b Rescinded.
History: 1994 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3120 Rescinded.
History: 1979 AC; 1982 AACS; 1988 AACS; 1992 AACS; 2002 AACS; 2007 AACS; 2016 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3121 Rescinded.
History: 1979 AC; 2016 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3121a Rescinded.
History: 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3122 Rescinded.
History: 1992 AACS; 1994 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3123 Rescinded.
History: 1979 AACS; 1982 AACS; 1984 AACS; 1985 AACS; 1988 AACS; 1992 AACS; 1994 AACS; 2002 AACS; 2007 AACS; 2013 AACS; 2016 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3125 Rescinded.

History: 1979 AC; 1985 AACS; 1994 AACS; 2002 AACS; 2007 AACS; 2013 AACS; 2016 AACS; 2019 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3126 Rescinded.
History: 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3127 Rescinded.
History: 1979 AC; 1992 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3129 Rescinded.
History: 1979 AC; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

PART 3. LICENSES

R 338.3131
Source: 1997 AACS.

R 338.3132 Controlled substance license.
Rule 32. (1) A person who manufactures, distributes, prescribes, or dispenses a controlled substance in this state or who proposes to engage in the manufacture, distribution, prescribing, or dispensing of a controlled substance in this state shall apply for a controlled substance license by submitting to the department a completed application on a form provided by the department along with the requisite fee.
(2) In addition to meeting the requirements of section 7303 of the code, MCL 333.7303, an applicant's license shall be verified by the licensing agency of any state of the United States in which the applicant holds or has ever held a controlled substance license. This includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.
(3) Except as otherwise provided in subrules (8) and (9) of this rule, a separate controlled substance license is required in each of the following circumstances:
(a) For each principal place of business or professional practice where the applicant stores, manufactures, distributes, prescribes, or dispenses controlled substances.
(b) Manufacturing and distributing a controlled substance in schedules 2-5. An individual, partnership, cooperative, association, private corporation, other legal entity, or governmental entity that is licensed in this state to manufacture a controlled substance listed in schedules 2 to 5 may also conduct chemical analysis and research with a substance that is listed in the schedules under the same controlled substance license.
(c) Dispensing a controlled substance listed in schedules 2 to 5. A prescriber or practitioner who is licensed in this state to prescribe or dispense controlled substances listed in schedules 2 to 5 may also prescribe, dispense, administer, and conduct research with those substances under the same controlled substance license.
(d) Conducting research and instructional activity with a controlled substance listed in schedule 1. An individual, partnership, cooperative, association, private corporation, other legal entity, or governmental entity that is licensed in this state to conduct research with controlled substances listed in schedule 1 may do both of the following:
(i) Manufacture the specific substances as set forth in the research protocol that is filed and approved by the FDA and the DEA pursuant to the provisions of 21 CFR 1301.18 and submitted to the department with the application for licensure.
(ii) Distribute the specific substances to others who are licensed by this state to conduct research or chemical analysis with the schedule 1 substances.
(e) Conducting research with a controlled substance listed in schedules 2 to 5. An individual, partnership, cooperative, association, private corporation, other legal entity, or governmental entity who is licensed in this state to conduct research with the controlled substances listed in schedules 2 to 5 may also participate in all of the following activities:
(i) Conduct chemical analysis with the specific substances listed in those schedules.-
(ii) Manufacture the specific substances if, and to the extent that, the manufacture of the specific controlled substances is set forth in a statement filed with the application for licensure.
(iii) Distribute the specific substances to others who are licensed in this state to conduct research, chemical analysis, or instructional activity with the substances.
(iv) Conduct instructional activities with the specific substances.
(f) Conducting instructional activities with a specific controlled substance listed in schedules 2 to 5.
(g) Conducting chemical analysis with a controlled substance listed in any schedule An individual, partnership, cooperative, association, private corporation, other legal entity, or governmental entity that is licensed in this state to conduct chemical analysis with all controlled substances may manufacture the substances for analytical or instructional purposes, distribute the

substances to others who are licensed to conduct chemical analysis, instructional activity or research with the substances, and conduct instructional activities with the substances.
(h) A pharmacy stocking patient medication in an automated device located at an affiliated hospital location pursuant to section 17760 of the code, MCL 333.17760, or a hospital, county medical care facility, nursing home, hospice, or other skilled nursing facility as defined in section 20109 of the code, MCL 333.20109. The pharmacy responsible for the device shall obtain an additional controlled substance license for each location. If substances are stored at a health facility without an onsite pharmacy or an automated device stocked by a pharmacy, a designated prescriber shall obtain a controlled substance license.
(4) An applicant shall obtain a separate controlled substance license for each practitioner license issued under article 15 of the code, MCL 333.16101 to 333.18838. The controlled substance license must be renewed when the article 15 license is renewed and the controlled substance license is renewed for an equal number of years as the article 15 license.
(5) An applicant who intends to conduct research involving controlled substances shall submit all of the following with his or her application required under subrule (1) of this rule:
(a) The applicant's credentials to conduct the proposed research.
(b) The protocol and description of the nature of the proposed research that is filed and approved by the FDA and the Federal Drug Enforcement Administration (DEA) pursuant to the provisions of 21 CFR 1301.18.
(c) A list of the controlled substances and doses to be used.
(6) An applicant who intends to conduct instructional activity involving controlled substances shall submit all of the following information with his or her application required under subrule (1) of this rule:
(a) The applicant's credentials to conduct the proposed instructional activity.
(b) A course outline for the proposed instructional activity.
(c) A list of the controlled substances and doses to be used.
(7) An applicant who intends to conduct chemical analysis involving controlled substances shall submit all of the following information with his or her application required under subrule (1) of this rule:
(a) The applicant's credentials to conduct the proposed chemical analysis.
(b) The protocol and description of the nature of the chemical analysis that is filed and approved by the FDA and the DEA pursuant to the provisions of 21 CFR 1301.18.
(c) A list of the controlled substances and doses to be used.
(8) A prescriber or practitioner who is licensed in this state to prescribe, administer, or dispense controlled substances at a principal place of business or professional practice consisting of multiple locations is not required to obtain a separate controlled substance license for each additional physical location of the business or professional practice if the prescriber or practitioner only prescribes controlled substances at each additional physical location of the business or professional practice.
(9) A pharmacist shall maintain 1 controlled substance license in this state to dispense from any licensed pharmacy in this state.
History: 1979 AC; 1992 AACS; 2002 AACS; 2004 AACS; 2007 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3133
Source: 2002 AACS.

R 338.3134
Source: 2002 AACS.

R 338.3135 Opioids and other controlled substances awareness training standards for prescribers and dispensers of controlled substances; requirements.
Rule 35. (1) An individual who is applying for a controlled substance license or who is licensed to prescribe or dispense controlled substances pursuant to section 7303 of the code, MCL 333.7303, shall complete a 1-time training in opioids and controlled substances awareness that meets the following standards:
(a) Training content must cover all of the following topics:
(i) Use of opioids and other controlled substances.
(ii) Integration of treatments.
(iii) Alternative treatments for pain management.
(iv) Counseling on the effects and risks associated with using opioids and other controlled substances.
(v) The stigma of addiction.
(vi) Utilizing the MAPS.
(vii) State and federal laws regarding prescribing and dispensing controlled substances.
(viii) Security features for opioids and other controlled substances and prescriptions, and proper disposal requirements for opioids and other controlled substances.
(b) Topics covered under subrule (1)(a) of this rule may be obtained from more than 1 program.

(c) 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 offered by a continuing education program or activity that is accepted by a licensing board established under article 15 of the code, MCL 333.16101 to 333.18838.
(iv) Training obtained in an educational program that has been approved by a board established under article 15 of the code, MCL 333.16101 to 333.18838, for initial licensure or registration, or by a college or university.
(d) 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) A prescriber or dispenser shall ~~not~~ delegate, allow by a practice agreement, or order the prescribing~~,~~ or dispensing of a controlled substance as allowed by the code to an individual, other than a physician's assistant, only after the individual has complied with subrules (1) and (5) of this rule. A physician's assistant is subject to subrules (1), (3), and (4) of this rule.
(3) The department may select and audit licensees and request documentation of proof of completion of training. A licensee shall maintain proof of completion of training for 3 renewal periods plus 1 additional year. If audited, an individual shall provide an acceptable proof of completion of training, including either of the following:
(a) A completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
(b) A self-attestation by the individual that includes the date, provider name, name of training, and individual's name.
(4) An individual who has been issued a controlled substance license pursuant to section 7303 of the code, MCL 333.7303, shall complete the controlled substance training required by subrule (1) of this rule as follows:
(a) A licensee who is renewing his or her controlled substance license shall complete the controlled substance training by the end of the first renewal cycle that begins after January 4, 2019.
(b) Other than a license renewal under subdivision (a) of this subrule, beginning September 1, 2019, the department shall not issue a controlled substance license until an applicant provides proof of having completed the controlled substance training.
(5) Beginning December 31, 2021, an individual, other than a physician's assistant, who is a delegatee, or allowed by a practice agreement or an order to prescribe or dispense a controlled substance by a prescriber or dispenser as allowed by the code, shall complete the controlled substance training required by subrule (1) of this rule.
(6) An individual who is licensed under section 7303 of the code, MCL 333.7303, to prescribe or dispense controlled substances only for research on animals is exempt from this rule.
History: 2019 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3136 Rescinded.
History: 1979 AC; 1992 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3137 Eliminate drug treatment program prescriber license requirement.
Rule 37. The drug treatment program prescriber license is eliminated.
History: 1979 AC; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3138
Source: 2013 AACS.

R 338.3139
Source: 2013 AACS.

PART 4. SECURITY

R 338.3141 Thefts and diversions.
Rule 41. (1) An applicant or licensee shall provide effective controls against theft and diversion of controlled substances.
(2) A licensee shall confirm that a person is licensed to possess a controlled substance before distributing the substance to the person.
(3) Within 15 days of completion of an investigation regarding a suspected theft or significant loss of a controlled substance, a licensee shall notify the department of the suspected theft or significant loss of a controlled substance and submit a copy of the DEA theft and loss report form 106, or equivalent document, to the department, whether or not the controlled substance is

recovered or the responsible person is identified and action is taken against him or her, and whether or not it is also reported to the DEA.
(4) A licensee shall use all of the following criteria to determine if the loss in subrule (3) of this rule is significant:
(a) The quantity of the controlled substance lost in relation to the type of business.
(b) The specific controlled substance lost.
(c) Whether the loss of the controlled substance can be associated with access to the controlled substance by specific individuals, or whether the loss can be attributed to unique activities that may take place involving the controlled substance.
(d) A pattern of loss over a specific time period, whether the loss appears to be random, and the results of efforts taken to resolve the loss.
(e) Whether the specific controlled substance is a likely candidate for diversion.
(f) Local trends and other indicators of the diversion potential of the missing controlled substance.
History: 1979 AC; 1980 AACS; 1992 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3143 Storage of controlled substances.
Rule 43. (1) A licensee shall store controlled substances that are listed in schedule 1 in a securely locked, substantially constructed cabinet that is anchored to a wall or the floor.
(2) A licensee shall store controlled substances that are listed in schedules 2, 3, 4, and 5 in a securely locked, substantially constructed cabinet, room, or cart. However, in a pharmacy, the controlled substances may be dispersed throughout the stock of noncontrolled substances in a manner to obstruct the theft or diversion of controlled substances.
History: 1979 AC; 1980 AACS; 1992 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3145 Employees; disqualification.
Rule 45. (1) An individual, partnership, cooperative, association, private corporation, other legal entity, or governmental entity who is licensed by the department pursuant to section 7303 of the code, MCL 333.7303 or section 17748 of the code, MCL 333.17748, shall not employ or utilize, with or without compensation, or allow the following individuals access to controlled substances:
(a) An individual who the licensee knows, or should reasonably know, to be a substance abuser as defined in section 16106a of the code, MCL 333.16106a. This subdivision does not apply to a licensee enrolled in the health professional recovery program under a current monitoring agreement.
(b) An individual whose controlled substance license is suspended, revoked, or denied.
(c) An individual whose license issued by this state or another state is under suspension or revoked for a violation that involves controlled substances.
(d) An individual who has been convicted of a crime that involves controlled substances and who is currently under sentence for that conviction.
(2) A licensee shall not delegate, pursuant to section 16215 of the code, MCL 333.16215, to a licensed or unlicensed individual unless the delegation complies with this rule.
History: 1979 AC; 1980 AACS; 1992 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

PART 5. RECORDS

R 338.3151 Inventories.
Rule 51. (1) An individual, partnership, cooperative, association, private corporation, other legal entity, or governmental entity licensed to manufacture, distribute, prescribe, or dispense controlled substances shall annually perform and maintain a complete and accurate inventory of all stocks of controlled substances in the possession and control of the licensee.
(2) The inventory must contain a complete and accurate record of all controlled substances in the possession or control of the licensee on the date the inventory is taken as follows:
(a) If the substance is listed in schedule 1 or 2, then the licensee shall make an exact count or measure of the contents.
(b) If the substance is listed in schedule 3, 4, or 5, then the licensee shall make an estimated count or measure of the contents, but if the container holds more than 1,000 dosage units, then the licensee shall make an accurate account of the contents.
(3) A licensee shall make a separate inventory for each licensed location on the date that he or she first engages in the activity covered by his or her license, including a change of a pharmacist in charge. The beginning inventory record for a licensed location shall be kept at the licensed location and a copy shall be forwarded to the department upon request.
(4) A licensee shall indicate on the inventory record whether the inventory was taken at the opening or closing of the day that the inventory is taken.
(5) A licensee shall maintain the inventory in a written, typewritten, or printed form at the licensed location. The inventory taken by use of an oral recording device must be promptly transcribed.

(6) A licensee shall sign and date the inventory record.
(7) A licensee's printed name, address, and DEA number shall be recorded on the inventory.
(8) Schedule 2 drugs must be separated on the inventory from all other drugs.
(9) A licensee that is open for 24 hours shall indicate the time that the inventory was taken.
(10) On the effective date of the addition of a controlled substance to a schedule, which substance was not previously listed in any schedule, a licensee who possesses the substance shall take an inventory of all stocks of the substance on hand and incorporate it in the current inventory. Thereafter, the substance shall be included in each inventory taken.
History: 1979 AC; 1982 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3152 Rescinded.
History: 1979 AC; 1992 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3153 Invoices, acquisition, dispensing, administration, and distribution records.
Rule 53. For 2 years, a licensee shall maintain in the pharmacy responsible for the automated device, for review by the department, an agency, or the board, all records for controlled substances, including invoices, acquisition records, and sales receipts, as follows:
(a) A licensee may keep acquisition records, except for executed or voided DEA 222 order forms, in an electronic form at a central location with notice to the department.
(b) A licensee shall maintain invoices and other acquisition records of all controlled substances listed in schedules 1 and 2 in a separate file from invoices and other acquisition records of controlled substances listed in schedules 3, 4, and 5. The information must be readily retrievable from the ordinary acquisition records maintained by the dispenser.
(c) A licensee shall retain sales receipts for 90 days in electronic or paper form.-
(d) A licensee shall initial or electronically initial the invoice and indicate the date that the controlled substances are received.
(e) A licensee shall keep a record, which may be electronic, of all controlled substances dispensed by him or her.
(f) A licensee that prescribes controlled substances shall keep a record separate from the patient chart which contains all of the following information for controlled substances dispensed or administered by the prescriber:
(i) Name of the patient.
(ii) Name and strength of the controlled substance.
(iii) Quantity of the controlled substance.
(iv) Date the controlled substance was dispensed or administered.
(v) Name of the individual who dispensed or administered the controlled substance.
(g) Except in medical institutions, a licensee shall sequentially number and maintain in chronological order the patients' original prescriptions as follows:
(i) A licensee shall maintain a separate file for dispensed substances listed in schedule 2.
(ii) A licensee shall maintain a separate file for dispensed substances listed in schedules 3, 4, and 5.
(h) The licensee shall keep the original prescription record on site for 5 years from the last date of dispensing. However, after 2 years from the last date of dispensing, if an electronic duplicate is made of the original paper prescription, which becomes the original prescription, the original prescription may be destroyed.
(i) A licensee shall maintain records of controlled substances distributed to another licensee, which shall include all of the following information and be maintained in the appropriate file described in subdivision (b) of this rule or in a separate record that is available for inspection:
(i) Name, address, and DEA number of receiver.
(ii) Name, address, and DEA number of supplier.
(iii) Name and quantity of the controlled substances distributed.
(iv) Date the controlled substances were distributed.
(j) A DEA 222 order form must be used for schedule 2 drugs.
(k) Except for controlled substance prescriptions pursuant to subdivision (h) of this rule, a licensee shall maintain controlled substances records for 2 years.
History: 1979 AC; 1980 AACS; 1992 AACS; 2002 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3153a Medication orders for patients in medical institutions.
Rule 53a. (1) A licensee shall include all of the following information in a prescription for controlled substance medications to be dispensed for administration to an inpatient in a medical institution:
(a) The patient's name.
(b) The prescriber's name, address, and DEA number. In place of including the address and DEA number on each medication order, the pharmacy may maintain a separate list of prescribers. The list must contain the prescriber's name, address, and DEA

number.
(c) The prescriber's signature.
(d) The name, dose, and frequency of administration of the medication.
(e) The date of the medication order.
(2) If alternative therapy has been evaluated and the immediate administration of a controlled substance, including a schedule 2 medication, is necessary for the proper treatment of a patient, then a pharmacist may dispense the controlled substance for administration to the inpatient if all of the following conditions are satisfied:
(a) The oral order of the prescriber is committed to a written or electronic order in the patient chart by a nurse licensed under part 172 of the code, MCL 333.17201 to 333.17242, a physician's assistant licensed under part 170 of the code, MCL 333.17001 to 333.17097, or part 175 of the code, MCL 333.17501 to 333.17556, or a pharmacist licensed under part 177 of the code, MCL 333.17701 to 333.17780, who has communicated directly with the prescriber.
(b) The order states the name of the prescriber and the name of the nurse, physician's assistant, or pharmacist who received the verbal order.
(c) The order is forwarded to the pharmacy.
(d) The prescriber signs the original order at the next visit or within 7 days.
(3) A licensee shall preserve an original order for a period of 5 years from the patient discharge date and the original order must be readily retrievable. After 2 years, a licensee may make an electronic duplicate of the original order which becomes the original order. If a licensee maintains patient records electronically, then a printed copy must be immediately available for a current inpatient and within 48 hours upon request of an authorized agent of the board for any patient of the previous 5 years.
History: 1980 AACS; 1992 AACS; 2002 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3154 Medication records in medical institutions.
Rule 54. (1) A patient's chart shall constitute a record of medications ordered for, and actually administered to, a patient of medical institutions.
(2) Medication records are required for all controlled substances listed in schedules 2, 3, 4, and 5. At a minimum, these records must include all of the following information:
(a) The number of doses of controlled substances purchased.
(b) The number of doses dispensed to individual patients or distributed to nursing stations or both.
(c) The number of doses administered.
(d) The number of doses dispensed, but not administered, to the patient.
(3) If the controlled substance is not dispensed to an individual patient, all of the following provisions must be complied with:
(a) Medication records for those controlled substances in schedules 2, 3, 4, and 5 must be maintained.
(b) Distribution of a controlled substance to a nursing unit may not be more than 25 doses per container.
(c) A distribution record for each multiple of 25 doses must be used to account for delivery to a nursing unit. The record must include all of the following information:
(i) The name and dose of the controlled substance.
(ii) The quantity of the substance.
(iii) The date of delivery.
(iv) The location of the nursing unit.
(v) The name of the distributing pharmacy and address if a different location from the medical institution.
(vi) Name of distributing pharmacist.
(vii) The name of the individual on the nursing unit who receives the substance.
(d) A proof of use record must be maintained to account for all doses of an administered substance. The record must include all of the following:
(i) The name of the substance.
(ii) The dose administered.
(iii) The date and time a dose was administered.
(iv) The name of the patient.
(v) The signature of the individual who administered the dose.
(e) Subrule 3 of this rule does not apply to automated devices.
(4) A controlled substance that is maintained at a nursing unit must be stored in a securely locked cabinet or medication cart that is accessible only to an individual who is responsible for the administration or distribution of the medication.
(5) If a controlled substance is dispensed from an automated device, then documentation of all of the following must be maintained on-site in the pharmacy responsible for the automated device for 2 years for review by the department, an agency, or the board:
(a) The name and address of the pharmacy or facility responsible for the operation of the automated device.

(b) The manufacturer, serial number, and model number of the automated device.
(c) The location of the automated device.
(d) The contents of the automated device.
(e) The quality assurance policy and procedure to determine continued appropriate use and performance of the automated device that includes all of the following quality assurance documentation for the use and performance of the automated device:
(i) Use of monitors that alert the user when the wrong medication is filled or removed for administration to a patient.
(ii) Use of security monitors that include an alert for unauthorized access, patients not in the system, system security breaches, and controlled substance audits.
(iii) Corrective measures to address issues and errors identified in the internal quality assurance program.
(f) The policy and procedure for system operation that includes all of the following:
(i) Safety.
(ii) Security systems and procedures that include prevention of unauthorized access or use and comply with federal and state regulations.
(iii) Accuracy.
(iv) Patient confidentiality.
(v) Access.——
(vi) Type of controlled substances.
(vii) Data retention or archival.
(viii) Definitions.
(ix) Downtime procedures.
(x) Emergency procedures.
(xi) Operator inspections.
(xii) Installation requirements.
(xiii) Maintenance.
(xiv) Medication security.
(xv) Medication inventory.
(xvi) Staff education and training.
(xvii) System set-up and malfunction.
(xviii) List of medications qualifying for emergency dose removal without pharmacist prior review of the prescription or medication order.
(xix) The use of the automated device that includes a requirement that a pharmacist review a prescription or medication order before system profiling or removal of any medication from the automated device for immediate patient administration, except in the following situations where a pharmacist shall review the orders and authorize any further dispensing within 48 hours:
(A) The automated device is being used as an after-hours cabinet for medication dispensing in the absence of a pharmacist under R 338.486(4)(j).
(B) The system is being used in place of an emergency kit under R 338.486(4)(c).
(C) The system is being accessed to remove medication required to treat the emergent needs of a patient under R 338.486(4)(c). A sufficient quantity to meet the emergent needs of the patient may be removed until a pharmacist is available to review the medication order.
(g) The automated device must maintain transaction data that includes all
activity regarding access to the contents of the automated device.
(h) The pharmacy responsible for the automated device shall maintain records related to access to the automated device. The records must be readily retrievable and must include all of the following information:
(i) The unique identity of the device.
(ii) Identification of the individual accessing the automated device.
(iii) The type of transaction.
(iv) The name, strength, dosage form, and quantity of the drug accessed.
(v) The name of the patient.
(vi) The identification of the pharmacist checking for the accuracy of the medications to be stocked or restocked in the automated device.
(vii) Any other information the pharmacist considers necessary.
(i) For medication removed from the automated device for on-site patient administration, the automated device must document all of the following information:
(i) The name of the patient.
(ii) The date and time medication was removed from the automated device.
(iii) The name, initials, or other unique identifier of the individual removing the drug.

(iv) The name, strength, and dosage form of the drug. The documentation may be on paper or electronic medium.
(j) If the pharmacist delegates the stocking of the automated device, then technologies must be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing bar-coding or another a board-approved error prevention technology.
(k) The automated device must provide a mechanism for securing and accounting for controlled substances removed from the automated device return bin. Controlled substances may not be returned directly to the automated device for immediate reissue or reuse. Controlled substances removed from the automated device may not be reused or reissued, except as indicated in R 338.486(7).
(l) The automated device must provide a mechanism for securing and accounting for wasted or discarded medications.
(6) An individual who is responsible for administering a controlled substance or a portion thereof shall record the quantity, disposition and an explanation of the destruction of the controlled substance on the proper accountability record. If the institution has a policy that reflects current practice standards and delineates the method of destruction, an explanation would only be required if policy was not followed.
History: 1979 AC; 1980 AACS; 1992 AACS; 2002 AACS; 2007 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

PART 6. DISPENSING AND ADMINISTERING CONTROLLED SUBSTANCE PRESCRIPTIONS

R 338.3161 Controlled substance prescriptions.

Rule 61. (1) A prescription that is issued for a controlled substance must be dated and signed by the prescriber, when issued, and contain all of the following information:
(a) The full name and address of the patient for whom the substance is being prescribed.
(b) The prescriber's DEA registration number, preprinted, stamped, typed, or manually printed name, address, telephone number or pager number, and professional designation.
(c) The drug name, strength, and dosage form.
(d) The quantity prescribed. For a paper prescription received in writing, the prescription must contain the quantity in both written and numerical terms. A paper prescription must contain preprinted numbers representative of the quantity next to a box or line that the prescriber may check.
(e) The directions for use.
(f) If the prescription is for an animal, then the species of the animal and the full name and address of the owner.
(2) A written prescription for a controlled substance in schedules 2 to 5 shall be written legibly with ink or an indelible pencil or prepared using a printer and signed by the prescriber.
(3) An agent of the prescriber may prepare a prescription for the signature of the prescriber, but, pursuant to the code, the prescriber is liable if the prescription does not conform to these rules. A pharmacist who dispenses a controlled substance pursuant to a prescription not prepared in the form required by these rules is liable pursuant to the code.
(4) If the controlled substance prescription or order in a medical institution is issued pursuant to delegation, then the printed name of the delegatee, the licensure designation, the delegating prescriber, and the signature of the delegatee shall be on the written prescription. In medical facilities, orders must contain the signatures of the delegatee and the printed name of the delegating prescriber.
(5) A prescriber shall not issue a prescription to obtain a stock of a controlled substance for the purpose of dispensing or administering the substance to patients.
History: 1979 AC; 1992 AACS; 1994 AACS; 2002 AACS; 2003 AACS; 2007 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3161a. Exception to bona fide prescriber-patient relationship; alternative requirements.

Rule 61a. (1) A bona fide prescriber-patient relationship is required before a licensed prescriber may prescribe a controlled substance listed in schedules 2 to 5.
(2) Pursuant to Section 16204e of the code, MCL 333.16204e, a licensed prescriber may prescribe a controlled substance listed in schedules 2 to 5 without first establishing the bona fide prescriber-patient relationship required under Section 7303a of the code, MCL 333.7303a, in the following situations:
(a) The prescriber is providing on-call coverage or cross-coverage for another prescriber who is not available and has established a bona fide prescriber-patient relationship with the patient for whom the on-call or covering prescriber is prescribing a controlled substance, the prescriber, or an individual licensed under article 15 of the code, MCL 333.16101 to 333.18838, reviews the patient's relevant medical or clinical records, medical history, and any change in medical condition, and provides documentation in the patient's medical record pursuant to medically accepted standards of care.
(b) The prescriber is following or modifying the orders of a prescriber who has established a bona fide prescriber-patient relationship with a hospital in-patient or nursing care facility resident and provides documentation in the patient's medical

record pursuant to medically accepted standards of care.
(c) The prescriber is prescribing for a patient that has been admitted to a licensed nursing care facility, completes the tasks identified in subrule (2)(a) and (2)(b) of this rule in compliance with R 325.45377, as applicable, and provides documentation in the patient's medical record pursuant to medically accepted standards of care.
(d) The prescriber is prescribing for a patient for whom the tasks listed in subrule (2)(a) and (2)(b) of this rule have been performed by an individual licensed under article-15 of the code, MCL 333.16101 to 333.18838, and the prescriber provides documentation in the patient's medical record pursuant to medically accepted standards of care.
(e) The prescriber is treating a patient in a medical emergency. For purposes of this subdivision, "medical emergency" means a situation that, in the prescriber's good-faith professional judgment, creates an immediate threat of serious risk to the life or health of the patient for whom the controlled substance prescription is being prescribed.
History: 2019 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3162 Dispensing by pharmacists; delivery of controlled substances.
Rule 62. (1) Except for a remote pharmacy, which is regulated by section 17742a of the code, MCL 333.17742a, and which allows a qualified pharmacy technician to assist in the dispensing process while being overseen by a pharmacist through the use of a surveillance system and telepharmacy system, a controlled substance shall be dispensed by a pharmacist or a pharmacy intern in the presence, and under the personal charge of a pharmacist.
(2) A pharmacist shall require positive identification of individuals to whom controlled substances are dispensed or delivered when the individual is not known to the pharmacist or pharmacy employees except when positive identification is not available and a pharmacist, who in exercising his or her professional judgment, determines that a delay in dispensing the controlled substance may be detrimental to a patient.
(3) Subrule (2) of this rule does not exempt a pharmacist from the requirement to submit a patient identifier to the electronic system for monitoring controlled substances.
(4) The dispensing pharmacist and pharmacy are both responsible for complying with this rule.
(5) A pharmacist may dispense a controlled substance that is listed in schedules 3 to 5 and that is a prescription drug pursuant to the provisions of the FDCA of 1991, 21 USC 353, only pursuant to a prescription on a prescription form, an oral prescription of a practitioner, or a prescription that is electronically transmitted pursuant to R 338.3162a and that contains all of the required information under R 338.3161, except that the signature of the prescriber is not required if the controlled substance is obtained pursuant to an oral order.
(6) In addition to the requirements in section 17744 of the code, MCL 333.17744, if a prescriber's agent under delegation transmits an oral prescription for a controlled substance to a pharmacy all of the following shall be recorded on the prescription generated at the pharmacy:
(a) The information required by R 338.3161.
(b) The transmitting agent's identity.
(c) The individual who received the prescription at the pharmacy.
(7) Only a prescription that is issued in the usual course of professional treatment or in the course of legitimate and authorized research is a prescription.
History: 1979 AC; 1993 AACS; 2002 AACS; 2003 AACS; 2007 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3162a Electronic transmission of prescription; waiver of electronic transmission.
Rule 62a. (1) Until the enforcement date established by the federal Centers for Medicare and Medicaid Services for the Medicare electronic transmission requirement, a prescription may be electronically transmitted, and a pharmacist may dispense the electronically transmitted prescription if all of the following conditions are satisfied:
(a) The prescription is transmitted to the pharmacy of the patient's choice and occurs only at the option of the patient.
(b) The electronically transmitted prescription includes all of the following information:
(i) The name and address of the prescriber.
(ii) An electronic signature or other board-approved means of ensuring prescription validity.
(iii) The prescriber's telephone number for verbal confirmation of the order.
(iv) The time and date of the electronic transmission.
(v) The name of the pharmacy intended to receive the electronic transmission.
(vi) Unless otherwise authorized under section 17754(1)(b) of the code, MCL 333.17754, the full name of the patient for whom the prescription is issued.
(vii) All other information that must be contained in a prescription under R 338.3161.
(c) The pharmacist exercises professional judgment regarding the accuracy, validity, and authenticity of the transmitted prescription.

(d) All requirements in section 17754 of the code, MCL 333.17754, are met.
(2) An electronically transmitted prescription that meets the requirements of subrule (1) of this rule is the original prescription.
(3) Effective the enforcement date established by the federal Centers for Medicare and Medicaid Services for the Medicare electronic transmission requirement, prescribers shall, unless an exception under section 17754a of the Code, MCL 333.17754a, applies, electronically transmit a prescription for a controlled substance consistent with both of the following requirements:
(a) All the requirements in section 17754a of the code, MCL 333.17754a, are met.
(b) All the requirements in R 338.3161 are met.
(4) A prescriber applying for a waiver from section 17754a of the code, MCL 333.17754a, shall submit a completed application to the department, on a form provided by the department, and satisfy either of the following requirements:
(a) The prescriber provides evidence satisfactory to the department that the prescriber has received a waiver of the Medicare requirement for the electronic transmission of controlled substances prescriptions from the federal Centers for Medicare and Medicaid Services.
(b) The prescriber is unable to meet the requirements of section 17754a(1) or (2) of the code, MCL 333.17754a, and the prescriber meets 1 of the following:
(i) The prescription is dispensed by a dispensing prescriber.
(ii) The prescriber demonstrates economic hardship or technological limitations that are not within the control of the prescriber.
(iii) The prescriber demonstrates by attesting to exceptional circumstances, including, but not limited to, the following:
(A) Prescribing fewer than 100 controlled substances prescriptions per year or the number of controlled substances prescriptions used in the Federal Centers for Medicare and Medicaid Services waiver for electronic transmission of prescriptions for controlled substances, whichever is more.
(B) Intention to cease practice within the next twelve months.
(C) Limited practice due to an illness or other unforeseen event.
(iv) The prescriber issues prescriptions from a non-profit charitable medical clinic.
(5) A waiver is valid for 2 years and is applicable to the specific circumstances included in the application. A waiver may be renewed by application to the department.
History: 1993 AACS; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3162b Electronic system for monitoring schedules 2, 3, 4, and 5 controlled substances.
Rule 62b. (1) Except as otherwise exempt under section 7333a of the code, MCL 333.7333a, a pharmacist, dispensing prescriber, and veterinarian licensed under Part 177 of the code, MCL 333.17701 to 333.17780, who dispenses a prescription drug that is a controlled substance listed in schedules 2 to 5 or a pharmacy licensed by the state that dispenses in this state or dispenses to an address in this state a controlled substance listed in schedules 2 to 5 shall report to the department or the department's contractor by means of an electronic data transmittal process the following information for each prescription of a scheduled 2 to 5 controlled substance that has been dispensed:
(a) The patient identifier identification number. For purposes of this subdivision, all of the following apply:
(i) An identification number, as specified in R 338.3102(1)(f)(iv)(A) to (C), is not required for patients under the age of 16.
(ii) If the patient is under 16 years of age, zeroes must be entered as the identification number.
(iii) If the medication being dispensed is for an animal, the patient identification number applies to the animal's owner, the client, that meets the requirements of R 338.3102(1)(f)(iv). If the animal's owner cannot be identified, zeroes must be entered as the identification number.
(b) The patient's name; client's name, including first name, middle name, or middle initial, if available; and last name.
(c) The patient's or client's address, including street, city, state, and zip code.
(d) The patient's or client's phone number.
(e) The patient's or client's gender.
(f) The patient's or client's date of birth.
(g) The species code, as specified by ASAP.
(h) The metric quantity of the controlled substance dispensed.
(i) The NDC of the controlled substance dispensed.
(j) The date of issue of the prescription.
(k) The date of dispensing.
(l) The number of refills authorized.
(m) The refill number of the prescription fill.
(n) The estimated days of supply of the controlled substance dispensed.
(o) The prescription number assigned by the dispenser.
(p) The prescription transmission form code, as specified by ASAP, that indicates how the pharmacy received the prescription.
(q) The prescription payment type. Cash discount cards are considered cash transactions.

(r) The electronic prescription reference number, if applicable.
(s) The patient's or client's location code when receiving pharmacy services, as specified by ASAP.
(t) The DEA registration number of the prescriber and the dispensing pharmacy.
(2) A pharmacist, dispensing prescriber, or veterinarian may presume that the patient identification information provided by a patient, ~~or~~ a patient's representative, or veterinarian's client is correct.
(3) As used in this rule, R 338.3162c, and R 338.3162d, the term "dispense" or "dispensing" means the preparation, compounding, packaging, or labeling of a controlled substance along with delivery of the controlled substance pursuant to a prescription or other authorization issued by a prescriber, and does not include the acts of prescribing a controlled substance or administering a controlled substance directly to a patient.
(4) As used in this rule, the term "patient" refers to an individual, not an animal.
History: 2003 AACS; 2007 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3162c Format for electronic transmission of data to electronic system for monitoring; waiver.
Rule 62c. (1) A pharmacist, dispensing prescriber, or veterinarian who dispenses a prescription drug that is a controlled substance listed in schedules 2 to 5 shall transmit the data, as specified under R 338.3162b by electronic media or other means as approved by the department or the department's contractor.
(2) The data must be transmitted in the format established by the ASAP 4.1 Standard for Prescription Drug Monitoring Programs.
(3) A pharmacist, dispensing prescriber, or veterinarian who dispenses controlled substances and who does not have an automated record-keeping system capable of producing an electronic report in the format established by subrule (2) of this rule may request a waiver from electronic reporting. The request shall be made in writing to the department.
(4) A pharmacist, dispensing prescriber, or veterinarian may be granted a waiver, if he or she demonstrates an inability to report as required by R 338.3162b and he or she agrees in writing to report the data to the department or the department's contractor by submitting a completed MAPS claim form as defined in R 338.3102(1)(c) or transmitting data via an internet web portal that is provided by the department or the department's contractor for this purpose.
History: 2003 AACS; 2007 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3162d Required reporting of prescription data; error reporting.
Rule 62d. (1) A pharmacist, pharmacy, dispensing prescriber, or veterinarian shall report all scheduled 2 to 5 controlled substances dispensed.
(2) The licensee shall forward the data required by R 338.3162b by on-line transmission, computer diskette, compact disk, or other approved medium, as specified in R 338.3162c to the department or the department's contractor, on a daily basis, by the end of the next business day and include the data for all controlled substances dispensed since the previous transmission or report.
(3) A pharmacist, pharmacy, dispensing prescriber, or veterinarian who does not have the capacity to forward the information as specified in R 338.3162b, shall mail or deliver the information to a location specified by the department or the department's contractor not later than 7 calendar days after the date that the controlled substance has been dispensed, and include the data for all controlled substances dispensed since the previous transmission or report.-
(4) The department or the department's contractor shall notify a pharmacist, pharmacy, dispensing prescriber, or veterinarian of an error in data reporting. Upon receiving notification of an error in data reporting, a pharmacist, pharmacy, dispensing prescriber, or veterinarian shall take appropriate measures to correct the error and transmit the corrected data to the department or the department's contractor within 7 calendar days of being notified of the error.
(5) A pharmacist, pharmacy, dispensing prescriber, or veterinarian who fails to report the dispensing of a prescription for a controlled substance listed in schedules 2 to 5 as required, is subject to the penalty provisions in section 16221, 17741, or 17768 of the code, MCL 333.16221, 333.17741, or 333.17768, in article 15 of the code, MCL 333.16101 to 333.18838.
History: 2003 AACS; 2007 AACS; 2013 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3162e Rescinded.
History: 2003 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3163 Individual with substance use disorder; prescribing, dispensing, and administering controlled substance.
Rule 63. (1) A practitioner within his or her scope of practice, may either prescribe, dispense, or administer a controlled substance to an individual with substance use disorder for the purpose of maintenance or detoxification treatment pursuant to any of the following situations:
(a) A practitioner acting pursuant to federal law or regulations to conduct the drug treatment of an individual with substance use disorder may prescribe, dispense, and administer a controlled substance for the purpose of legitimate treatment of the

individual with substance use disorder. A prescription may only be issued for a schedule 3 through 5 substance.
(b) A practitioner may administer or dispense a controlled substance approved by the FDA specifically for use in maintenance or detoxification treatment directly to an individual with substance use disorder who is participating in a program.
(c) A practitioner may administer a controlled substance approved by the FDA specifically for use in maintenance or detoxification treatment directly to an individual with substance use disorder who is experiencing acute withdrawal symptoms and administration of a controlled substance is necessary while the practitioner is arranging referral for treatment. The following requirements must be followed:
(i) Not more than 1 day's supply of medication may be administered or directly dispensed to the individual with drug addiction or dependence.
(ii) The emergency treatment may be carried out for not more than 3 consecutive days and may not be renewed or extended.
(2) Notwithstanding subrule (1) of this rule, a practitioner within the scope of his or her practice, may administer or dispense a controlled substance in a hospital or similar setting to an individual with substance use disorder consistent with both of the following:
(a) The controlled substance is administered or dispensed to continue maintenance or detoxification treatment as an adjunct to medical or surgical treatment of conditions other than addiction.
(b) The controlled substance is administered or dispensed to relieve intractable pain for which no relief or cure is possible, or none has been found after reasonable efforts.
(3) As use in this rule:
(a) "Practitioner" means the term defined in section 7109 of the code, MCL 333.7109.
(b) "Program" means the term defined in section 260 of the mental health code, 1974 PA 258, MCL 330.1260.
(c) "Substance use disorder" means that term as defined in section 100d of the mental health code, 1974 PA 258, MCL 330.1100d.
History: 1979 AC; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3164 Emergency dispensing of schedule 2 substances; oral prescriptions.
Rule 64. A pharmacist may dispense a controlled substance listed in schedule 2 in an emergency in which all of the following conditions are met:
(a) The prescriber advises the pharmacist of all of the following:
(i) Immediate administration of the controlled substance is necessary for proper treatment of the intended ultimate user.
(ii) Appropriate alternative treatment is not available, including administration of a drug that is not a controlled substance under schedule 2.
(iii) It is not reasonably possible for the prescriber to provide a written prescription to be presented to the dispenser before the dispensing.
(iv) The quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period and pursuant to a written prescription.
(b) The pharmacist shall immediately put the prescription in writing, which contains the information that must be contained in a prescription under R 338.3161, except for the prescriber's signature.
(c) If the prescriber is not known to the pharmacist, then the pharmacist shall make a reasonable effort to determine that the oral authorization came from a prescriber by returning the prescriber's call, using the telephone number listed in the telephone directory, and other good faith efforts to ensure the prescriber's identity.
History: 1979 AC; 2003 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3165 Emergency dispensing of schedule 2 substances; written prescriptions.
Rule 65. (1) Within 7 days after authorizing an emergency oral prescription of a controlled substance listed in schedule 2, the prescriber shall comply with all of the following:
(a) The prescriber shall deliver to the dispensing pharmacist a written prescription or electronically transmit the prescription pursuant to R 338.3162a.
(b) The prescriber shall include on the prescription both "Authorization for Emergency Dispensing" and the date of the oral order.
(2) A pharmacist that has dispensed a prescription on an emergency oral prescription shall comply with all of the following:
(a) The dispensing pharmacist shall reduce the oral prescription to writing.
(b) Upon receipt of the prescription, the dispensing pharmacist shall attach the prescription to the oral order which was earlier reduced to writing.
(c) The pharmacy shall notify the department if the prescriber fails to deliver to him or her either a written prescription or a prescription transmitted electronically.
(3) The failure of the pharmacy to notify the department if the prescriber fails to deliver a prescription pursuant to subrule (1)

of this rule voids the authority conferred by this rule.

History: 1979 AC; 1992 AACS; 2003 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3166 Partial dispensing of controlled substances.

Rule 66. (1) A pharmacist may partially dispense a controlled substance listed in schedule 2 in conformance with the following:

(a) The pharmacist is unable to supply the full quantity called for in a written or emergency oral prescription.

(b) The pharmacist makes a notation of the quantity supplied on the face of the written prescription, written record of the emergency oral prescription, or in the electronic prescription record.

(c) The pharmacist may dispense the remainder of the prescription within 72 hours after the first partial dispensing.

(d) If the remainder of the prescription is not or cannot be dispensed within the 72 hours, the pharmacist shall notify the prescriber.

(e) The pharmacist shall not dispense any additional quantity beyond 72 hours without a new prescription.

(f) The pharmacy must have the balance of the prescription ready for dispensing before the 72-hour limit, but the patient is not required to pick up the balance of the prescription within that 72-hour limit.

(2) A pharmacist may partially dispense a prescription for a controlled substance in schedule 2 at the request of the patient or the prescribing practitioner in conformance with the following:

(a) The prescription is written and filled pursuant to the CSA and DEA regulations and state law.

(b) The total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

(c) The remaining portions of a partially filled prescription in schedule 2, if filled, shall be filled not later than 30 days after the date on which the prescription was written.

(d) For each partial filling, the dispensing pharmacist shall record, on the back of the prescription or on another appropriate record that is uniformly maintained and readily retrievable, all of the following information:

(i) Date of the partial filling.

(ii) Quantity dispensed.

(iii) Remaining quantity that may be dispensed.

(iv) Identification of the dispensing pharmacist.

(3) A pharmacist may partially dispense, including individual dosage units, a prescription for a schedule 2 controlled substance that is written for a patient in a long-term care facility or for a patient with a medical diagnosis that documents a terminal illness in conformance with all of the following:

(a) For each partial filling, the dispensing pharmacist shall record, on the back of the prescription or on another appropriate record that is uniformly maintained and readily retrievable, all of the following information:

(i) Date of the partial filling.

(ii) Quantity dispensed.

(iii) Remaining quantity authorized to be dispensed.

(iv) Identification of the dispensing pharmacist.

(b) The total quantity of schedule 2 controlled substances dispensed in all partial fillings may not be more than the total quantity prescribed.

(c) Prescriptions are valid for a period of not more than 60 days from the issue date unless terminated at an earlier date by the discontinuance of medication.

(d) A pharmacist shall record on the prescription whether the patient is terminally ill or is a long-term care facility patient.

(4) A pharmacy may partially fill a prescription for a schedule 3, 4, or 5 controlled substance if all of the following provisions are met:

(a) Each partial filling is recorded in the same manner as a refilling.

(b) The total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

(c) No dispensing occurs after 6 months from the date the prescription was issued for schedules 3, 4, and 5.

History: 1979 AC; 1992 AACS; 1994 AACS; 2003 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3167 Dispensing schedule 5 substances without prescriptions.

Rule 67. (1) A pharmacist may, without a prescription, dispense a controlled substance listed in schedule 5 that is not a prescription medication as determined under the FDCA, 21 USC 301 to 392, if all of the following provisions are met:

(a) The dispensing pharmacist determines the controlled substance is intended to be used for a medical purpose.

(b) Not more than 240 cc, 8 ounces, or 48 solid doses of a substance containing opium or more than 120 cc, 4 ounces, or 24 solid doses of any other substance listed in schedule 5 are distributed at retail to the same purchaser in any single 48-hour period.

(c) The purchaser is not younger than 18 years of age.

(d) The dispensing pharmacist requires a purchaser, not known to the pharmacist, to furnish suitable identification, including

proof of age where appropriate.
(2) If a pharmacist dispenses a controlled substance listed in schedule 5 without a prescription, then he or she shall affix to the container in which the substance is dispensed a label that shows the date, his or her name, and the name and address of the place of practice where the substance is dispensed.
(3) The pharmacist shall maintain a record of the dispensing without a prescription of controlled substances listed in schedule 5 with the following requirements:
(a) The record must be kept for 5 years from the date of dispensing. After 2 years, an electronic duplicate of the original order may be made which becomes the original record.
(b) The record must be immediately retrievable and may be maintained in the same manner as required for schedule 5 prescription medication.
(c) The record must contain all of the following information:
(i) The name and address of the patient.
(ii) The name and address of the purchaser if different from the patient.
(iii) The name and quantity of substance purchased.
(iv) The date purchased.
(v) The name or initials of the pharmacist or pharmacy intern who dispensed the substance.
(vi) The medical purpose for which the medication is being used as determined by the pharmacist.
History: 1979 AC; 1982 AACS; 2002 AACS; 2003 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3168 Refilling of prescriptions.
Rule 68. (1) A prescription for a controlled substance listed in schedule 2 may not be refilled.
(2) A prescription for a controlled substance listed in schedules 3 and 4 may not be refilled more than 6 months after the prescription's date of issuance and may not be refilled more than 5 times. Renewal of the prescription must be consistent with the requirements for original prescriptions.
(3) A prescription for a controlled substance listed in schedule 5 may be refilled only as expressly authorized by the prescriber on the prescription up to 1 year; if no authorization is indicated, then the prescription may not be refilled.
History: 1979 AC; 2002 AACS; 2003 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3169
Source: 2013 AACS.

R 338.3170 Dispensing and administering controlled substances by prescribers.
Rule 70. (1) A prescriber in the course of his or her professional practice may dispense, ~~or~~ administer, or delegate under direct supervision the administering of a controlled substance listed in schedules 2 to 5.
(2) A veterinarian, in the course of his or her professional practice may dispense, administer, or delegate the administering under direct supervision of a controlled substance listed in schedules 2 to 5 to an animal.
History: 1979 AC; 2002 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

PART 7. DISTRIBUTIONS

R 338.3181 Distributions by dispensers.
Rule 81. (1) A dispenser who is not licensed as a wholesale distributor may distribute a controlled substance to another dispenser for the purpose of general dispensing to his or her patients if all of the following conditions are satisfied:
(a) The receiving dispenser is licensed to dispense the substance.
(b) The distribution is recorded by the distributing dispenser and a receipt record is maintained by the receiving dispenser.
(c) An order form for substances listed in schedules 1 and 2 is used.
(d) The total number of dosage units of all controlled substances distributed by the distributing dispenser during the 12-month period in which the dispenser is licensed is not more than 5% of the total number of all dosage units distributed and dispensed during the 12-month period.
(2) If the dispenser has reason to believe that the total number of dosage units which will be distributed by him or her pursuant to this rule will be more than 5% of the total number of dosage units of all controlled substances distributed and dispensed by him or her during the 12-month period, the dispenser shall obtain a license to distribute controlled substances.
History: 1979 AC; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3182 Rescinded.
History: 1979 AC; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3183 Distribution to suppliers.
Rule 83. (1) A person who is lawfully in possession of a controlled substance that is listed in any schedule may distribute the substance to the person from whom he or she obtained the substance or to the manufacturer of the substance without obtaining a license to distribute. The person who distributes the substance shall maintain a written record that contains all of the following information:
(a) The date of the distribution.
(b) The name, form, and quantity of the substance.
(c) The name, address, and license number, if any, of the person who makes the distribution.
(d) The name, address, and license number, if known, of the supplier or manufacturer.
(2) In the case of a controlled substance listed in schedules 1 or 2, an order form must be used and maintained as the written record of the distribution.
History: 1979 AC; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3185 Discontinuances and transfers.
Rule 85. A licensee who wants to discontinue or transfer business activities or a professional practice altogether or only with respect to controlled substances shall return his or her DEA registration and any unexecuted order forms in his or her possession to the DEA. The licensee shall return the state controlled substances license to the department. The transfer of the controlled substances is subject to approval by the DEA pursuant to the provisions of 21 CFR 1301.52 and written notification must be provided to the department.
History: 1979 AC; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

R 338.3186 Use of order forms and invoices.
Rule 86. An order form must be used to distribute schedule 2 substances and an invoice must be used to distribute schedules 3 to 5 substances. The order form may be executed only by a practitioner who is licensed under article 7 of the code, MCL 333.7101 to 333.7545, to prescribe or dispense controlled substances.
History: 1979 AC; 1992 AACS; 2022 MR 1, Eff. Jan. 6, 2022.

PART 8. ADMINISTRATIVE AND DISCIPLINARY PROCEEDINGS

R 338.3191
Source: 1997 AACS.

R 338.3192
Source: 1997 AACS.

R 338.3193
Source: 1997 AACS.

R 338.3194
Source: 1997 AACS.

R 338.3195
Source: 1997 AACS.

R 338.3196
Source: 1997 AACS.

R 338.3197
Source: 1997 AACS.

R 338.3198
Source: 1997 AACS.

R 338.3198a
Source: 1997 AACS.

R 338.3199
Source: 1997 AACS.

R 338.3199a
Source: 1997 AACS.

R 338.3199b
Source: 1997 AACS.

R 338.3199c
Source: 1997 AACS.

R 338.3199d
Source: 1997 AACS.

R 338.3199e
Source: 1997 AACS.

R 338.3199f
Source: 1997 AACS.

R 338.3199g
Source: 1997 AACS.

R 338.3199h
Source: 1997 AACS.

R 338.3199i
Source: 1997 AACS.

R 338.3199j
Source: 1997 AACS.

R 338.3199k
Source: 1997 AACS.

R 338.3199l
Source: 1997 AACS.

R 338.3199m
Source: 1997 AACS.

R 338.3199n
Source: 1997 AACS.

R 338.3199o
Source: 1997 AACS.

R 338.3199p
Source: 1997 AACS.

R 338.3199q
Source: 1997 AACS.

MOBILE HOME AND LAND RESOURCES DIVISION

LAND SALES

PART 1. GENERAL PROVISIONS

R 338.3201
Source: 2013 AACS.

R 338.3202
Source: 2013 AACS.

R 338.3204
Source: 2013 AACS.

R 338.3206
Source: 2013 AACS.

R 338.3208
Source: 2013 AACS.

PART 3. REGISTRATION OF NONEXEMPT SUBDIVIDED LANDS

R 338.3218
Source: 2013 AACS.

R 338.3219
Source: 2013 AACS.

R 338.3220
Source: 2013 AACS.

R 338.3221
Source: 2013 AACS.

R 338.3231
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PART 4. PROTECTION OF PURCHASERS

R 338.3241
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PART 5. ADVERTISING AND SALES PROMOTIONS

R 338.3261
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R 338.3302
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R 338.3335
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PART 8. TAXES AND ASSESSMENTS

R 338.3341
Source: 2013 AACS.

R 338.3345
Source: 2013 AACS.

PART 15. DECLARATORY RULINGS; INVESTIGATIONS; HEARINGS

R 338.3451
Source: 2013 AACS.

R 338.3455
Source: 2013 AACS.

R 338.3456
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R 338.3461
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R 338.3466
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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF PHARMACY - ANIMAL EUTHANASIA AND SEDATION RULES

Part 1. General Provisions

R 338.3501
Source: 2021 AACS.

PART 2. ANIMAL EUTHANASIA

R 338.3502
Source: 2021 AACS.

R 338.3503
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R 338.3504
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PART 5. ANIMAL SEDATION

R 338.3513
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R 338.3514
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R 338.3523
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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY – PROGRAM FOR UTILIZATION OF UNUSED PRESCRIPTION DRUGS

R 338.3601
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R 338.3603
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R 338.3605
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R 338.3607
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R 338.3609
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R 338.3643
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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY TECHNICIANS

R 338.3651
Source: 2021 AACS.

R 338.3652
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R 338.3665
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PODIATRY

CONTINUING EDUCATION

R 338.3701
Source: 2014 AACS.

R 338.3702
Source: 2014 AACS.

R 338.3703
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R 338.3704
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R 338.3707
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R 338.3708
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R 338.3709
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R 338.3710
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R 338.3711
Source: 2014 AACS.

R 338.3712
Source: 1979 AC.

BOARD OF VETERINARY MEDICINE

PUBLIC CONDUCT AT MEETINGS

R 338.3801
Source: 2015 AACS.

ADMINISTRATIVE HEARINGS—VETERINARY MEDICINE

R 338.3821
Source: 1997 AACS.

R 338.3822
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R 338.3823
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R 338.3848
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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SANITARIANS REGISTRATION – GENERAL RULES
PART 1. GENERAL PROVISIONS

R 338.3901
Source: 2020 AACS.

R 338.3901a
Source: 2020 AACS.

R 338.3902
Source: 2020 AACS.

R 338.3903
Source: 2020 AACS.

R 338.3904
Source: 1997 AACS.

R 338.3905
Source: 2020 AACS.

R 338.3906
Source: 2020 AACS.

R 338.3906a
Source: 2020 AACS.

R 338.3907
Source: 1997 AACS.

R 338.3908
Source: 2014 AACS.

R 338.3909
Source: 1982 AACS.

R 338.3910
Source: 2020 AACS.

PART 2. EDUCATION

R 338.3911
Source: 2020 AACS.

R 338.3913
Source: 2020 AACS.

PART 3. REGISTRATION

R 338.3921
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R 338.3923
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R 338.3925
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R 338.3927
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R 338.3929
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R 338.3931
Source: 2020 AACS.

ADMINISTRATIVE AND DISCIPLINARY PROCEDURE

PHARMACY PRACTICE

R 338.3971
Source: 1997 AACS.

R 338.3972
Source: 1997 AACS.

R 338.3973
Source: 1997 AACS.

R 338.3974
Source: 1997 AACS.

R 338.3974a
Source: 1997 AACS.

R 338.3975
Source: 1980 AACS.

PRIVATE EMPLOYMENT BUREAU

GENERAL RULES

R 338.4001
Source: 1997 AACS.

R 338.4002
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DIRECTOR'S OFFICE

DENTISTRY

PART 1. GENERAL PROVISIONS

R 338.4101

Source: 1997 AACS.

R 338.4102
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R 338.4103
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R 338.4104
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PART 2. PROFESSIONAL CONDUCT AND LICENSURE

R 338.4201
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PART 3. DENTAL HYGIENISTS AND ASSISTANTS

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PART 4. GENERAL ANESTHESIA

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PART 5. SPECIALTIES

R 338.4501
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PART 6. ADMINISTRATIVE HEARINGS

R 338.4601
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R 338.4680
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R 338.4684
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R 338.4698
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

VETERINARY MEDICINE - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.4901
Source: 2021 AACS.

R 338.4901a
Source: 2021 AACS.

PART 2. EXAMINATION AND EDUCATION

R 338.4902
Source: 2021 AACS.

R 338.4903
Source: 2021 AACS.

R 338.4904

Source: 2021 AACS.

PART 3. LICENSURE

R 338.4905
Source: 2021 AACS.

R 338.4906
Source: 2021 AACS.

R 338.4907
Source: 2021 AACS.

R 338.4907a
Source: 2021 AACS.

R 338.4907b
Source: 2021 AACS.

R 338.4907c
Source: 2021 AACS.

R 338.4908
Source: 2021 AACS.

R 338.4909
Source: 2021 AACS.

PART 4. SUPERVISION AND DELEGATION

R 338.4910
Source: 2021 AACS.

R 338.4911
Source: 2021 AACS.

R 338.4912
Source: 1997 AACS.

R 338.4913
Source: 2021 AACS.

R 338.4914
Source: 2021 AACS.

R 338.4914a
Source: 2021 AACS.

R 338.4915
Source: 2021 AACS.

R 338.4916
Source: 1997 AACS.

R 338.4917
Source: 1997 AACS.

R 338.4918
Source: 2016 AACS**.**

R 338.4919
Source: 1981 AACS.

R 338.4920
Source: 2021 AACS.

PART 5. MEDICAL RECORDS

R 338.4921
Source: 2021 AACS.

R 338.4922
Source: 2016 AACS.

R 338.4923
Source: 2016 AACS.

R 338.4924
Source: 2016 AACS.

PART 6. LICENSE RENEWAL AND CONTINUING EDUCATION

R 338.4931
Source: 2021 AACS.

R 338.4933
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

VETERINARY TECHNICIAN — GENERAL RULES

PART 1. GENERAL RULES

R 338.4971
Source: 2021 AACS.

PART 2. EDUCATION AND EXAMINATION

R 338.4971a
Source: 2021 AACS.

R 338.4971b
Source: 2021 AACS.

PART 3. LICENSURE

R 338.4972
Source: 2021 AACS.

R 338.4973
Source: 2019 AACS.

R 338.4974

Source: 1997 AACS.

R 338.4975
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R 338.4976
Source: 2021 AACS.

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R 338.4981
Source: 1997 AACS.

R 338.4982
Source: 2021 AACS.

R 338.4983
Source: 1997 AACS.

R 338.4984
Source: 1981 AACS.

PART 4. LICENSE RENEWAL; CONTINUING EDUCATION

R 338.4991
Source: 2021 AACS.

R 338.4993
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ACCOUNTANCY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.5101 Definitions.
Rule 101. (1) As used in these rules:
(a) "Board" means the Michigan board of accountancy created under section 721 of the code, MCL 339.721.
(b) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(c) "Continuing education period" means all or part of a year beginning July 1 and ending June 30.
(d) "Continuous instruction" means education time not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.
(e) "Disclose" means to provide a written communication from a Certified Public Accountant (CPA) or a CPA firm informing the client, before making a recommendation or referral, that the CPA or CPA firm will receive a commission, referral fee, or

contingency fee from a third-party for recommendations or referrals of products or services, or both.
(f) "Enterprise" means a person, persons, or entity for which an individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm performs professional services.
(g) "Financial statements" means statements and related footnotes that show financial position, results of operations, and cash flows based on generally accepted accounting principles or another comprehensive basis of accounting. The term does not include incidental financial data included in management advisory services reports to support recommendations to a client and does not include tax returns and supporting schedules of tax returns.
(h) "Generally accepted accounting principles" means accounting principles issued by the applicable nationally or internationally recognized professional standard setting organization related to individual accounting engagements.
(i) "Generally accepted auditing standards" means the standards of professional conduct, issued by the applicable nationally or internationally recognized professional standard setting organization, related to individual audit engagements.
(j) “Individual with practice privileges” means an individual who practices in this state under section 727a of the code, MCL 339.727a.
(k) “Nano-learning program” means a tutorial program designed to allow a participant to learn a given subject in a 10-minute period with electronic media and without interaction with a real-time instructor.
(l) “Out-of-state firm” means a firm that may provide certain services and use the title “CPA firm” without obtaining a Michigan firm license under the conditions in section 728(4) and (5) of the code, MCL 339.728.
(m) "Professional engagement" means an agreement between a client and an individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm relative to the performance of professional services.
(n) "Professional services" means any services performed or offered to be performed by an individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm for a client in the course of the practice of public accounting, under section 720 of the code, MCL 339.720.
(o) "Qualifying hours" means continuing education hours that satisfy part 3 of these rules.
(2) A term defined in the code has the same meaning when used in these rules.
History: 1979 AC; 1986 AACS; 1996 AACS; 1998-2000 AACS; 2007 AACS; 2013 AACS; 2017 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5102 Standards of professional practice adopted by reference.
Rule 102. (1) The following standards are approved and adopted by reference:
(a) The standards issued by the American Institute of CPAs (AICPA), 220 Leigh Farm Road, Durham, North Carolina, 27707, set forth in the publication “AICPA Professional Standards” updated June 1, 2021, and any statements issued as of the effective date of this rule, which are available at a cost of $255.00 from the institute’s website at https://future.aicpa.org/cpe-learning/publication or at no cost from the institute’s website at https://us.aicpa.org/research/standards.html.
(b) The standards issued by the Public Company Accounting Oversight Board (PCAOB), 1666 K Street NW, Washington, District of Columbia, 20006, set forth in the publication entitled “PCAOB Standards and Related Rules” 2021 edition, and any updates issued as of the effective date of this rule, which are available at a cost of $205.00 from the AICPA’s website at https://future.aicpa.org/cpe-learning/publication or at no cost from the AICPA’s website at https://pcaobus.org/oversight/standards.
(c) The auditing standards issued by the Government Accountability Office, 441 G. St., NW, Washington, District of Columbia, 20548, in the publication entitled "Government Auditing Standards 2018 Revision" updated on April 14, 2021, which are available at no cost on the Office’s website at https://www.gao.gov/yellowbook.
(d) The standards issued by the International Auditing and Assurance Standards Board (IAASB), 529 5th Avenue, New York, New York, 10017, in the publication entitled “2020 Handbook of International Quality Control, Auditing, Review, Other Assurance, and Related Services and Pronouncements” issued on September 14, 2021, and any related pronouncements issued as of the effective date of this rule, which are available at no cost from the IAASB's website at https://www.iaasb.org/standards-pronouncements.
(e) The accounting standards issued by the Financial Accounting Standards Board
(FASB), 401 Merritt 7, P.O. Box 5116, Norwalk, Connecticut, 06856, in the publication entitled “FASB Accounting Standards Codification” as of June 24, 2021, and any updates published as of the effective date of this rule, which are available at no cost from the board’s website at https://asc.fasb.org.
(f) The accounting standards issued by the Governmental Accounting Standards Board
(GASB), 401 Merritt 7, P.O. Box 5116, Norwalk, Connecticut, 06856, in the publication entitled “GASB Codification” as of December 31, 2020, and any pronouncements published as of the effective date of this rule, which are available at no cost from the board’s website at https://www.gasb.org/home.
(g) The accounting standards issued by the International Accounting Standards Board,
30 Cannon Street, London EC4M 6XH, United Kingdom, in the publication entitled “2021 International Financial Reporting

Standards IFRS® " and any pronouncements issued as of the effective date of this rule, which are available at a cost of £79.00 from the board's website at http://www.ifrs.org.
(h) The United States Securities and Exchange Commission (SEC) rules contained in 17 CFR chapter 2 and the SEC's Interpretative Releases and Policy Statements issued as of the effective date of this rule. The SEC rules may be obtained free of charge at http://www.ecfr.gov. The SEC's Interpretative Releases and Policy Statements may be obtained free of charge at https://www.sec.gov.
(2) Copies of the standards adopted in this rule are available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan, 48909.
(3) A licensee shall satisfy the applicable standards adopted in subrule (1) of this rule.
History: 2007 AACS; 2013 AACS; 2017 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5103
Source: 2013 AACS.

R 338.5104 Retention of documents.
Rule 104. (1) With the exception of documents related to a peer review, all individual licensees, firm licensees, individuals with practice privileges, and out-of-state firms shall keep sufficient documentation, in any form, about services performed while engaged in the practice of public accounting, as well as evidence obtained and conclusions reached, for a period of not less than 5 years.
(2) Documents related to a peer review must be kept in accordance with and satisfy the AICPA's professional standards and retention policies under R 338.5102(1)(a) or until final adjudication of a complaint related to a peer review, whichever is later.
(3) Documentation must be consistent with that required by professional standards or issued by the applicable nationally or internationally recognized professional standards setting organizations.
History: 2007 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5105
Source: 2013 AACS.

R 338.5110
Source: 2021 AACS.

PART 2. LICENSURE REQUIREMENTS

R 338.5110a Uniform CPA exam procedures.
Rule 110a. The following procedures apply to the uniform CPA exam:
(a) Applicants may take the required exam sections individually and in any order.
(b) Applicants shall pass all sections of the exam within a rolling 18-month period beginning on the date that the first section is passed. If all sections are not passed within the rolling 18-month period, then credit for any section passed outside the 18-month period expires and the section must be retaken.
(c) The department may extend the rolling 18-month period under subdivision (b) of this rule due to the sickness of the candidate or a member of the candidate's immediate family if substantiated by a doctor's certificate or if the candidate provides the department with proof verifying a death in the candidate's immediate family, temporary military service, or another good reason acceptable to the department. A candidate shall make a request for an extension within 90 days of the date of the exam. If extended, an applicant's exam does not count as a failure to write the exam.
(d) The department or the entity contracted with the department to administer the exam may allow a candidate to sit for the exam in another state if the candidate satisfies all the requirements for sitting for the exam under these rules.
(e) The department grants a candidate credit for exam grades of 75 or higher earned in another state if the candidate satisfies the educational requirements to sit for the exam and the board decides the exam was equivalent to the exam provided by the department.
(f) An applicant may retake an exam section once the applicant's grade for any earlier attempt of the same exam section has been released.
History: 2003 AACS; 2013 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5111 Exam scores.
Rule 111. (1) The minimum passing grade for each subject is 75.

(2) The department shall notify each candidate of the applicant's grades within a reasonable time, but not later than 120 days after completion of the exam.
(3) A candidate may appeal the grading of any paper to the department, in writing, within 30 days after grades are released.
History: 1986 AACS; 1996 AACS; 1998-2000 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5112
Source: 2021 AACS.

R 338.5114
Source: 2013 AACS.

R 338.5115 Educational requirements for the uniform CPA exam; approved educational institutions; adoption of accreditation standards by reference.
Rule 115. (1) To satisfy section 725(1)(b) and (2) of the code, MCL 339.725, an individual shall provide proof verifying both the following requirements:
(a) Completion of a curriculum required for a baccalaureate degree consisting of not less than 120 semester hours at a higher education institution approved under subrule (3) or (4) of this rule or considered substantially equivalent under subrule (5) of this rule.
(b) Completion of a concentration in accounting at a higher education institution approved under subrule (3) or (4) of this rule or considered substantially equivalent under subrule (5) of this rule, which includes all the accounting and general business subjects under subrule (2) of this rule.
(2) A concentration in accounting must include all the following accounting and general business subjects:
(a) Three semester hours in auditing.
(b) Twenty-four semester hours of general business subjects, other than accounting, which may include study in any of the following subjects:
(i) Business communications.
(ii) Business ethics.
(iii) Business law.
(iv) Economics.
(v) Finance.
(vi) Management.
(vii) Marketing.
(viii) Information systems or technology.
(ix) Quantitative methods.
(x) Statistics.
(xi) Other subjects approved by the department.
(c) Twenty-one semester hours of accounting principles that must include study in each of the following areas:
(i) Financial accounting and accounting theory.
(ii) Managerial accounting, including cost accounting.
(iii) Accounting systems and controls.
(iv) Taxation.
(v) Governmental/fund accounting.
(3) The standards for recognition of accrediting organizations developed and adopted by the Council for Higher Education Accreditation (CHEA), One Dupont Circle NW, Suite 510, Washington, D.C. 20036, in the publication entitled "CHEA Standards and Procedures for Recognition," effective October 4, 2021, which are available at no cost on the council's website at https://www.chea.org, are approved and adopted by reference. If a higher education institution is accredited by the accrediting body of the region in which the institution is located and the accrediting body satisfies the recognition standards of CHEA, then the institution is approved.
(4) The criteria for recognition and the recognition process for the secretary's recognition of accrediting agencies of the United States Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, Washington, D.C. 20202, in 34 CFR 602.10 to 602.39, effective July 1, 2020, which are available at no cost on the department's website at https://www2.ed.gov/about/offices/list/ope/index.html, are approved and adopted by reference. If a higher education institution is accredited by the accrediting body of the region in which the institution is located and the accrediting body satisfies the recognition criteria and process of the United States Department of Education, then the institution is approved.
(5) An individual who attended an unaccredited higher education institution shall establish that the applicant has completed educational requirements at a higher education institution that satisfies accreditation requirements substantially equivalent to

those recognized in subrule (3) or (4) of this rule, by providing a credential evaluation completed by either the National Association of State Boards of Accountancy (NASBA) or a credential evaluation organization that is a current member of the National Association of Credential Evaluation Services (NACES).
(6) Copies of the standards and criteria approved and adopted by reference in this rule are available for inspection and distribution at a cost of 10 cents per page from the Board of Accountancy, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan, 48909.
History: 1979 AC; 1982 AACS; 1986 AACS; 1996 AACS; 1998-2000 AACS; 2013 AACS; 2017 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5116 Educational requirements for certificate of CPA.
Rule 116. (1) To satisfy section 725(1)(e) of the code, MCL 339.725, an individual shall provide proof verifying all the following requirements:
(a) Completion of not less than 150 semester hours at a higher education institution approved under R 338.5115(3) or (4) or considered substantially equivalent under R 338.5115(5).
(b) Completion of a baccalaureate degree or higher degree from a higher education institution approved under R 338.5115(3) or (4) or considered substantially equivalent under R 338.5115(5).
(c) Completion of a concentration in accounting under R 338.5115(1)(b) and R 338.5115(2) at a higher education institution approved under R 338.5113(3) or (4) or considered substantially equivalent under R 338.5115(5).
(2) A person may earn credit only once for an accounting or general business topic. If the department decides that 2 courses are duplicative, then only the semester hours of the first course are counted toward the semester hour requirement.
History: 2013 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5117
Source: 2013 AACS.

R 338.5120
Source: 2013 AACS.

R 338.5125
Source: 1997 AACS.

R 338.5130
Source: 1998-2000 AACS.

R 338.5135
Source: 1997 AACS.

R 338.5139 Practice privilege.
Rule 139. An individual shall not, as a condition of qualification for the practice privilege granted under section 727a of the code, MCL 339.727a, be required to satisfy the continuing professional education requirements of this state provided that the individual satisfies the continuing professional education requirements of the state of the individual's principal place of business.
History: 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5140 Permit for temporary practice.
Rule 140. (1) An accountant who does not qualify for practice privileges under section 727a of the code, MCL 339.727a or who does not hold a license to practice public accounting in this state, shall obtain a permit and pay the fee for each engagement in this state by the accountant, or on behalf of the accountant's firm, who does not hold a license to practice public accountancy in this state. The applicant shall hold a license as a CPA of another state, or hold a title from a foreign country, recognized by the board as comparable to the Michigan certificate of CPA and shall be practicing public accountancy under the certificate or license in the grantor state or country.
(2) If approved by the department, the term of the permit begins on the date approved unless otherwise specified and must be for a specified period but must not be for more than 1 year.
(3) The temporary practice shall be performed by, or under the direct supervision of, a licensed CPA, an individual with practice privileges under section 727a of the code, MCL 339.727a, or the holder of a title from a foreign country who is recognized under subrule (1) of this rule.

(4) A temporary permit is not required if the work relates to a Michigan-based division or subsidiary of an entity, if the parent entity is located in another state or foreign country and is a client of the CPA, firm, or foreign accountant, and if a separate presentation of financial statements with a related independent auditor's report or review report, or an attestation regarding the reliability of a representation or estimate, is not made for the division or subsidiary on a stand-alone basis.
(5) A temporary permit is not required if the work is to be performed through the applicant's employer who presently holds a license to practice public accountancy in this state.
(6) A temporary permit issued to an accountant also constitutes a temporary permit for the accountant's firm, if the accountant's firm is not presently licensed in this state.
(7) If another jurisdiction charges a fee for providing an affidavit or certificate of professional standing for deciding whether the applicant is qualified to practice public accountancy temporarily in this state, the applicant shall pay the fee.
History: 1979 AC; 1998-2000 AACS; 2007 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5145
Source: 2013 AACS.

R 338.5147
Source: 1998-2000 AACS.

R 338.5150
Source: 1998-2000 AACS.

R 338.5155
Source: 1998-2000 AACS.

R 338.5160
Source: 1997 AACS.

R 338.5165
Source: 1997 AACS.

R 338.5170
Source: 1997 AACS.

R 338.5201
Source: 1997 AACS.

R 338.5205
Source: 1997 AACS.

PART 3. CONTINUING EDUCATION

R 338.5210 License renewals; continuing education requirements; applicability; continuing education waiver; reciprocity.
Rule 210. (1) This part applies to applications for renewal of an accountancy license under sections 411 and 729 of the code, MCL 339.411 and 339.729. An applicant for renewal shall provide the required fee and a completed application on a form provided by the department. Both of the following standards apply:
(a) Under section 729(1) of the code, MCL 339.729, an applicant for renewal who is a nonresident licensee as that term is defined in section 720(1)(g) of the code, MCL 339.720, is considered to have met the requirements under this part if the applicant satisfies all the following requirements:
(i) Provides the required fee and a completed application on a form provided by the department.
(ii) The state in which the applicant's principal place of business is located requires continuing education for renewal of that state's accountancy license.
(iii) Meets the continuing education requirements of the state in which the applicant's principal place of business is located.
(b) If audited, the applicant shall provide a copy of the license that was renewed by the state in which the applicant's principal place of business is located.
(2) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. Both of the following standards apply:

(a) An applicant shall keep documentation required by R 338.5215 as proof verifying satisfaction of the requirements under this rule for 4 years after the date of applying for license renewal.
(b) A licensee is subject to audit under this part and may have to provide the documentation as described by R 338.5215 upon request of the department.
(3) A request for a continuing education waiver under section 204(2) of the code, MCL 339.204, must be received by the department before the expiration date of the license.
History: 1979 AC; 1986 AACS; 1996 AACS; 1998-2000 AACS; 2007 AACS; 2013 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5211 Renewal of license with insufficient qualifying hours allowed under certain circumstances; waiver of requirement for additional hours.
Rule 211. (1) A licensee who does not earn sufficient qualifying hours during the continuing education period may be allowed to renew a license upon reporting 80 qualifying hours and an additional 4 hours of continuing education credit for each month of time needed to remove the deficiency. The additional 4 hours of continuing education credit for each month of time needed to remove the deficiency shall not apply toward the qualifying hours of continuing education credit required in a continuing education period for the renewal of a license.
(2) The department may waive the requirement for additional hours upon a showing by the licensee that the additional hours would present an undue hardship on the licensee.
History: 1986 AACS; 1996 AACS; 1998-2000 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5215 Acceptable continuing education; requirements; limitations.
Rule 215. (1) The continuing education hours required for renewal must satisfy the following requirements:

	Activity and Proof of Completion	Number of Continuing Education Hours Earned for the Activity
(a)	Attendance in a group program that satisfies all the following requirements: - The subject matter of the program satisfies R 338.5255. - The program is conducted by an instructor or discussion leader whose background, training, education, or experience makes it appropriate for the instructor or discussion leader to lead a discussion on the subject matter. - The sponsor of the program takes individual attendance. - The sponsor of the program issues to each attendee a program outline and a written certification of the attendee's hours of attendance. - The sponsor of the program keeps written records of individual attendance and the program outline for 4 years. If audited, a licensee shall provide a copy of a letter or certificate of completion showing the licensee's name, total continuing education hours earned, sponsor name and contact information, course title, course field of study, date offered or completed, and type of instruction or delivery method used.	Fifty minutes of continuous instruction equals 1 continuing education hour. Additional credit is granted after the first 50 minutes for continuous instruction in the following amounts: One-half credit (0.5 credit) for every additional 25 minutes. One-fifth credit (0.2 credit) for every additional 10 minutes.
(b)	Completion of an individual nano-learning program that satisfies all the following requirements: - The subject matter of the program satisfies R 338.5255. - The program is an educational course designed for nano-learning delivery. - The program uses instructional methods that define a minimum of 1 learning objective. - The program guides the participant through a program of learning and provides proof verifying a participant's satisfactory completion of the program.	Credit is awarded as 1/5 credit (0.2 credit) for each nano-learning program completed. A nano-learning course cannot be combined with another nano-learning course. A combined maximum of 20 continuing education hours may be earned under this activity and

	- The sponsor requires the participant to successfully complete a qualified assessment with a passing grade of 100% before issuing credit for the course. - The sponsor of the program issues the participants a written certification of the participants' completion of the program and a program outline. - The sponsor of the program keeps written records of the participant's completion of the program and the program outline for 4 years. If audited, the licensee shall provide a copy of a letter or certificate of completion provided by the program sponsor verifying the licensee's name, number of continuing education hours earned, sponsor name and contact information, course title, course field of study, date completed, and type of instruction or delivery method used.	activity (f) during each continuing education period.
(c)	Passing a noncredit academic course that satisfies both of the following requirements: - The subject matter of the course satisfies R 338.5255. - The course is offered by an educational institution that satisfies R 338.5115. If audited, the licensee shall provide a letter from the institution confirming the name and course number of the course completed, number of classroom hours attended, and the date of satisfactory course completion.	Each 50 minutes of continuous instruction equals 1 continuing education hour.
(d)	Passing a for-credit academic course that satisfies both of the following requirements: - The subject matter of the course satisfies R 338.5255. - The course is offered by an educational institution that satisfies R 338.5115. If audited, the licensee shall provide a copy of an official transcript or a letter from the institution confirming the name and course number of the course completed, credit hours earned, and date of satisfactory course completion.	Fifteen continuing education hours are granted for each academic credit hour.
(e)	Classroom work as a teacher, instructor, speaker, or lecturer that is part of an academic course of which the subject matter satisfies R 338.5255 and is offered at an educational institution that satisfies R 338.5115 or conducting a group program that satisfies the requirements under activity (a) as a teacher, instructor, lecturer, speaker, or seminar discussion leader. If audited, the licensee shall provide a copy of the confirmation letter provided by the program sponsor or the institution verifying the licensee's name, number of hours of classroom work or hours spent conducting the group program, course title, course field of study, and dates of the presentation or instruction.	Three continuing education hours are granted for every 50 minutes of continuous instruction. A maximum of 20 continuing education hours may be earned during each continuing education period.
(f)	Completion of an individual self-study program that satisfies all the following requirements: - The subject matter of the program satisfies R 338.5255. - The program is an educational course designed for self-study. - The sponsor of the program issues the participants a written	Twenty-five minutes of continuous instruction equals ½ credit (0.5 credit) of 1 continuing education hour. One-fifth credit (0.2 credit) of 1

	certification of the participant's completion of the program and a program outline. - The sponsor of the program keeps written records of the participant's completion of the program and the program outline for 4 years. If audited, the licensee shall provide a copy of a letter or certificate of completion provided by the program sponsor verifying the licensee's name, number of continuing education hours earned, sponsor name and contact information, course title, course field of study, date completed, and type of instruction or delivery method used.	continuing education hour is granted for every additional 10 minutes of continuous instruction after the first 25 minutes of continuous instruction. A combined maximum of 20 continuing education hours may be earned under this activity and activity (b) during each continuing education period.
(g)	A course in professional ethics that satisfies the requirements of activity (a), (b), (c), (d), (e), or (f) is approved if the subject matter of the course satisfies R 338.5255(2). If audited, the licensee shall provide a copy of a letter or certificate of completion provided by the program sponsor verifying the licensee's name, number of continuing education hours earned, sponsor name and contact information, course title, course field of study, date completed, and type of instruction or delivery method used.	Continuing education hours are granted in an amount allowed under the type of activity for which the course qualifies.
(h)	Completion of a course in Michigan statutes and rules applicable to public accountancy that satisfies all the following requirements: - The content of the course is created by the Michigan Association of Certified Public Accountants. - The course provider issues the participants a written certification of the participant's completion of the course and a course outline. - The sponsor of the program keeps written records of the participant's completion of the course and the course outline for 4 years. If audited, the licensee shall provide a copy of a letter or certificate of completion provided by the program sponsor verifying the licensee's name, number of continuing education hours earned, sponsor name and contact information, course title, course field of study, date completed, and type of instruction or delivery method used.	Fifty minutes of continuous instruction equals 1 continuing education hour.

(2) Continuing education hours are not granted for a program or activity that has substantially equivalent content of a program or activity for which the applicant has already earned continuing education hours during the continuing education period.
History: 1979 AC; 1986 AACS; 1996 AACS; 1998-2000 AACS; 2003 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5216
Source: 2019 AACS.

R 338.5217
Source: 2019 AACS.

R 338.5218
Source: 2019 AACS.

R 338.5220
Source: 1997 AACS.

R 338.5221
Source: 1998-2000 AACS.

R 338.5225
Source: 1997 AACS.

R 338.5230 Relicensure; continuing education.
Rule 230. (1) An applicant for relicensure whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the code, MCL 339.411, if the applicant satisfies both of the following requirements:
(a) Provides the required fee and a completed application on a form provided by the department.
(b) Provides proof verifying the completion of 40 hours of continuing education within the 12 months immediately preceding the date of filing the relicensure application. However, if the continuing education hours provided with the application are deficient, the application will be held by the department and the applicant shall provide proof verifying the completion of the deficient hours within 1 year after the date of filing the relicensure application. The 40 hours must satisfy all the following requirements:
(i) Satisfy the requirements of R 338.5215.
(ii) Eight of the 40 hours are in auditing and accounting.
(iii) Two of the 40 hours are in professional ethics.
(iv) One of the 2 hours is in professional ethics that satisfies the requirements under R 338.5215(1)(h).
(2) An applicant whose license has been lapsed for 3 or more years after the expiration date of the last license may be relicensed under section 411(4) of the code, MCL 339.411, if the applicant satisfies all the following requirements:
(a) Provides the required fee and a completed application on a form provided by the department.
(b) Establishes that the applicant holds a valid and unrevoked certificate as a CPA that was issued under section 725 or 726 of the code, MCL 339.725 or 339.726.
(c) Provides proof verifying the completion of 40 hours of continuing education within the 12 months immediately preceding the date of filing the relicensure application. However, if the continuing education hours provided with the application are deficient, the applicant has 1 year after the date of filing the application to provide proof verifying the completion of the deficient hours. The 40 hours must satisfy all the following requirements:
(i) Satisfy the requirements of R 338.5215.
(ii) Eight of the 40 hours are in auditing and accounting.
(iii) Two of the 40 hours are in professional ethics.
(iv) One of the 2 hours is in professional ethics that satisfies the requirements under R 338.5215(1)(h).
(3) The continuing education hours required for the continuing education period of the year in which the license is granted under this rule are prorated starting with the month following the date of relicensure.
(4) The department shall not calculate the period of a lapsed license based on a current or lapsed registration. A registrant whose license has lapsed for less than 3 years shall satisfy the requirements under subrule (1) of this rule. A registrant whose license has lapsed for 3 years or more shall satisfy the requirements under subrule (2) of this rule.
History: 1979 AC; 1986 AACS; 1996 AACS; 1998-2000 AACS; 2003 AACS; 2013 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5235
Source: 1997 AACS.

R 338.5240
Source: 2019 AACS.

R 338.5245
Source: 1997 AACS.

R 338.5250
Source: 1997 AACS.

R 338.5255

Source: 2019 AACS.

R 338.5260
Source: 2013 AACS.

R 338.5265
Source: 1997 AACS.

R 338.5270
Source: 2013 AACS.

R 338.5275
Source: 1998-2000 AACS.

R 338.5280
Source: 1997 AACS.

R 338.5285
Source: 1997 AACS.

R 338.5301
Source: 1997 AACS.

R 338.5303
Source: 1997 AACS.

R 338.5304
Source: 1997 AACS.

R 338.5305
Source: 1998-2000 AACS.

R 338.5309
Source: 1997 AACS.

R 338.5311
Source: 1997 AACS.

R 338.5313
Source: 1997 AACS.

R 338.5315
Source: 1997 AACS.

R 338.5317
Source: 1997 AACS.

R 338.5319
Source: 1997 AACS.

R 338.5321
Source: 1997 AACS.

R 338.5323
Source: 1997 AACS.

R 338.5325
Source: 1997 AACS.

R 338.5327
Source: 1997 AACS.

R 338.5329
Source: 1997 AACS.

R 338.5331
Source: 1997 AACS.

R 338.5333
Source: 1997 AACS.

R 338.5335
Source: 1997 AACS.

R 338.5337
Source: 1997 AACS.

R 338.5339
Source: 1997 AACS.

R 338.5341
Source: 1997 AACS.

R 338.5343
Source: 1997 AACS.

R 338.5345
Source: 1998 - 2000 AACS.

R 338.5347
Source: 1997 AACS.

R 338.5349
Source: 1997 AACS.

R 338.5351
Source: 1997 AACS.

PART 4. PROFESSIONAL CONDUCT

R 338.5401 Responsibility for conduct of supervised persons.
Rule 401. (1) The department may hold an individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm responsible for compliance with the rules of professional conduct by all persons under their supervision. If the licensee is a firm, the department shall hold the firm, including an out-of-state firm, responsible for compliance with the rules of professional conduct by all the firm's officers, employees, partners, and principals.
(2) An individual licensee, a firm licensee, and individual with practice privileges, or an out-of-state firm, shall not allow others to conduct on its behalf acts which, if conducted by the individual licensee, firm licensee, individual with practice privileges, or out-of-state firm, would constitute a violation of the rules of professional conduct.
History: 1979 AC; 1986 AACS; 1998-2000 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5405 Independence rule; adoption by reference.
Rule 405. An individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm may perform attest services as that term is defined in section 720 of the code, MCL 339.720, of an enterprise only if the individual licensee, firm licensee, individual with practice privileges, or out of-state firm is independent from the enterprise. The standards adopted in R 338.5102(1) shall be used to decide if the individual or firm is independent from the enterprise.

History: 1979 AC; 1986 AACS; 1996 AACS; 1998-2000 AACS; 2003 AACS; 2007 AACS; 2013 AACS; 2017 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5410
Source: 1997 AACS.

R 338.5415
Source: 1997 AACS.

R 338.5420
Source: 1997 AACS.

R 338.5425
Source: 1997 AACS.

R 338.5430
Source: 1998-2000 AACS.

R 338.5435
Source: 2013 AACS.

R 338.5440
Source: 1998-2000 AACS.

R 338.5445
Source: 1998-2000 AACS.

R 338.5446
Source: 2013 AACS.

R 338.5450
Source: 1998-2000 AACS.

R 338.5460 Contingent fees.
Rule 460. (1) A contingent fee, as that term is defined in section 703(4) of the code, MCL 339.730, is a fee paid by a client to an individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm.
(2) An individual licensee, firm licensee, an individual with practice privileges, or an out-of-state firm who is paid or expects to be paid a contingent fee by a client shall disclose that fact to the client.
(3) As used in section 730(4) of the code, MCL 339.730, the term "tax matters" relates to the preparation of an original or amended tax return or claim for tax refund and includes giving advice on events that occurred before the time the advice is given if the advice is directly relevant to determining the existence, character, or amount of a schedule, entry, or other portion of a return of claim for refund.
(4) As provided in section 730(4) of the code, MCL 339.730, a fee is considered determined, based on the findings of a governmental agency, if the individual licensee, firm licensee, individual with practice privileges, or out-of-state firm can show a reasonable expectation at the time of a fee arrangement of substantive consideration by the agency with respect to the client. An expectation of substantive consideration is not considered reasonable for preparation of original tax returns.
History: 1979 AC; 1986 AACS; 1998-2000 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5465 Acts constituting discreditable conduct.
Rule 465. Any of the following acts by an individual licensee, firm licensee, an individual with practice privileges, or an out-of-state firm, constitutes conduct that is discreditable to the accounting profession:
(a) Using deceptive representations in connection with services performed.
(b) Representing services are of a particular standard when they are not.
(c) Failing to perform, on a prompt basis, services in accordance with the conditions, terms, or prerequisites of a public communication or any quotation.
(d) Misrepresenting facts or not disclosing relevant facts.
(e) Creating false or unjustified expectations of favorable results.

(f) Implying abilities not supported by valid educational or professional attainments or licensing recognition.
(g) Implying the ability to influence improperly any court, tribunal, or other public body or official.
(h) Making any other representation or implication that is false, deceptive, or misleading.
(i) Employing or engaging a person to perform a discreditable act.
(j) Engaging in a trade practice prohibited by law.
(k) Retaining documents constituting the original books and records of a client after a demand has been made for their return.
(l) Failing to respond, within a reasonable time, to inquiries of the board or the board's authorized representatives relative to the administration of the code.
(m) Providing false or misleading information on the qualifying experience of an applicant for CPA.
(n) Stating or implying that the individual licensee, firm licensee, individual with practice privileges, or out-of-state firm has received formal recognition as a specialist in any aspect of the practice of public accountancy if the individual licensee, firm licensee, individual with practice privileges, or out-of-state firm has not received the recognition.
(o) Representing that professional services can or will be competently performed for a stated fee when this is not the case, or making representations with respect to fees for professional services that do not disclose all variables which may reasonably be expected to affect the fees that will in fact be charged.

History: 1979 AC; 1986 AACS; 1996 AACS; 1998-2000 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5470

Source: 1997 AACS.

R 338.5475 Payment or acceptance of commissions; "commission" defined.

Rule 475. (1) As used in section 731 of the code, MCL 339.731, "commission" means any consideration paid to an individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm by a third-party in connection with a recommendation or referral of a person to the third-party.
(2) As provided in section 731(3) of the code, MCL 339.731, a referral fee is not a commission when received or paid by an individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm for recommending or referring a client to another individual licensee, firm licensee, individual with practice privileges, or out-of-state firm for a service involving the practice of public accounting.
(3) An individual licensee, a firm licensee, an individual with practice privileges, or an out-of-state firm who is paid or expects to be paid a commission or a referral fee shall disclose that fact to the client.

History: 1979 AC; 1986 AACS; 1998-2000 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5480

Source: 2013 AACS.

R 338.5501 Peer review.

Rule 501. (1) Each firm or sole practitioner required to take part in a peer review program under section 729(2) of the code, MCL 339.729, shall enroll in the program of a qualified sponsoring organization within 1 year of the earlier of the following:
(a) The firm or solo practitioner's initial licensing date.
(b) The performance of services that require a peer review.
(2) Proof verifying a peer review shall not have to be provided to the department until the second renewal following initial licensure or the performance of services requiring a peer review.
(3) The department shall accept, as proof verifying compliance with section 729(2) of the code, MCL 339.729, the electronic submission of information from the facilitated state board access (FSBA) website.
(4) Qualified sponsoring organizations include the AICPA peer review program, and other entities that adhere to the peer review standards defined in R 338.5102(1)(a) as decided by the board. With respect to an out-of-state firm required to obtain a license under section 728 of the code, MCL 339.728, a peer review sponsoring organization approved by another state in which that firm is licensed is presumed to be qualified in this state, with respect to that firm.
(5) A licensee subject to peer review shall not be required to become a member of any sponsoring organization.
(6) Out-of-state firms required to obtain a peer review under section 728(5) of the code, MCL 339.728, may, instead of enrolling in a program sponsored by an organization described in subrule (3) of this rule, satisfy the peer review requirement applicable in the state where that firm is licensed, verified proof of which shall be given to the department upon the department's request.

History: 2007 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.5503 Peer review standards; change in sponsoring organization; deficient peer review reports; documentation.

Rule 503. (1) If a firm is merged, otherwise combined, dissolved, or separated, the sponsoring organization shall decide which firm is considered the succeeding firm. The succeeding firm shall keep its peer review status and the review due date.
(2) A firm choosing to change to another sponsoring organization may do so provided that the firm authorizes the previous sponsoring organization to communicate to the succeeding sponsoring organization any outstanding corrective actions related to the firm's most recent review.
(3) The department may rely on a failed peer review report or a second consecutive pass with deficiencies peer review report as prima facie evidence of a violation of professional standards.
(4) Each peer review and reviewer must satisfy the applicable review standards in place at the time of the review. The following standards apply:
(a) Documents related to a peer review must be kept and satisfy the AICPA's retention policies under R 338.5102(1)(a), or until final adjudication of a complaint related to a peer review, whichever is later.
(b) The documents described in subdivision (a) of this subrule shall be available for inspection by the department during regular business hours with reasonable notice.
History: 2007 AACS; 2013 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.6001
Source: 2003 AACS.

R 338.6003
Source: 2003 AACS.

PART 3.SANITATION

R 338.6039
Source: 2003 AACS.

PART 4. BARBER COLLEGES

R 338.6045
Source: 2003 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHYSICIAN'S ASSISTANTS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.6101
Source: 2021 AACS.

R 338.6102
Source: 1997 AACS.

R 338.6103
Source: 2021 AACS.

PART 2. PHYSICIANS' ASSISTANT PROGRAM APPROVAL

R 338.6201
Source: 2021 AACS.

R 338.6202
Source: 1997 AACS.

R 338.6203
Source: 1997 AACS.

R 338.6204
Source: 1997 AACS.

R 338.6205
Source: 1997 AACS.

R 338.6206
Source: 1997 AACS.

R 338.6207
Source: 1997 AACS.

R 338.6208
Source: 1997 AACS.

R 338.6209
Source: 1997 AACS.

R 338.6210
Source: 1997 AACS.

R 338.6211
Source: 1997 AACS.

PART 3. PHYSICIAN'S ASSISTANT LICENSE

R 338.6301
Source: 2021 AACS.

R 338.6302
Source: 1997 AACS.

R 338.6303
Source: 1997 AACS.

R 338.6304
Source: 1997 AACS.

R 338.6305
Source: 2021 AACS.

R 338.6306
Source: 1997 AACS.

R 338.6307
Source: 1997 AACS.

R 338.6308
Source: 2021 AACS.

R 338.6309
Source: 2019 AACS.

R 338.6311
Source: 2021 AACS.

PART 4. ADMINISTRATIVE HEARINGS

R 338.6401
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF PROFESSIONAL LICENSING

PUBLIC HEALTH CODE – GENERAL RULES

R 338.7001
Source: 2021 AACS.

R 338.7001a Biennial license and registration renewal; expiration.
Rule 1a. (1) The following licenses and registrations expire biennially and must be renewed every 2 years on or before the date indicated:

Acupuncture	Issue date
Audiology	Issue date
Chiropractic	Issue date
Dental Therapy	Issue date
Marriage and family therapy	Issue date
Midwifery	Issue date
Nursing	Issue date
Nursing home administrators	Issue date
Occupational therapy	Issue date
Optometry	Issue date
Pharmacy	Issue date
Physical therapy	Issue date
Physician's assistants	Issue date
Psychology	Issue date
Respiratory care	Issue date
Sanitarians	Issue date
Speech-language pathology	Issue date

(2) A license or registration having a limitation may be renewed for a term less than 2 years.
History: 1979 AC; 2009 AACS; 2014 AACS; 2017 AACS; 2020 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.7002 Triennial license or registration renewal; expiration.
Rule 2. (1) The following licenses and registrations expire triennially and must be renewed every 3 years on or before the date indicated:

Athletic trainer	Issue date
Counseling	Issue date
Dentistry	Issue date
Dental Assistant	Issue date
Dental Hygienist	Issue date
Massage therapy	Issue date
Medicine	Issue date
Osteopathic medicine and surgery	Issue date
Podiatric medicine and surgery	Issue date
Social work	Issue date
Veterinary medicine	Issue date

(2) A license or registration having a limitation may be renewed for a term less than 3 years.
History: 1979 AC; 2009 AACS; 2014 AACS; 2017 AACS; 2020 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.7002a

Source: 2020 AACS.

R 338.7002b Minimum English language standard.

Rule 2b. (1) Pursuant to section 16174(1)(d) of the code, MCL 333.16174, an applicant seeking licensure or registration must demonstrate a working knowledge of the English language under the minimum standards established by the department.

(2) To demonstrate a working knowledge of the English language, the applicant must establish that he or she meets 1 of the following:

(a) The applicant's health professional educational program was taught in English.

(b) The applicant supplies transcripts establishing that he or she earned not less than 60 college level credits from an English-speaking undergraduate or graduate school.

(c) The applicant's credentials and English proficiency have been evaluated and determined to be equivalent to the credentials required in this state by a board-approved credentialing agency.

(d) The applicant obtained a passing score of 650 or higher on the Examination for the Certificate of Competency in English (ECCE) test developed by Michigan Language Assessment, as demonstrated by a certificate of competency or certificate of competency with honors.

(e) The applicant obtained a passing score of 650 or higher on the Examination for the Certificate of Proficiency in English (ECPE) test developed by Michigan Language Assessment, as demonstrated by a certificate of proficiency or certificate of proficiency with honors.

(f) The applicant obtained a total score of not less than 6.5 on the International English Language Testing System (IELTS) Academic test within 2 years of the date of application.

(g) The applicant obtained an overall score of not less than 55 on the 4-skill Michigan English Test (MET) developed by Michigan Language Assessment.

(h) The applicant obtained an overall score of not less than 300 on the Occupational English Test (OET).

(i) The applicant obtained a total score of not less than 80 on the Test of English as a Foreign Language Internet-Based Test (TOEFL-IBT) administered by the Educational Testing Service within 2 years of the date of application.

History: 2020 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.7003 "Stark Law" revision; adoption by reference.

Rule 3. (1) Under section 16221(e)(iv)(B) of the code, MCL 333.16221, the department has taken notice that the Stark Law, 42 USC 1395nn, was revised effective February 9, 2018. The department also takes notice that the regulations promulgated under the Stark Law, 42 CFR 411.350 to 411.389, were revised effective January 19, 2021, and January 1, 2022. The department finds that the revisions to both the Stark Law, 42 USC 1395nn, and regulations under the Stark Law, 42 CFR 411.350 to 411.389, pertain to referrals by physicians for designated health services and continues to protect the public from inappropriate referrals by physicians. Therefore, the department adopts by reference the Stark Law, 42 USC 1395nn, as revised February 9, 2018, and regulations promulgated under the Stark Law, 42 CFR 411.350 to 411.389, as revised January 19, 2021, and January 1, 2022.

(2) All federal regulations noted in subrule (1) of this rule are available at no cost at SUBPART - Financial Relationships Between Physicians and Entities Furnishing Designated Health Services (govregs.com). These regulations also are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Michigan Department Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.

History: 2009 AACS; 2017 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.7004 Implicit bias training standards.

Rule 4. (1) Beginning June 1, 2022, an applicant for licensure or registration under article 15 of the code, MCL 333.16101 to 333.18838, except those seeking to be licensed under part 188 of the code, MCL 333.18801 to 333.18838, shall have completed a minimum of 2 hours of implicit bias training within the 5 years immediately preceding issuance of the license or registration.

(2) Beginning June 1, 2022, and for every renewal cycle thereafter, in addition to completing any continuing education required for renewal, reregistration, or relicensure, an applicant for license or registration renewal, reregistration, or relicensure under article 15 of the code, MCL 333.16101 to 333.18838, except those licensed under part 188 of the code, MCL 333.18801 to 333.18838, shall have completed a minimum of 1 hour of implicit bias training for each year of the applicant's license or registration cycle.

(3) The implicit bias training must be related to reducing barriers and disparities in access to and delivery of health care services and meet all of the following requirements:

(a) Training content must include, but is not limited to, 1 or more of the following topics:

(i) Information on implicit bias, equitable access to health care, serving a diverse population, diversity and inclusion initiatives, and cultural sensitivity.

(ii) Strategies to remedy the negative impact of implicit bias by recognizing and understanding how it impacts perception, judgment, and actions that may result in inequitable decision making, failure to effectively communicate, and result in barriers and disparities in the access to and delivery of health care services.
(iii) The historical basis and present consequences of implicit biases based on an individual's characteristics.
(iv) Discussion of current research on implicit bias in the access to and delivery of health care services.
(b) Training must include strategies to reduce disparities in access to and delivery of health care services and the administration of pre- and post-test implicit bias assessments.
(c) Acceptable sponsors of this 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 any board created under article 15 of the code, MCL 333.16101 to 333.18838, except under part 188 of the code, MCL 333.18801 to 333.18838, for initial licensure or registration or for the accumulation of continuing education credits.
(iv) Training offered by an accredited college or university.
(v) An organization specializing in diversity, equity, and inclusion issues.
(d) Acceptable modalities of training include any of the following:
(i) A teleconference or webinar that permits live synchronous interaction.
(ii) A live presentation.
(iii) Interactive online instruction.
(4) Submission of an application for licensure, registration, or renewal constitutes an applicant's certificate of compliance with the requirements of this rule. A licensee or registrant shall retain documentation of meeting the requirements of this rule for a period of 6 years from the date of applying for licensure, registration, or renewal. The department may select and audit a sample of a licensees or registrants and request documentation of proof of compliance with this rule. If audited by the department, a licensee or registrant shall provide the proof of completion of training, including either of the following:
(a) A completion certificate issued by the training program that includes the date of the training, the program sponsor's name, the title of the program, and licensee's or registrant's name.
(b) A self-attestation by the licensee or registrant that includes the date of the training, the program sponsor's name, the title of the program, and licensee's or registrant's name.
History: 2020 AACS; 2021 AACS; 2022 MR 6, Eff. Mar. 16, 2022.

R 338.7005
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF PHYSICAL THERAPY – GENERAL RULES

R 338.7101
Source: 2010 AACS.

R 338.7102
Source: 2010 AACS.

R 338.7103
Source: 2010 AACS.

R 338.7104
Source: 2010 AACS.

R 338.7105
Source: 2010 AACS.

R 338.7107
Source: 2010 AACS.

R 338.7107a
Source: 2010 AACS.

R 338.7107b
Source: 2010 AACS.

R 338.7110
Source: 2010 AACS.

R 338.7111
Source: 2010 AACS.

R 338.7112
Source: 2010 AACS.

R 338.7113
Source: 2010 AACS.

R 338.7114
Source: 2010 AACS.

PART 1. DEFINITIONS

R 338.7121 Definitions.
Rule 21. (1) As used in these rules:
(a) "Board" means the Michigan board of physical therapy created under section 17821 of the code, MCL 333.17821.
(b) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
(c) "Department" means the Michigan department of licensing and regulatory affairs.
(d) "Patient or client of record" means a patient or client who is receiving physical therapy services from a licensed physical therapist or from a licensed physical therapist assistant under the direction and supervision of a physical therapist.
(2) A term defined in the code has the same meaning when used in these rules.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 2. GENERAL PROVISIONS

R 338.7122 Prescription.
Rule 22. (1) As used in these rules, a prescription is a written or electronic order for physical therapy. A prescription must include all the following information:
(a) The name of the patient.
(b) The patient's medical diagnosis.
(c) The signature of either an individual who is licensed and authorized to prescribe physical therapy in Michigan or an individual who holds the equivalent license issued by another state, as provided in section 17820(1) of the code, MCL 333.17820.
(d) The date that the authorized licensee wrote the prescription.
(2) A prescription is valid for 90 days from the date that the authorized licensee writes the prescription unless the termination date is otherwise specified by the authorized licensee on the prescription.
History: 2010 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7123
Source: 2015 AACS.

R 338.7124
Source: 2019 AACS.

R 338.7125
Source: 2015 AACS.

R 338.7126 Training standards for identifying victims of human trafficking; requirements.

Rule 26. (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 all the following standards:
(a) Training content must cover all 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 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 approved 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 licenses issued beginning January 6, 2022.
History: 2017 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7127 Telehealth.
Rule 27. (1) A licensee shall obtain consent for treatment before providing a telehealth service under section 16284 of the code, MCL 333.16284.
(2) A licensee shall keep proof of consent for telehealth treatment in the patient's up-to-date medical record and follow section 16213 of the code, MCL 333.16213.
(3) A licensee providing any telehealth service shall do both of the following:
(a) Act within the scope of the licensee's practice.
(b) Exercise the same standard of care applicable to a traditional, in-person health care service.
History: 2022 MR 4, Eff. Feb. 22, 2022.

PART 3. PHYSICAL THERAPISTS

R 338.7131 Program accreditation standards; physical therapist; adoption of standards by reference.
Rule 31. (1) The standards and evaluative criteria for accreditation of physical therapist educational programs set forth by the Commission on Accreditation in Physical Therapy Education (CAPTE) in the document entitled "PT Standards and Required Elements" effective January 1, 2016 are adopted by reference in these rules. Copies of the evaluative criteria are available, at no cost, from CAPTE, 1111 North Fairfax St., Alexandria, Virginia 22314-1488, and on CAPTE's website at https://www.capteonline.org. Copies of the evaluative criteria also are available for inspection and distribution at a cost of 10 cents per page from the Board of Physical Therapy, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.
(2) Any educational program for physical therapists accredited by CAPTE satisfies the qualifications for an approved physical therapist educational program.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7132 Licensure by examination; physical therapist; requirements.
Rule 32. An applicant for a physical therapist license by examination shall provide the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and these rules, an applicant shall satisfy all the following requirements:
(a) Graduate from an accredited physical therapist educational program that satisfies the standards under R 338.7131.
(b) Pass the National Physical Therapy Examination (NPTE) for physical therapists required under R 338.7133(1).
(c) Achieve a converted score of not less than 75 on the Michigan Physical Therapist Jurisprudence Exam required under R 338.7133(2).
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7133 Examinations; physical therapist; adoption and approval.
Rule 33. (1) The board approves and adopts the NPTE for physical therapists developed, administered, and scored by the Federation of State Boards of Physical Therapy (FSBPT). The board adopts the passing score recommended by FSBPT.
(2) The board approves the Michigan Physical Therapist Jurisprudence Exam on laws and rules related to the practice of physical therapy in Michigan, which is administered by a third party approved by the department.
History: 2010 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7134 Physical therapist examination; eligibility.
Rule 34. (1) To be eligible for the NPTE for physical therapists, an applicant shall satisfy 1 of the following requirements:
(a) Graduate from an accredited physical therapist educational program that satisfies the standards under R 338.7131.
(b) Satisfy the requirements under R 338.7135.
(c) Verify current enrollment in the final semester, term, or quarter of an approved physical therapist educational program and expected date of graduation.
(2) An applicant who fails to achieve passing scores on the examinations required under R 338.7133 may retake the Michigan Physical Therapist Jurisprudence Exam without limitation and the NPTE for physical therapists consistent with the FSBPT testing standards. An applicant requesting an appeal of the 6-time lifetime limit policy or the 2 very low scores policy shall complete the following requirements before the board will consider the request. The department shall reject a request to the board if the applicant does not provide all the following information in writing:
(a) A completed NPTE Appeal form, which includes the information under subdivisions (b) to (j) of this subrule.
(b) The candidate's name.
(c) Whether the request relates to the physical therapy or physical therapy assistant examination level.
(d) Whether the 6-time lifetime limit policy or the 2 very low scores policy is being appealed.
(e) The state where the applicant is seeking licensure.
(f) The reason for the appeal, including why the applicant believes the 6-time lifetime limit policy or the 2 very low scores policy should not apply to the applicant.
(g) A list of all physical therapist or physical therapist assistant examination level examinations taken by the applicant, including the date of the examinations, province or state where taken, and the scores on the examinations.
(h) A list of any disciplinary action taken against the applicant by the FSBPT or by a province of Canada or another state, including the date, the province or state, and an explanation of the circumstances surrounding the discipline.
(i) The applicant's signature.
(j) The date the applicant completed the form.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7135 Graduate of non-accredited postsecondary institution; physical therapist; examination; eligibility.
Rule 35. To be eligible for the NPTE for physical therapists, an applicant who graduated from a non-accredited physical therapist educational program shall verify completion of a physical therapist educational program that is substantially equivalent to a physical therapist program that is accredited by CAPTE, as provided under R 338.7131. Proof of having completed a substantially equivalent physical therapist educational program must include an evaluation of the applicant's non-accredited education through an evaluation that uses the current FSBPT Coursework Tool for Foreign Educated Physical Therapists.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7136 Licensure by endorsement of physical therapist; requirements.
Rule 36. (1) An applicant for a physical therapist license by endorsement who satisfies the requirements of the code and this rule satisfies the requirements of section 16186 of the code, MCL 333.16186. The department shall issue a physical therapist

license to an applicant who satisfies all the following requirements:
(a) Provides the required fee and a completed application on a form provided by the department.
(b) Holds a current physical therapist license in another state or in a province of Canada.
(c) Completed the educational requirements for a physical therapist license in another state or province of Canada to obtain licensure as a physical therapist in a province of Canada or another state.
(d) Received a passing score on either of the following examinations for a physical therapist license in another state or province of Canada to obtain licensure as a physical therapist in a province of Canada or another state:
(i) The NPTE for physical therapists required under R 338.7133(1).
(ii) The Physiotherapy Competency Examination (PCE).
(e) Passed the Michigan Physical Therapist Jurisprudence Exam required under R 338.7133(2).
(2) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other 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 at the time of application. 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.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7137 Requirements for relicensure; physical therapist.
Rule 37. (1) An applicant 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 all the following requirements:
(a) Provides the required fee and a completed application on a form provided by the department.
(b) Establishes good moral character as defined under section 1 of 1974 PA 381, MCL 338.41.
(c) Passes the Michigan Physical Therapist Jurisprudence Exam required under R 338.7133(2).
(d) Complies with either of the following:
(i) Provides proof to the department of accumulating not less than 24 professional development requirement (PDR) credits consistent with R 338.7161 to R 338.7165 during the 2 years immediately preceding the date of the application for relicensure. However, if the PDR credit hours provided with the application are deficient, the applicant shall have 2 years from the date of the application to complete the deficient credits.
(ii) Establishes employment as a physical therapist in another jurisdiction recognized by FSBPT for a minimum of 500 hours during the 2-year period immediately preceding the date of application for relicensure.
(2) An applicant may be relicensed more than 3 years after the expiration date of the license under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies all the following requirements:
(a) Provides the required fee and a completed application on a form provided by the department.
(b) Establishes good moral character as defined under section 1 of 1974 PA 381, MCL 338.41.
(c) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.
(d) Passes the Michigan Physical Therapist Jurisprudence Exam required under R 338.7133(2).
(e) Complies with either of the following:
(i) Establishes employment as a physical therapist in another jurisdiction recognized by FSBPT for a minimum of 500 hours during the 2-year period immediately preceding the date of application for relicensure.
(ii) Passes the NPTE for physical therapists required under R 338.7133(1).
(3) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other 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 at the time of application. 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.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7138 Delegation of acts, tasks, or functions to a physical therapist assistant; supervision of physical therapist assistant; requirements.
Rule 38. (1) A physical therapist who delegates the performance of selected acts, tasks, or functions to a physical therapist assistant as permitted under section 16215 of the code, MCL 333.16215, shall supervise the physical therapist assistant consistent with section 16109(2) of the code, MCL 333.16109, and satisfy the requirements of this rule.
(2) A physical therapist who delegates acts, tasks, or functions under this rule shall also satisfy all the following:
(a) Ensure the qualifications of the physical therapist assistant under the physical therapist's supervision, including verification

of the physical therapist assistant's training, education, and licensure.
(b) Examine and evaluate the patient or client before delegating acts, tasks, or functions performed by a physical therapist assistant.
(c) Provide predetermined procedures and protocols for delegated acts, tasks, or functions.
(d) Maintain a record of the names of the physical therapist assistants to whom acts, tasks, or functions are delegated.
(e) Monitor a physical therapist assistant's practice and provision of assigned physical therapy acts, tasks, or functions.
(f) Meet regularly with the physical therapist assistant to whom acts, tasks, or functions have been delegated to evaluate the assistant's performance, review records, and educate the physical therapist assistant on the acts, tasks, or functions that have been delegated.
(3) A physical therapist shall not supervise more than 4 physical therapist assistants at the same time.
History: 2010 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7139 Delegation of acts, tasks, or functions to a licensed or unlicensed individual; direct supervision of a licensed or unlicensed individual; requirements.
Rule 39. (1) Under section 16215(6) of the code, MCL 333.16215, the requirements of this rule do not apply to a physical therapist who delegates to a physical therapist assistant if the physical therapist satisfies the requirements for delegation to a physical therapist assistant under R 338.7138.
(2) Except as provided under subrule (1) of this rule, a physical therapist who delegates the performance of selected acts, tasks, or functions to a licensed or unlicensed individual under section 16215 of the code, MCL 333.16215, shall supervise the individual under section 16109(2) of the code, MCL 333.16109, in addition to providing direct supervision of the individual. As used in this rule, "direct supervision" means that the physical therapist is physically present and immediately available for direction and supervision when patients or clients are present at the time the act, task, or function is performed, and that the physical therapist has direct contact with the patient or client during each visit.
(3) A physical therapist who delegates acts, tasks, or functions under subrule (2) of this rule shall also satisfy all the following:
(a) Ensure the qualifications of the individual under the physical therapist's direct supervision, including verification of the individual's training and education.
(b) Examine and evaluate the patient or client before delegating acts, tasks, or functions performed by the individual.
(c) Directly supervise the individual to whom acts, tasks, or functions are delegated.
(d) Provide predetermined procedures and protocols for acts, tasks, or functions delegated.
(e) Maintain a record of the names of the individuals to whom acts, tasks, or functions are delegated.
(f) Monitor the individual's practice and provision of assigned acts, tasks, or functions.
(g) Meet regularly and in person with the individual to whom acts, tasks, or functions have been delegated to evaluate the individual's performance, review records, and educate the individual on the acts, tasks, or functions that have been delegated.
(4) A physical therapist shall not supervise more than 3 individuals under this rule at the same time.
(5) Under section 16171 of the code, MCL 333.16171, the requirements of subrule (3)(b) of this rule do not apply to a student enrolled in an accredited physical therapist or physical therapist assistant educational program approved by the board.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 4. PHYSICAL THERAPIST ASSISTANTS

R 338.7141 Program accreditation standards; physical therapist assistant; adoption of standards by reference.
Rule 41. (1) The standards and evaluative criteria for accreditation of physical therapist assistant educational programs set forth by CAPTE in the document entitled “PTA Standards and Required Elements” effective January 1, 2016 are adopted by reference in these rules. Copies of the evaluative criteria are available at no cost from CAPTE, 1111 North Fairfax St., Alexandria, Virginia 22314-1488 and on CAPTE’s website at https://www.capteonline.org. Copies of the evaluative criteria also are available for inspection and distribution at a cost of 10 cents per page from the Board of Physical Therapy, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.
(2) Any educational program for physical therapist assistants accredited by CAPTE satisfies the qualifications for an approved physical therapist assistant educational program.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7142 Licensure by examination; physical therapist assistant; requirements.
Rule 42. (1) An applicant for a physical therapist assistant license by examination shall provide the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and these rules, an applicant shall satisfy all the following requirements:

(a) Graduate from an accredited physical therapist assistant educational program that satisfies the standards under R 338.7141.
(b) Pass the NPTE for physical therapist assistants required under R 338.7145(1).
(c) Achieve a converted score of not less than 75 on the Michigan Physical Therapist Assistant Jurisprudence Exam required under R 338.7145(2).
(2) An applicant who graduated on or before January 1, 2008, from an accredited educational program that satisfies the standards under R 338.7141 is presumed to satisfy the requirements of this rule.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7143
Source: 2015 AACS.

R 338.7144
Source: 2015 AACS.

R 338.7145 Examinations; physical therapist assistant; adoption and approval; passing score.
Rule 45. (1) The board approves and adopts the NPTE for physical therapist assistants developed, administered, and scored by FSBPT. The board adopts the passing score recommended by FSBPT.
(2) The board approves the Michigan Physical Therapist Assistant Jurisprudence Exam on laws and rules related to the practice of physical therapy in Michigan, which is administered by a third party approved by the department.
History: 2010 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7146 Physical therapist assistant examination; eligibility.
Rule 46. (1) To be eligible for the NPTE for physical therapist assistants, an applicant shall satisfy 1 of the following requirements:
(a) Graduate from an accredited physical therapist assistant educational program that satisfies the standards under R 338.7141.
(b) Satisfy the requirements under R 338.7147.
(c) Verify current enrollment in the final semester, term, or quarter of an approved physical therapist assistant educational program and expected date of graduation.
(2) An applicant who fails to achieve passing scores on the examinations required under R 338.7145(1) and (2) may retake the Michigan Physical Therapist Assistant Jurisprudence Exam without limitation and the NPTE for physical therapist assistants consistent with the FSBPT testing standards. An applicant requesting an appeal of the 6-time lifetime limit policy or the 2 very low scores policy shall complete the following requirements before the board will consider the request. The department shall reject a request to the board if the applicant does not provide all the following information in writing:
(a) A completed NPTE Appeal form, which includes the information under subdivisions (b) through (j) of this subrule.
(b) The candidate's name.
(c) Whether the request relates to the physical therapy or physical therapy assistant examination level.
(d) Whether the 6-time lifetime limit policy or the 2 very low scores policy is being appealed.
(e) The state where the applicant is seeking licensure.
(f) The reason for the appeal, including why the applicant believes the 6-time lifetime limit policy or the 2 very low scores policy should not apply to the applicant.
(g) A list of all physical therapist or physical therapist assistant examination level examinations taken by the applicant, including the date of the examinations, province or state where taken, and the scores on the examinations.
(h) A list of any disciplinary action taken against the applicant by the FSBPT or by a province of Canada or another state, including the date, the province or state, and an explanation of the circumstances surrounding the discipline.
(i) The applicant's signature.
(j) The date the applicant completed the form.
History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7147 Graduate of non-accredited postsecondary institution; physical therapist assistant; examination; eligibility.
Rule 47. To ensure eligibility for examination, an applicant who graduated from a United States military or non-accredited physical therapist assistant educational program shall provide the required fee and a completed application on a form provided by the department. To be eligible for examination, an applicant shall verify completion of a physical therapist or physical therapist assistant educational program that is substantially equivalent to a physical therapist assistant program that is accredited by CAPTE, as provided under R 338.7141. Proof of having completed a substantially equivalent physical therapist assistant educational program must include an evaluation of the applicant's non-accredited education through an evaluation that uses the current FSBPT Coursework Tool for Foreign Educated Physical Therapist Assistants.

History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7148 Licensure by endorsement of physical therapist assistant; requirements.

Rule 48. (1) An applicant for a physical therapist assistant license by endorsement who satisfies the requirements of the code and this rule satisfies the requirements of section 16186 of the code, MCL 333.16186. The department shall issue a physical therapist assistant license to an applicant who satisfies all the following requirements:

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

(b) Holds a current physical therapist assistant license in another state or in a province of Canada.

(c) Completed the educational requirements for a physical therapist assistant license in another state or province of Canada to obtain licensure as a physical therapist assistant in a province of Canada or another state.

(d) Received a passing score on the NPTE for physical therapist assistants required under R 338.7145(1) for a physical therapist assistant license in another state or province of Canada to obtain licensure as a physical therapist assistant in a province of Canada or another state.

(e) Passed the Michigan Physical Therapist Assistant Jurisprudence Exam required under R 338.7145(2).

(2) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other 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 at the time of application. 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.

History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7149 Requirements for relicensure; physical therapist assistant.

Rule 49. (1) An applicant 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 all the following requirements:

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

(b) Establishes good moral character as defined under section 1 of 1974 PA 381, MCL 338.41.

(c) Passes the Michigan Physical Therapist Assistant Jurisprudence Exam required under R 338.7145(2).

(d) Complies with either of the following:

(i) Provides proof to the department of accumulating not less than 24 PDR credits consistent with R 338.7161 to R 338.7165 during the 2 years immediately preceding the date of the application for relicensure. However, if the PDR credits provided with the application are deficient, the applicant shall have 2 years from the date of the application to complete the deficient credits.

(ii) Establishes employment as a physical therapist assistant in another jurisdiction recognized by FSBPT for a minimum of 500 hours during the 2-year period immediately preceding the date of application for relicensure.

(2) An applicant may be relicensed more than 3 years after the expiration date of the license under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies all the following requirements:

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

(b) Establishes good moral character as defined under section 1 of 1974 PA 381, MCL 338.41.

(c) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.

(d) Passes the Michigan Physical Therapist Assistant Jurisprudence Exam required under R 338.7145(2).

(e) Complies with either of the following:

(i) Establishes employment as a physical therapist assistant in another jurisdiction recognized by FSBPT for a minimum of 500 hours during the 2-year period immediately preceding the date of application for relicensure.

(ii) Passes the NPTE for physical therapist assistants under R 338.7145(1).

(3) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other 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 at the time of application. 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.

History: 2010 AACS; 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7150

Source: 2015 AACS.

PART 5. PROFESSIONAL DEVELOPMENT REQUIREMENTS

R 338.7161 License renewals; requirements; applicability.

Rule 61. (1) This part applies to applications for renewal of a physical therapist or physical therapist assistant license under sections 16201 and 17823 of the code, MCL 333.16201 and 333.17823.

(2) An applicant for license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall accumulate not less than 24 PDR credits in activities approved by the board under these rules during the 2 years immediately preceding the expiration date of the license.

(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. A licensee shall keep documentation of satisfying the requirements of this rule for 4 years from 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 requirements of this rule do not apply to a licensee during the initial licensure cycle.

(5) The PDR requirements in these rules satisfy the professional development requirements under section 17823 of the code, MCL 333.17823.

History: 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.7163 Acceptable professional development requirement activities; requirements; limitations.

Rule 63. (1) The 24 PDR credits required under R 338.7161(2) for the renewal of a license must satisfy the following requirements, as applicable:

(a) No more than 12 PDR credits are allowed for approved online continuing education programs or activities completed in one 24-hour period.

(b) A licensee shall not earn PDR credit for a continuing education program or activity that is identical or substantially identical to a program or activity for which the licensee has already earned credit during that renewal period.

(c) Under section 16204(2) of the code, MCL 333.16204, a licensee shall earn at least 1 PDR credit in the area of pain and symptom management by completing a continuing education program or activity. Credits in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interventions as they relate to the practice of physical therapy.

(2) The board adopts by reference the procedures and criteria for recognizing accrediting organizations of the Council for Higher Education Accreditation (CHEA), effective September 28, 2018, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in The Secretary's Recognition of Accrediting Agencies, 34 CFR 602.10 to 34 CFR 602.38. Copies of the procedures and criteria of CHEA and the United States Department of Education are available for inspection and distribution at a cost of 10 cents per page from the Board of Physical Therapy, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909. CHEA's procedures and criteria are also available from CHEA at One Dupont Circle NW, Suite 510, Washington, DC 20036-1110 and at no cost from CHEA's website at https://www.chea.org. The federal recognition criteria may be obtained at no cost from the United States Department of Education Office of Postsecondary Education, 1990 K Street, NW, Washington, DC 20006 or from the department's website at https://www.ed.gov.

(3) As used in this rule, "continuous instruction" means education or presentation time that does not include breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the activity or program.

(4) Licensees may earn credit for any of the following activities:

ACCEPTABLE PDR ACTIVITIES

Activity Code	Activity	Number of PDR credits earned for activity
(a)	Completing an approved continuing education program or activity related to the practice of physical therapy or any non-clinical subject relevant to the practice of physical therapy. A continuing education program or activity is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following: • Another state board of physical therapy. • Another board or task force regulated under article 15 of the code, MCL 333.16101 to 333.18838. • FSBPT.	The number of credits approved by the sponsor or the approving organization are granted. When the sponsor or approving organization calculates credit at a rate of 0.1 credit for every 50 to 60 minutes of continuous instruction then 0.1 credit equals 1 PDR credit. A maximum of 20 PDR credits

	• The American Physical Therapy Association (APTA) or its components. APTA components include the APTA Michigan and other APTA Chapters, APTA Sections, and APTA Academies. • An accredited physical therapist educational program that satisfies the standards under R 338.7131. • An accredited physical therapist assistant educational program that satisfies the standards under R 338.7141. If audited, a licensee shall provide a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date or dates on which the program was held or activity completed.	may be earned for this activity in each renewal period.
(b)	Passing a postgraduate academic course related to the practice of physical therapy offered by either of the following: • An accredited physical therapist educational program that satisfies the standards under R 338.7131. • A nationally accredited university or college that satisfies the standards in subsection (2) of this rule. If audited, a licensee shall provide a copy of the transcript showing credit hours of the academic courses related to physical therapy.	Fifteen PDR credits are granted for each semester credit earned and 10 PDR credits are granted for each quarter or term credit earned. A maximum of 20 PDR credits may be earned for this activity in each renewal period.
(c)	Reading an article related to the practice of physical therapy in a professional or scientific journal. This activity does not include articles approved for PDR credit under activity code 1. To receive credit, a licensee shall successfully complete an evaluation that was provided with the article or the general response form provided by the department as an evaluative component for this activity. If audited, a licensee shall provide documentation from the professional or scientific journal or a copy of the completed general response form to verify that the licensee completed an evaluation.	One PDR credit is granted for each article. A maximum of 6 PDR credits may be earned for this activity in each renewal period.
(d)	Viewing or listening to media devoted to professional education related to the practice of physical therapy, other than on-line programs not approved or offered for continuing education credit. To receive credit, a licensee shall successfully complete an evaluation that was provided with the educational media or the general response form provided by the department as an evaluative component for this activity. If audited, a licensee shall provide a copy of the completed evaluation or completed general response form to verify that the licensee completed an evaluation, and identify the title of the media, the name of the publisher of the media, the date the media was published or copyrighted, and the length of the media.	One-half of 1 PDR credit is granted for every 30 minutes of continuous instruction. A maximum of 6 PDR credits may be earned for this activity in each renewal period.
(e)	Presenting a continuing education program related to the practice of physical therapy. To receive credit, the presentation must be approved or offered for continuing education credit by any of the following: • Another state board of physical therapy.	Two PDR credits are granted for every 50 minutes of continuous instruction. A presentation may not be less than 50 minutes in length.

	• Another board or task force regulated under article 15 of the code, MCL 333.16101 to 333.18838. • FSBPT. • APTA or its components. APTA components include the APTA Michigan and other APTA Chapters, APTA Sections and APTA Academies. • An accredited physical therapist educational program that satisfies the standards under R 338.7131. • An accredited physical therapist assistant educational program that satisfies the standards under R 338.7141. If audited, a licensee shall provide a letter from the program sponsor confirming the licensee as the presenter and the presentation date and time, or a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter, and the name of the organization that approved or offered the presentation for continuing education credit.	A maximum of 12 PDR credits may be earned for this activity in each renewal period.
(f)	Presenting a scientific exhibit or scientific paper accepted for presentation through a peer review process at a state, regional, national, or international physical therapy conference, or its components, or a related professional organization. If audited, a licensee shall provide a copy of the document presented with proof of presentation or a letter from the program sponsor verifying the exhibit or paper was accepted for presentation through a peer review process and the date of the presentation.	Two PDR credits are granted for every 50 minutes of continuous instruction. A maximum of 12 PDR credits may be earned for this activity in each renewal period.
(g)	Authoring an article related to the practice, education, or research of physical therapy published in any of the following: • The journal of a national physical therapy association or its components. • A peer-reviewed journal. • A health care journal. • A professional or scientific journal. If audited, a licensee shall provide a copy of the publication that shows the licensee as the author of the article or a publication acceptance letter.	Six PDR credits are granted for each article. A maximum of 12 PDR credits may be earned for this activity in each renewal period.
(h)	Writing a chapter related to the practice, education, or research of physical therapy published in a book. If audited, a licensee shall provide a copy of the publication that shows the licensee as the author of the chapter or a publication acceptance letter.	Six PDR credits are granted for each chapter. A maximum of 12 PDR credits may be earned for this activity in each renewal period.
(i)	Successfully completing 1 of the following: • An American Board of Physical Therapy Specialties (ABPTS) certification examination. • An ABPTS recertification examination. • The APTA's PTA Advanced Proficiency Pathways Program. If audited, a licensee shall provide proof of certification or recertification.	Twenty-three PDR credits are granted for each successful completion. A maximum of 23 PDR credits may be earned for this activity in each renewal period.
(j)	Participating as a student for a minimum of 1,000 hours in any of the following: • A postgraduate clinical training program related to the practice of physical therapy provided through or recognized by an	Twelve PDR credits are granted for 1,000 hours of participation. A maximum of 12 PDR credits

	accredited physical therapist educational program that satisfies the standards under R 338.7131. • A postgraduate clinical training program related to the practice of physical therapy provided through or recognized by an accredited physical therapist assistant educational program that satisfies the standards under R 338.7141. • A postgraduate clinical training program related to the practice of physical therapy offered through a health care organization accredited by an organization recognized by the Centers for Medicare and Medicaid Services. • A postgraduate clinical training program related to the practice of physical therapy accredited or credentialed by the APTA or an organization approved by the board. If audited, a licensee shall provide a letter from the program director verifying the number of hours the licensee participated in the clinical training program and that the program was provided, offered, or accredited by an educational program or organization that satisfies the requirements of this rule.	may be earned for this activity in each renewal period.
(k)	Participation in a health care organization committee, physical therapy or physical therapy assistant educational program, or task force dealing with patient care related issues, which may include physical therapy education, research, or practice or quality of patient care and utilization review. If audited, a licensee shall provide a letter from an appropriate official representing the committee, educational program, or task force verifying that the committee, educational program, or task force dealt with patient care related issues, which may include physical therapy education, research, or practice or quality of patient care and utilization review. The letter must also include the dates and the amount of time the licensee took part on each date.	One PDR credit is granted for every 50 minutes of participation. A maximum of 6 PDR credits may be earned for this activity in each renewal period.
(l)	Serving as a guest instructor of students, staff, or other licensees at any of the following: • A clinical training program related to the practice of physical therapy provided through or recognized by an accredited or developing physical therapist educational program that satisfies the standards under R 338.7131. • A clinical training program related to the practice of physical therapy provided through or recognized by an accredited or developing physical therapist assistant educational program that satisfies the standards under R 338.7141. • A clinical training program related to the practice of physical therapy offered through a health care organization accredited by an organization recognized by the Centers for Medicare and Medicaid Services. • A clinical training program related to the practice of physical therapy accredited or credentialed by APTA or an organization approved by the board. If audited, a licensee shall provide a letter from the program director verifying the licensee's role, the number of instructional sessions on specific subjects provided by the licensee, and the length of the instructional sessions. Also, the letter must verify that the clinical training program provided, offered, or accredited by an educational	Two PDR credits are granted for every 50 minutes of continuous instruction. A maximum of 12 PDR credits may be earned for this activity in each renewal period.

	program or organization satisfies the requirements of this rule.	
(m)	Serving as a clinical instructor or clinical supervisor for students completing an internship, residency, or fellowship program that recognized or approved by any of the following: • An accredited or developing educational program for physical therapists that satisfies the standards under R 338.7131. • An accredited or developing educational program for physical therapist assistants that satisfies the standards under R 338.7141. • APTA or an organization approved by the board. If audited, a licensee shall provide a letter from the educational program or clinical agency director verifying the licensee's role, the number of hours of instruction or supervision provided by the licensee, and that the internship, residency, or fellowship program is recognized or approved by an educational program or organization that satisfies the requirements of this rule.	Three PDR credits are granted for 40 hours of clinical instruction or supervision. A maximum of 12 PDR credits may be earned for this activity in each renewal period.
(n)	Identifying, researching, and addressing an event or issue related to professional practice. If audited, a licensee shall provide a completed experiential activity form provided by the department for each issue or event.	One PDR credit is granted for each separate event or issue. A maximum of 6 PDR credits may be earned for this activity in each renewal period.
(o)	Participating on an international, national, regional, state, state component, or local task force, committee, board, council, or association related to the field of physical therapy that is considered acceptable by the board. A task force, committee, board, council, or association is acceptable if it enhances the participant's knowledge and understanding of the field of physical therapy. If audited, a licensee shall provide documentation verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the task force, committee, board, council, or association.	Four PDR credits are granted for participation on each task force, committee, board, council, or association. A maximum of 12 PDR credits may be earned for this activity in each renewal period.
(p)	Participating as a surveyor for an external agency in a program involving the accreditation, certification, or inspection of an educational program for physical therapists or physical therapist assistants or a certification process for a clinical agency. If audited, a licensee shall provide a letter from the accreditation, certification, or inspection program verifying the licensee's participation, the location of the inspections, and the number of hours the licensee spent participating as a surveyor.	One PDR credit is granted for every 50 minutes of participation. A maximum of 12 PDR credits may be earned for this activity in each renewal period.
(q)	Performing volunteer work related to the field of physical therapy without reimbursement. If audited, a licensee shall provide a letter from an official other than the licensee verifying the number of hours and the type of volunteer work performed by the licensee.	One PDR credit is granted for every 50 minutes of volunteer work performed. A maximum of 6 PDR credits may be earned for this activity in each renewal period.
(r)	Serving as a center or site coordinator of clinical education at an agency that provides clinical internships for students enrolled in programs that are recognized or approved by either of the following: • An accredited or developing educational program for physical therapists that satisfies the standards under R 338.7131. • An accredited or developing educational program for physical therapist assistants that satisfies the standards under R 338.7141.	Two PDR credits are granted per year of serving as the coordinator. A maximum of 4 PDR credits may be earned for this activity in each renewal period.

	If audited, a licensee shall provide a letter from the educational program or clinical agency director verifying the licensee's role and that students were placed and participated in the internship program during the time for which the licensee is claiming PDR credit.	
(s)	Completing a self-review tool developed by FSBPT. To receive credit, a licensee shall provide documentation from FSBPT verifying completion of the self-review tool.	Three PDR credits are granted for each completion. A maximum of 3 PDR credits may be earned for this activity in each renewal period.

(5) The department must receive a request for a continuing education waiver under section 16205(1) of the code, MCL 333.16205, before the expiration date of the license.

History: 2015 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MARRIAGE AND FAMILY THERAPY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.7201
Source: 2019 AACS.

R 338.7202
Source: 2021 AACS.

R 338.7203
Source: 2021 AACS.

R 338.7204
Source: 2021 AACS.

R 338.7205
Source: 2021 AACS.

R 338.7207
Source: 2021 AACS.

R 338.7209
Source: 2021 AACS.

R 338.7211
Source: 2021 AACS.

R 338.7213
Source: 2021 AACS.

R 338.7215
Source: 2021 AACS.

R 338.7217
Source: 1998-2000 AACS.

R 338.7219
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PODIATRIC MEDICINE AND SURGERY – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.8101
Source: 2019 AACS.

PART 2. LICENSURE

R 338.8102
Source: 2019 AACS.

R 338.8102a
Source: 2021 AACS.

R 338.8103
Source: 2021 AACS.

R 338.8104
Source: 2019 AACS.

R 338.8107
Source: 2021 AACS.

R 338.8108
Source: 2017 AACS.

R 338.8109
Source: 2021 AACS.

R 338.8110
Source: 2021 AACS.

R 338.8111
Source: 2019 AACS.

PART 3. EDUCATIONAL AND RESIDENCY PROGRAMS

R 338.8113
Source: 2021 AACS.

R 338.8114
Source: 2017 AACS.

R 338.8115
Source: 2014 AACS.

R 338.8125

Source: 1996 AACS.

PART 4. CONTINUING EDUCATION

R 338.8126
Source: 2019 AACS.

R 338.8127
Source: 2021 AACS.

R 338.8128
Source: 2021 AACS.

R 338.8129
Source: 2017 AACS.

R 338. 8130
Source: 2017 AACS.

R 338.8131
Source: 2017 AACS.

R 338.8132
Source: 2017 AACS.

R 338.8133
Source: 2017 AACS.

R 338.8134
Source: 2017 AACS.

R 338.8135
Source: 2017 AACS.

R 338.8136
Source: 2017 AACS.

PART 5. TELEHEALTH

R 338.8145
Source: 2019 AACS.

FORENSIC POLYGRAPH EXAMINERS

R 338.9001
Source: 2014 AACS.

R 338.9002
Source: 2014 AACS.

R 338.9003
Source: 2014 AACS.

R 338.9004
Source: 2014 AACS.

R 338.9005
Source: 1983 AACS.

R 338.9006
Source: 2014 AACS.

R 338.9007
Source: 2014 AACS.

R 338.9008
Source: 2014 AACS.

R 338.9009
Source: 2014 AACS.

R 338.9010
Source: 2014 AACS.

R 338.9011
Source: 2014 AACS.

R 338.9012
Source: 2014 AACS.

R 338.9013
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF NURSING - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.10101 Definitions.
Rule 101. (1) As used in these rules:
(a) "Board" means the Michigan board of nursing.
(b) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
(c) "Department" means the department of licensing and regulatory affairs.
(2) Terms defined in the code have the same meanings when used in these rules.
History: 1989 AACS; 2003 AACS; 2017 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10102
Source: 2017 AACS.

R 338.10103
Source: 2017 AACS.

R 338.10104 Delegation.
Rule 104. (1) Only a registered nurse may delegate nursing acts, functions, or tasks. A registered nurse who delegates nursing acts, functions, or tasks shall do all of the following:
(a) Determine whether the act, function, or task delegated is within the registered nurse's scope of practice.
(b) Determine the qualifications of the delegatee before the delegation.
(c) Determine whether the delegatee has the necessary knowledge and skills for the acts, functions, or tasks to be carried out safely and competently.

(d) Supervise and evaluate the performance of the delegatee.
(e) Provide or recommend remediation of the performance when indicated.
(2) The registered nurse shall bear ultimate responsibility for the performance of nursing acts, functions, or tasks performed by the delegatee within the scope of the delegation.
History: 1989 AACS; 2003 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10105
Source: 2020 AACS.

R 338.10199
Source: 1989 AACS.

R 338.10201
Source: 2017 AACS.

R 338.10202 Examination; adoption; passing scores.
Rule 202. The board approves and adopts the examinations developed by the National Council of State Boards of Nursing, Inc., identified as the "NCLEX-RN" for the registered nurse and the "NCLEX-PN" for the practical nurse. Examinees shall achieve a score of pass on the NCLEX computerized adaptive test. The passing score is determined by the National Council of State Boards of Nursing (NCSBN).
History: 1990 AACS; 1994 AACS; 2003 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10203
Source: 2017 AACS.

R 338.10204 Examinations; registered professional nurse; eligibility; reexaminations.
Rule 204. (1) To determine eligibility for the NCLEX-RN examination, an applicant shall submit a completed application on forms provided by the department, together with the requisite fee.
(2) To be eligible to take the NCLEX-RN examination, an applicant must establish that he or she has successfully completed a registered nurse education program that satisfies 1 of the following:
(a) The applicant has successfully completed a registered professional nurse education program that is located in this state and is approved by the board.
(b) The applicant has successfully completed a registered professional nurse education program that is located in another state of the United States, and that program complies with either of the following:
(i) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).
(ii) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303d(2), the applicant shall provide both of the following:
(A) The applicant's official transcripts from the academic institution where the nursing education program was completed.
(B) A letter to the department from the program, on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:
(1) The registered nurse education program is at least 60 weeks in duration and includes courses providing theory and clinical practice that comply with R 338.10303d and R 338.10306 to R 338.10308.
(2) The registered nurse education program curriculum contains the core curriculum as defined in R 338.10301(h).

(c) The applicant is a graduate of a registered professional nurse education program or an equivalent education program that is outside the United States and, the applicant submits 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:
(i) A Credentials Evaluation Service (CES) professional report from the Commission on Graduates of Foreign Nursing Schools (CGFNS) or its successor agency.
(ii) A certification from the CGFNS Certification Program (CP) or its successor agency.
(iii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from Josef Silny & Associations, Inc. International Education Consultants (JS&A).
(3) The department shall evaluate the proof of substantially equivalent education credentials in this subrule before the applicant receives authorization from the department to take the NCLEX-RN examination. Information about the CES professional report and CGFNS CP can be obtained from the CGFNS website at www.cgfns.org. Information about the Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A can be obtained from the JS&A website at https://www.jsilny.org/.

(4) An applicant who did not pass the NCLEX-RN examination within 3 years after 1 of the following events is not eligible to repeat the NCLEX-RN examination until he or she receives a written certification of skills competency covering the subjects in subrule (5) of this rule, from a nurse education program approved pursuant to R 338.10303a:
(a) Graduation from a board-approved registered nurse education program under subrule (2)(a) of this rule.
(b) Satisfying the requirements of subrule 2(b) of this rule.
(c) Obtaining 1 of the required evaluations or the certification in subrule (2)(c) of this rule.
(5) A certification of skill competency must cover the following skills:
(a) Head-to-toe physical assessment, including vital signs.
(b) Medication administration.
(c) Documentation.
(d) Surgical asepsis and infection control.
(e) Safety, including fall prevention, body mechanics, and transfers.
(6) Upon written application and documentation to support the request to the board, an applicant may request an extension to the time requirement in subrule (4) of this rule to sit for the NCLEX-RN examination if the board finds the failure of the licensee to sit for the NCLEX-RN examination was due to the applicant's disability, military service, absence from the continental United States, or a circumstance beyond the applicant's control that the board considers good and sufficient.
History: 1990 AACS; 1994 AACS; 1996 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10206 Licensure by endorsement from another state or reciprocity from Canada; registered professional nurse; requirements.
Rule 206. (1) An applicant who currently holds an active registered professional nurse license in good standing in another state and who has never been licensed as a registered professional nurse in this state may apply for a license by endorsement and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174; submits a completed application, on a form provided by the department, together with the requisite fee; and complies with all of the following requirements:
(a) Completes a registered nurse education program that meets either of the following requirements:
(i) The program is located in this state and is approved by the board.
(ii) The program is located in another state of the United States and complies with either of the following:
(A) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).
(B) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303d(2), the applicant shall provide all the following:
(1) The applicant's official transcripts.
(2) A letter to the department from the program, on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:
(a) The registered nurse education program is not less than 60 weeks or more in duration and that includes courses providing theory and clinical practice that comply with R 338.10303d and R 338.10306 to R 338.10308.
(b) The registered nurse education program curriculum contains the core curriculum as defined in R 338.10301(h).
(b) Is currently licensed in good standing in another state and was initially licensed by taking the NCLEX-RN examination in another state.

(c) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
(d) Satisfies 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 at the time of application.
(2) An applicant who currently holds an active professional nurse license in Canada who has never been licensed as a registered professional nurse in this state may apply for a license by reciprocity and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174, submits a completed application, on a form provided by the department, together with the requisite fee, and complies with all of the following:

(a) Meets the requirements of section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the Federal Bureau of Investigation (FBI).

(b) Is currently licensed in good standing in Canada and was initially licensed by passing the NCLEX-RN or the Canadian Registered Nurse Examination before 2015.

(c) Completes a nursing education program accredited by a nursing education accrediting agency listed in R 338.10303d(2) or by the Canadian Association of Schools of Nursing (CASN).

(d) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfies 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 at the time of application.

History: 1990 AACS; 1994 AACS; 1996 AACS; 2003 AACS; 2017 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10207 Lapsed registered professional nurse license; relicensure requirements.

Rule 207. (1) An applicant for relicensure whose registered professional nurse license has lapsed in this state, under section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements as noted by (√):

(a) For a registered professional nurse who has let his or her license lapse in this state and who is not currently licensed in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, all of which were earned within the 2-year period immediately before the date of the application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application must be held and the license must not be issued until the continuing education requirements have been met.	√		
(v) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, with a minimum of 3 hours in each of the following areas, all of which were earned within the 2-year period immediately before the date of the application for relicensure: (A) Safe documentation for nurses. (B) Critical thinking skills for nurses. (C) Pharmacology. (D) Preventing medication errors. (E) Professional and legal accountability for nurses. (F) Delegation. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The		√	√

application must be held and the license must not be issued until the continuing education requirements have been met.			
(vi) Certification of skill competency: Within 3 years immediately before the application for relicensure, receive written certification of skill competency from a nurse education program approved pursuant to R 338.10303a. Certification of competency must cover the following skills utilizing nursing process: (A) Head-to-toe physical assessment, including vital signs. (B) Medication administration. (C) Documentation. (D) Surgical asepsis and infection control. (E) Safety, including fall prevention, body mechanics, and transfers.		√	√
(vii) NCLEX-RN Examination: Within 2 years immediately after approval of the application for relicensure, retake and pass the NCLEX-RN examination.			√
(viii) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.	√	√	√
(b) For a registered professional nurse who has let his or her license lapse in this state, but who holds a current and valid registered professional nurse license in good standing in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of completion of 25 hours of continuing education, including not less than 2 hours in pain and symptom management, earned within the 2-year period immediately before the date of the application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application must be held and the license must not be issued until the continuing education requirements have been met.		√	√
(v) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state,	√	√	√

the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.			

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2017 AACS; 2018 AACS; 2020 MR 7, Eff. April 6, 2020; 2022 MR 10, Eff. May 24, 2022.

R 338.10208 Graduate from registered professional nurse education program outside of the United States or Canada; licensure requirements.

Rule 208. (1) An applicant for a registered nurse license who graduated from a registered professional nurse education program from a country outside of the United States or Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

(a) Meets section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) If the applicant has not passed the NCLEX-RN examination, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-RN examination set forth in R 338.10204 and must pass the NCLEX-RN examination.

(c) Except as provided in subrule (2) of this rule, if the applicant is a graduate of a registered professional nurse education program that is located outside of the United States or Canada, has passed the NCLEX-RN examination, and is not licensed in another state or is licensed in another state for less than 5 years, he or she shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) A CES professional report from the CGFNS or its successor agency.

(ii) A certification from the CGFNS CP or its successor agency.

(iii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.

(d) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfies the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(2) Pursuant to section 17213(2) of the code, MCL 333.177213, if the applicant is a graduate of a registered professional nurse education program, that is located outside of the United States or Canada, he or she is exempt from obtaining an evaluation or certification of his or her educational credentials as required in subrule (1)(c) of this rule if he or she meets both of the following requirements:

(a) The applicant has passed the NCLEX-RN examination.

(b) The applicant has maintained an active license in good standing with no disciplinary sanctions in the United States for 5 years or more immediately before the application for a license in this state.

History: 2017 AACS; 2018 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10208a Graduate from registered professional nurse education program in Canada; licensure requirements.

Rule 208a. An applicant for a registered nurse license in this state, who graduated from a registered professional nurse education program in Canada, and is not licensed in Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

(a) Meet section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) If the applicant has not passed the NCLEX-RN examination, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-RN examination set forth in R 338.10204 and shall pass the NCLEX-RN examination.

(c) If the applicant has passed the NCLEX-RN examination, the applicant shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:
(i) Proof of program accreditation by the Canadian Association of Schools of Nursing.
(ii) A CES professional report from the Commission on CGFNS or its successor agency.
(iii) A certification from the CGFNS CP or its successor agency.
(iv) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.
(d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
(e) 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 at the time of application.
History: 2022 MR 10, Eff. May 24, 2022.

R 338.10209
Source: 2018 AACS.

R 338.10210 Examinations; licensed practical nurse; eligibility; reexaminations.
Rule 210. (1) To determine eligibility for the NCLEX-PN examination, an applicant shall submit a completed application on forms provided by the department, together with the requisite fee.
(2) To be eligible to take the NCLEX-PN examination, an applicant shall establish that he or she has successfully completed a licensed practical nurse education program that satisfies 1 of the following:
(a) The applicant has successfully completed a practical nurse education program that is located in this state and is approved by the board.
(b) The applicant has successfully completed a practical nurse education program that is located in another state of the United States and that program complies with either of the following:
(i) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).
(ii) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303(d)(2), the applicant must provide all the following:
(A) The applicant's official transcripts from the academic institution where the nursing education program was completed.
(B) A letter to the department from the program, on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:
(1) The practical nursing education program is not less than 40 weeks in duration and includes courses in both theory and clinical practice that comply with R 338.10303d, R 338.10306, R 338.10307, and R 338.10309.
(2) The practical nursing education program curriculum contains the core curriculum as defined in R 338.10301(g).

(c) The applicant is a graduate of a practical nurse education program or an equivalent education program that is outside the United States and the applicant submits 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:
(i) A CES professional report from the CGFNS, or its successor agency.
(ii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.
(iii) A certification from the National Association of Credential Evaluation Services (NACES), or its successor agency.
(d) The applicant has completed a registered nurse education program and requests to sit for the NCLEX-PN examination. The applicant shall comply with both of the following:
(i) The applicant has completed a registered nurse education program that meets the requirements of R 338.10204(2).
(ii) The applicant is certified to take the NCLEX-PN examination by a practical nurse program from the same institution as the registered nurse education program that has been approved by the board pursuant to subdivision (a) of this subrule.
(3) The department shall evaluate the proof of substantially equivalent education credentials in subrule (2)(c) of this rule before the applicant receives authorization from the department to take the NCLEX-PN examination. Information about the CES professional report can be obtained from the CGFNS website at www.cgfns.org. Information about the Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A can be obtained from the JS&A website at https://www.jsilny.org/. A list of NACES approved credentialing agencies can be found on its website at www.naces.org.
(4) An applicant who did not pass the NCLEX-PN examination within 3 years after 1 of the following events is not eligible to repeat the NCLEX-PN examination until he or she receives a written certification of skills competency covering the subjects in subrule (5) of this rule, from a nurse education program approved pursuant to R 338.10303a:

(a) Graduation from a board-approved practical nurse education program under subrule (2)(a) of this subrule or meet the requirements of subrule (2)(b) of this rule.
(b) Graduation from a board approved registered nurse education program under subrule (2)(d) of this rule.
(c) Obtaining 1 of the required evaluations or certifications in subrule (2)(c) of this rule.
(5) Certification of skills competency must cover the following skills:
(a) Head-to-toe physical assessment, including vital signs.
(b) Medication administration.
(c) Documentation.
(d) Surgical asepsis and infection control.
(e) Safety, including fall prevention, body mechanics, and transfers.
(6) Upon written application and documentation to support the request to the board, an applicant may request an extension to the time requirements in subrule (4) of this rule to sit for the NCLEX-PN examination if the board finds the failure of the licensee to sit for the NCLEX-PN examination was due to the applicant's disability, military service, absence from the continental United States, or a circumstance beyond his or her control which the board considers good and sufficient.
History: 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10211 Licensure by endorsement from another state; licensure by reciprocity from Canada; licensed practical nurse; requirements.
Rule 211. (1) An applicant who currently holds an active practical nurse license in good standing from another state and who has never been licensed as a practical nurse in this state may apply for a license by endorsement and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174; submits a completed application, on a form provided by the department, together with the requisite fee; and complies with all of the following:
(a) Completes a practical nurse education program that meets either of the following requirements:
(i) The program is located in this state and is approved by the board.
(ii) The program is located in another state of the United States and the program complies with either of the following:
(A) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).
(B) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303(d)(2), the applicant shall provide all of the following:
(1) The applicant's official transcripts.
(2) A letter to the department on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:
(a) The practical nursing education program is not less than 40 weeks in duration and includes courses in both theory and clinical practice that comply with R 338.10303d, R 338.103036, R 338.10307, and R 338.10309.
(b) The practical nursing education program curriculum contains the core curriculum as defined in R 338.10301(g).

(b) Is licensed in good standing in another state and was initially licensed by taking the NCLEX-PN examination in another state.
(c) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
(d) Satisfies the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.
(2) An applicant who currently holds an active practical nurse license in Canada who has never been licensed as a practical nurse in this state may apply for a license by reciprocity and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174, submits a completed application, on a form provided by the department, together with the requisite fee, and complies with all of the following:
(a) Meets section 16174 of the code, MCL 333.16174, and submits his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.
(b) Is currently licensed in good standing in Canada and was initially licensed by passing the NCLEX-PN or the Practical Nurse Registration Examination.
(c) Completes a nursing education program accredited by a nursing education accrediting agency listed in R 338.10303d(2) or by the CASN.
(d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) 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 at the time of application.

History: 2017 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10212 Graduate of nurse education program outside of the United States and Canada; licensure requirements.

Rule 212. (1) An applicant for a practical nurse license who graduated from a nurse education program from a country outside of the United States or Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

(a) Meet section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) If the applicant has not passed the NCLEX-PN examination, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-PN examination set forth in R 338.10210 and shall pass the NCLEX-PN examination.

(c) Except as provided in subrule (2) of this rule, if the applicant is a graduate of a licensed practical nurse education program that is located outside of the United States, or Canada, has passed the NCLEX-PN examination, and is not licensed in another state or is licensed in another state for less than 5 years, the applicant shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) A CES professional report from the CGFNS, or its successor agency.

(ii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.

(iii) A certification from the NACES or its successor agency.

(d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(2) If the applicant is a graduate of a licensed practical nurse education program that is located outside of the United States or Canada, the applicant is exempt from obtaining an evaluation or certification as required in subrule (1)(c) of this rule if he or she meets both of the following requirements:

(a) The applicant has passed the NCLEX-PN examination.

(b) The applicant has maintained an active license in good standing with no disciplinary sanctions in this country for 5 years or more immediately before the application for a license in this state.

History: 2017 AACS; 2018 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10212a Graduate from practical nurse education program in Canada; licensure requirements.

Rule 212a. An applicant for a practical nurse license who graduated from a practical nurse education program in Canada, and is not licensed in Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

(a) Meet section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) If the applicant has not passed the NCLEX-PN examination approved by the board, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-PN examination set forth in R 338.10210 and shall pass the NCLEX-PN examination.

(c) If the applicant has passed the NCLEX-PN examination, the applicant shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) Proof of program accreditation by the College of Nurses of Ontario.

(ii) A CES professional report from the CGFNS, or its successor agency.

(iii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.

(iv) A certification from the NACES or its successor agency.

(d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) 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 at the time of

application.

History: 2022 MR 10, Eff. May 24, 2022.

R 338.10213 Lapsed licensed practical nurse license; relicensure requirements.

Rule 213. (1) An applicant for relicensure whose licensed practical nurse license in this state has lapsed under section 16201(3) or (4) of the code, MCL 333.16201, may be relicensed by complying with the following requirements as noted by (√):

(a) For a licensed practical nurse who has let his or her licensed practical nurse license in this state lapse and who is not currently licensed in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, all of which were earned within the 2-year period immediately before the application for relicensure.	√		
(v) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, with a minimum of 3 hours in each of the following areas, all of which were earned within the 2-year period immediately before the application for relicensure: (A) Safe documentation for nurses. (B) Critical thinking skills for nurses. (C) Pharmacology. (D) Preventing medication errors. (E) Professional and legal accountability for nurses.		√	√
(vi) Certification of skill competency: Within 3 years immediately before the application for relicensure, receive written certification of skill competency from a nurse education program approved pursuant to R 338.10303a. Certification of competency must cover the following skills: (A) Head-to-toe physical assessment, including vital signs. (B) Medication administration. (C) Documentation. (D) Surgical asepsis and infection control. (E) Safety, including fall prevention, body mechanics, and transfers.		√	√
(vii) NCLEX-PN Examination: Within 2 years immediately after approval of the application for relicensure, retake and pass the NCLEX-PN examination.			√
(viii) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form.	√	√	√

(B) 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 at the time of application.			

(b) For a licensed practical nurse who has let his or her license in this state lapse, but who holds a current and valid licensed practical nurse license in good standing in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of completion of 25 hours of continuing education, including not less than 2 hours in pain and symptom management, all of which was earned within the 2-year period immediately before the application for relicensure.		√	√
(v) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.	√	√	√

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2017 AACS; 2018 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10299

Source: 1990 AACS.

PART 3. NURSING EDUCATION PROGRAMS

R 338.10301 Definitions.

Rule 301. As used in this part:

(a) “Capstone course” means a clinical experience completed in the final year of the nursing education program that synthesizes the cognitive, affective, and psychomotor skills acquired throughout the program to prepare the student for professional nursing practice.

(b) "Clinical experience" means direct nursing care experiences with patients or clients that offer students the opportunity to integrate, apply, and refine specific skills and abilities that are based on theoretical concepts and scientific principles. Clinical experience may include simulated nursing experiences.

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

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

(e) “Conceptual framework” means the distinct, systematic organization of concepts and planned student outcomes of the program that are consistent with relevant professional nursing standards and the mission, goals, philosophy, and purposes of the sponsoring institution, and which gives direction to the curriculum.

(f) "Cooperating agency" means an individual, organization, or institution that, by written agreement or letter of intent, accepts students and faculty for nursing educational experiences.
(g) "Core curriculum for licensed practical nurse applicants" means courses in didactic instruction and planned clinical experience, which encompass the LPN scope of practice, in each of the following areas of nursing:
(i) Adult health nursing, which must consist of the study of nursing care throughout the adult lifespan; providing care for the acute and chronic phases of a medical illness; health promotion; and disease prevention.
(ii) Maternal and reproductive nursing, which must consist of the study of nursing care for women and their families in the gynecological, antepartum, labor and delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant.
(iii) Children's nursing, which must consist of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons.
(iv) Surgical nursing, which must consist of the study of nursing care throughout the adult lifespan, providing care before, during, and after a surgical procedure, health promotion, and disease prevention.
(h) "Core curriculum for registered professional nurse applicants" means didactic instruction and planned clinical experience, which encompass the RN scope of practice, in each of the following areas of nursing:
(i) Adult health nursing, which must consist of the study of nursing care throughout the adult lifespan; providing care for the acute or chronic phases of a medical illness; health promotion; and disease prevention.
(ii) Maternal and reproductive nursing, which must consist of the study of nursing care for women and their families in the gynecological, antepartum, labor and delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant.
(iii) Children's nursing, which must consist of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons.
(iv) Psychiatric/mental health nursing, which must consist of the study of nursing care of individuals with an acute or chronic mental health or psychiatric disorder.
(v) Surgical nursing, which must consist of the study of nursing care throughout an adult lifespan, providing care before, during, and after a surgical procedure, health promotion, and disease prevention.
(i) "Course student learning outcomes" means statements of educational expectations written in measurable terms for the knowledge, skills, or behaviors students shall demonstrate by the end of the course. The statements must reflect contemporary evidence-based nursing practice and enhance achievement of end of program student learning outcomes.
(j) "Curriculum" means implementation of appropriate learning experiences that accomplish measurable course and program outcomes, which incorporate the nursing program's purpose, philosophy, and conceptual framework of the nursing program through the systematic arrangement of courses. This includes outcomes stated in measurable terms and accomplished through appropriate learning experiences planned for a clearly defined group of students and extending over a defined period of time depending on the type of nursing education program. Systematic and ongoing evaluation within the context of measurable outcomes is inherent in the curriculum.
(k) "End of program student learning outcomes" means statements of educational expectations written in measurable terms for the knowledge, skills, or behaviors students shall demonstrate by the end of the program. The statements must reflect professional standards, guidelines, contemporary nursing practice, guide the curriculum, and increase in complexity as students progress through the curriculum.
(l) "Final program approval report" means a self-study done after the graduation of the second cohort and before the graduation of the fourth cohort that is submitted to the board when the program is seeking full program approval.
(m) "Full program approval" means approval of a program granted after satisfactory demonstration to the board of compliance with these rules.
(n) "Initial approval" means approval that is granted by the board to inaugurate a program of nursing education.
(o) "Instruction" means educational methodology for achieving curriculum outcomes.
(p) "Learning experiences" means planned learning situations, which may include clinical experiences, clinical laboratory hours, or classroom instruction.
(q) "National accreditation" means a self-regulatory process that meets or exceeds educational quality standards and criteria set forth by a national nursing accreditation organization.
(r) "Nurse education consultant" means a nurse with expertise in curriculum development and nursing program administration or education that independently examines a nursing program under disciplinary review.
(s) "Nursing education program report" means a report completed and submitted between the self-study submissions. It provides the board with information as to the program's admissions, attrition, courses, clinical experience, faculty program evaluation, and outcomes and is submitted as follows:
(i) For programs that have received initial approval pursuant to R 338.10303, the report must be submitted each year during the program approval phase.

(ii) For programs that have received full approval pursuant to R 338.10303a, the report must be completed and submitted at the halfway point between the self-study submissions.
(t) "Nurse site reviewer" means a nurse with expertise in curriculum development and nursing program administration or education that independently examines a nursing program applying for program approval.
(u) "Nursing process" means the ongoing assessment, analysis, nursing diagnosis, planning, implementation, and evaluation of nursing care.
(v) "Observational experience" means a planned learning situation that is not direct patient care, does not require intervention by the student, meets preplanned stated outcomes, and provides for student evaluation.
(w) "Philosophy" means the stated beliefs of faculty about nursing education and practice that determine the design of the curriculum and the evaluation of the program and that are consistent with the educational philosophy of the sponsoring agency.
(x) "Practical nurse program" means a nursing program to prepare students for practical nurse licensure.
(y) "Preceptor" means an experienced nurse, paired in a 1-to-1 relationship with a nursing student, who actively participates in the education, mentoring, and evaluation of the nursing student in a clinical setting.
(z) "Probationary status" means the period when a program is under disciplinary action by the board.
(aa) "Program director" means a nurse who is delegated the authority and accountability for the nursing program by the sponsoring agency.
(bb) "Program of nursing education" means a plan or design indicating the relationship of the components necessary to achieve the goal of preparing persons for licensure as registered or practical nurses under the code.
(cc) "Program outcomes" means documented and measurable indicators that reflect the program's overall effectiveness.
(dd) "Registered professional nurse program" means a nursing program to prepare students for initial registered nurse licensure.
(ee) "Self-study report" means an in-depth written review of all aspects of a nursing education program that contains evidence of the program's compliance with all the requirements of these rules.
(ff) "Simulation laboratory" means activities that replicate patient care scenarios and are designed to foster clinical decision-making and critical thinking. Scenarios may include the use of medium or high-fidelity mannequins, standardized patients, role playing, skills stations, and computer-based critical thinking simulations.
(gg) "Site visit" means a physical inspection of an institution and all the components of its program of nursing education for the purpose of determining compliance with the requirements of this part.
(hh) "Sponsoring agency" means the organization or institution of which the nursing program is a component.
History: 1989 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10302
Source: 2017 AACS.

R 338.10303 Initial program approval; procedure.
Rule 303. The following requirements are established for initial approval of a program of nursing education:
(a) The sponsoring agency shall submit all of the following to the board:
(i) A letter of intent to initiate a program of nursing education.
(ii) A feasibility study that clearly demonstrates all of the following, with supporting documentation relative to the proposed program location:
(A) Need for the program.
(B) Need for graduates of the proposed program.
(C) Availability of students.
(D) Impact on all existing nursing education programs in a 50-mile radius of the proposed program.
(E) Ability of proposed clinical education sites to provide students with clinical experiences that meet course outcomes, provide students the opportunity to practice skills with individuals or groups across the life span and meet the requirements of R 338.10307(5), (6), (7), and (8). Evidence must also include documentation of the effect on other schools utilizing the proposed clinical facilities and letters of intent from the proposed clinical education sites, signed by the chief nursing officer, or an equivalent position, outlining the plan to accommodate all of the sponsoring agency's students.
(iii) Evidence that the mission of the sponsoring agency is consistent with the philosophy and purpose of a program to prepare students for the practice of nursing as defined in section 17201(1)(c) of the code, MCL 333.17201.
(iv) Evidence that the sponsoring agency will provide funding and other support for the nursing education program that meets all of the following requirements:
(A) A 5-year budget in which the first 2 years of the budget do not include tuition and the remaining 3 years of the budget includes tuition.

(B) A financial statement prepared by an independent certified public accountant or auditor, a bank line of credit, or a surety bond that equals the total tuition for all students who have been enrolled for 2 years.
(C) Submission of evidence that the sponsoring agency will provide appropriate physical facilities and other support services for the nursing education program, in conjunction with other departments in the sponsoring agency, including faculty, administration, and student participation in governance of the sponsoring agency, a grievance or complaint process, counseling, academic advising, career placement, financial aid, and learning resource centers or library.
(v) Evidence of approval to provide financial aid for students, under Title IV of the Higher Education Act of 1965, 20 USC 1070 to 1099d.
(vi) A sponsoring agency that is an institution requiring approval from the department's proprietary schools unit, or its successor agency, to conduct a nursing education program or to confer a particular degree or certificate upon the graduates of the program shall submit to the board a copy of the approval. A proprietary school shall possess a state-issued license, be in operation for 2 years, offer health-related courses, and demonstrate student success by certifying that NCLEX exam results meet or exceed state or national averages.
(vii) Proposed number of students to be enrolled in the program annually, the number of times that enrollment periods will be held per year, and the dates when enrollment periods will be held annually.
(viii) Proposed first date of admission of students to the nursing sequence of the program.
(ix) Plans to recruit and employ a program director and other faculty members sufficiently in advance of admitting students to the nursing sequence to ensure consistency in the planning and implementation of the curriculum. If already appointed, the names and qualifications of the director of the program and other faculty members must be provided.
(x) The sponsoring agency shall provide evidence of a tuition policy in which students pay as they proceed through the program either by semesters, terms, units, or other time frame as specified by the sponsoring agency. The sponsoring agency shall also provide evidence of a refund policy that adheres to the refund policies of applicable state, federal, and accrediting agencies.
(xi) Evidence that students possess the necessary prerequisite education before admissions to the program. The program shall not be the provider of the prerequisite education, unless it is a state-approved higher educational institution or has the approval of the state to offer prerequisite courses.
(xii) A student contract or enrollment application that outlines the nursing education program's admission requirements, a tuition refund policy that complies with paragraph (x) of this subdivision, a withdrawal and failure policy, and academic progression and program completion requirements.
(xiii) History of sponsoring agency.
(b) Following initial approval from the board and before admitting the first cohort, the program director shall submit a self-study report to be approved by the board. The report must set forth evidence of plans for and compliance with the following:
(i) History of sponsoring agency.
(ii) Philosophy.
(iii) Conceptual framework.
(iv) Curriculum to include end of program student learning outcomes and course student learning outcomes.
(v) Course descriptions and outlines.
(vi) Signed clinical contracts or letters of commitment for clinical placements.
(vii) Evaluation methods and tools.
(viii) Program outcomes.
(ix) Director and faculty credentials.
(x) Student policies and support services.
(c) The board shall require a site visit to the program by a board-approved nurse site reviewer. The report of the site visit must be prepared by the nurse site reviewer and provided to the board and the sponsoring agency.
(d) After the first cohort has been admitted and during the initial approval period, the program director shall submit an annual nursing education program report to the board. The nursing education program report must include information about each of the following:
(i) Admission, progression, and retention of students.
(ii) Student achievement on the required licensure NCLEX examination.
(iii) Systematic program evaluation results, including, but not limited to, student evaluations, faculty reviews, NCLEX evaluation results, and attrition rates.
(iv) Program changes.
(v) Faculty qualifications, assignments, and any faculty exceptions.
History: 1989 AACS; 2003 AACS; 2017 AACS 2017; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10303a

Source: 2020 AACS.

R 338.10303b Continued program approval; requirements.

Rule 303b. (1) After full approval has been granted under R 338.10303a, a sponsoring agency shall submit a comprehensive self-study report every 8 years for a non-accredited program or at the designated reporting times directed by the national accrediting organization for accredited programs. The report must include all the following information for all of the years since the last self-study report was approved by the board.

(a) History of sponsoring agency.

(b) Philosophy.

(c) Conceptual framework.

(d) Curriculum to include end of program student learning outcomes and course student learning outcomes.

(e) Course descriptions and outlines.

(f) Signed clinical contracts or letters of commitment for clinical placements.

(g) Evaluation methods and tools.

(h) Program outcomes.

(i) Director and faculty credentials.

(j) Student policies and support services.

(2) An accredited program may submit a letter of accreditation or reaccreditation, from a nationally recognized accrediting organization of nursing education programs as defined in R 338.10303d, instead of submitting a self-study report prepared for the board if the accrediting body found no deficiencies that require a submission of a supplemental report to the accrediting body. If deficiencies were found that require a follow-up visit, the program shall submit the entire self-study prepared for the accrediting body along with any follow-up reports mandated by the accrediting body. The schedule for submission of a self-study report for accredited programs must follow the schedule of the nationally recognized accrediting organization. The accreditation letter must include documentation of decisions, deficiencies, and recommendations from the accrediting organization and be submitted to the board within 1 month following receipt of the nationally recognized accrediting organization's final decision on accreditation of the nursing education program. The board may request further documentation regarding accreditation from the sponsoring agency. Programs that have accreditation date changes shall notify the board of nursing to determine a submission date.

(3) After a program has been granted full approval under R 338.10303a, the sponsoring agency shall submit a nurse education program report to the board every 4 years for a non-accredited program or at the midpoint of the accreditation cycle for nationally accredited programs. The nursing education program report must include all of the following information for all of the years since the last self-study report was approved by the board:

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

(b) Student achievement on the required licensure NCLEX examination.

(c) Systematic program evaluation results and action plan, including but not limited to, student evaluations, faculty reviews, NCLEX evaluation results, and attrition rates.

(d) Program changes.

(e) Faculty qualifications, assignments, and any faculty exceptions.

(4) The board shall notify the program director of the date by which a nursing education program report must be submitted.

History: 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10303c Program changes; requirements.

Rule 303c. (1) A major program change means any of the following:

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

(b) Change in primary instruction delivery methods for more than 50% of the program.

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

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

(e) Increase or decrease in overall program credits.

(f) Providing the theory portion of the curriculum at an additional location that is separate from the primary campus using the same curriculum as the primary campus. Initial approval under R 338.10303 must be obtained if anything other than theory is taught at the additional location.

(2) A nursing education program shall submit major program changes to the board in writing and the major program changes must be approved by the board before implementation. All of the following information must be submitted when requesting approval of a major program change:

(a) A comparative description of the current and proposed program or portion of the program which is proposed for change.

(b) Rationale for the change.
(c) Plans to evaluate the effect of the change.
(d) Documents evidencing support for the requested change.
(3) A minor program change means a temporary expansion of students. After 1 year, if the program desires to make the temporary increase in seats permanent, a major program change must be submitted pursuant to subrule (1) of this rule.
(4) A nursing education program shall submit minor program changes to the board in writing before implementation.
(5) A nursing education program shall submit all of the following information if requesting approval of a minor program change:
(a) A comparative description of the current and proposed program or portion of the program that is proposed for change.
(b) Rationale for the change.
(c) Plans to evaluate the effect of the change.
(6) If a program closure occurs, the department or board may grant a temporary seat increase to another program to assist displaced students if the following criteria are met:
(a) Additional seats that are needed are identified.
(b) Documentation that there is sufficient faculty on staff to handle the increase in students is provided.
(c) Documentation that there is sufficient classroom and laboratory space to handle the increase in students is provided.
(d) Documentation from clinical sites that they can handle the increase of students in the program is provided.
(7) The type of program approval, initial or full, under which a program is conducted, shall not be altered when program changes are approved.
History: 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10303d
Source: 2020 AACS.

R 338.10304
Source: 2020 AACS.

R 338.10305
Source: 2020 AACS.

R 338.10305a Registered professional nursing education program; program requirements; faculty requirements.
Rule 305a. (1) Subject to subrule (2) of this rule, the program director and all nurse faculty members shall hold a current unrestricted license to practice as a registered professional nurse in this state.
(2) If clinical experiences are offered by the nursing education program at sites that are not located in this state, then any nurse faculty members at those sites shall hold a current unrestricted license to practice as a registered nurse in the state or Canadian province where the clinical experience is located.
(3) The program director shall hold a minimum of a graduate degree with a major in nursing. Written notification of a change in director must be provided to the board within 30 days and include a copy of the new director's curriculum vitae and school contact information.
(4) A member of the nursing faculty who provides didactic/theory instruction shall hold a minimum of a graduate degree, and the program shall ensure that the majority of the didactic/theory faculty hold a graduate degree with a major in nursing, unless an exception is granted under subrule (7) of this rule. If the graduate degree is not in nursing, the faculty member shall hold a minimum of a baccalaureate degree in nursing or an equivalent standing in a nationally nursing accredited Associate's Degree in Nursing to Master's of Science in Nursing (ADN to MSN) nursing education program with attestation of baccalaureate level competency from that educational program. Courses that are non-nursing in content but are health-related are exempt from the requirements of this subrule and may be taught by non-nurse faculty.
(5) A member of the nursing faculty who provides instruction in either the clinical or simulation laboratory shall hold a minimum of a baccalaureate degree in nursing or an equivalent standing in a nationally nursing accredited ADN to MSN nursing education program with attestation of baccalaureate level competency from that educational program.
(6) Notwithstanding section 16148(6) of the code, MCL 333.16148, all nursing faculty shall meet the requirements of subrules (4) and (5) of this rule by January 6, 2022.
(7) An exception may be made to the requirements of subrule (4) of this rule for full-time or part-time nursing faculty and shall be based on the faculty member's progress toward meeting the requirements of these rules during each year for which the exception is requested. Board approval for faculty exception requests must be received before the faculty member begins course instruction. A maximum of 5 yearly exceptions shall be granted to any full-time or part-time faculty member.

(8) Nursing faculty shall be sufficient in number to prepare students to achieve the outcomes of the program. The maximum ratio of students to faculty in clinical areas involving direct care of patients must be not more than 8 students to 1 faculty member. The maximum ratio of students to faculty in clinical areas involving non-direct and precepted patient care must meet the clinical affiliate's guidelines and maintain patient and community safety.

History: 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

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

Rule 305b. (1) Subject to subrule (2) of this rule, the program director and all nurse faculty members shall hold a current unrestricted license to practice as a registered professional nurse in this state.

(2) If clinical experiences are offered by the nursing education program at sites that are not located in this state, then any nurse faculty members at those sites shall hold a current unrestricted license to practice as a registered professional nurse in the state or Canadian province where the clinical experience is located.

(3) The program director shall hold a minimum of a graduate degree in nursing. Written notification of a change in director must be provided to the board within 30 days and include a copy of the new director's curriculum vitae and school contact information.

(4) Every member of the nursing faculty shall hold a minimum of a baccalaureate degree in nursing, unless an exception is granted under subrule (6) of this rule. Courses that are non-nursing in content but are health-related are exempt from the requirements of this subrule and may be taught by non-nurse faculty.

(5) Notwithstanding section 16148(7) of the code, MCL 333.16148, all nursing faculty shall comply with the requirements of subrule (4) of this rule by January 6, 2022.

(6) An exception may be made to the requirements of subrule (4) of this rule for full-time or part-time nursing faculty and shall be based on the faculty member's progress toward meeting the requirements of these rules during each year for which the exception is requested. Board approval for faculty exception requests must be received before the faculty member begins course instruction. A maximum of 5 yearly exceptions may be granted to any full-time or part-time faculty member.

(7) Nursing faculty shall be sufficient in number to prepare students to achieve the outcomes of the program. The maximum ratio of students to faculty in clinical areas involving direct care of patients must be not more than 8 students to 1 faculty member. The maximum ratio of students to faculty in clinical areas involving non-direct patient care must meet the clinical affiliate's guidelines and maintain patient and community safety.

History: 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10305c

Source: 2020 AACS.

R 338.10306

Source: 2018 AACS.

R 338.10307 Registered professional nursing and licensed practical nursing education programs; curriculum; organization, development, implementation, control, and evaluation.

Rule 307. (1) The program director and faculty shall organize, develop, implement, control, and evaluate the curriculum on a regularly scheduled basis within the framework of the philosophy, purposes, and outcomes of the sponsoring agency and those approved by the board.

(2) The curriculum outcomes must identify the behavioral expectations of the graduate of the program and must be used for all of the following purposes:

(a) Developing, organizing, implementing, and evaluating the curriculum.

(b) Identifying outcomes for levels of progression and course and program completion.

(c) Providing to the student an organized pattern to follow in which the sequence of learning is from the simple to the complex and from the known to the unknown, with each learning experience built on previously learned information of nursing and related scientific knowledge.

(d) Organizing the courses to approximate, as closely as possible, the schedules of the sponsoring agency in terms, quarters, semesters, or trimesters.

(e) Distributing the courses throughout the curriculum so that an unreasonable overload does not exist in any segment of the sequence.

(3) The philosophy and conceptual framework or rationale for the program must be the basis for the organization of the nursing content of the curriculum.

(4) The course content and other learning experiences must promote student growth in all of the following areas:

(a) The understanding of the roles and responsibilities of the members of the nursing profession.

(b) The application of the principles of nursing and the sciences which are basic to nursing practice in the development of plans of care for the patient or client.
(c) The provision of direct and indirect nursing care.
(d) The understanding of effective human relations and demonstrating the ability to use these principles in nursing situations.
(e) The recognition of physical, psychosocial, and spiritual needs of diverse patient/client populations in the provision of nursing care.
(f) The understanding of health, including the manifestations of disease and the initiation, organization, and application of the principles underlying the nursing care provided.
(g) Developing skills and abilities in the administration of all aspects of nursing care using the nursing process, including all of the following:
(i) Communications.
(ii) Critical thinking, clinical reasoning, and problem solving.
(iii) Understanding legal and professional responsibilities.
(iv) Inter-professional relationships with other health care providers.
(v) Evidence-based practice.
(vi) Quality and safety.
(h) Understanding and protecting the rights of patients or clients.
(5) All cooperating agencies selected for clinical laboratory and simulation laboratory experiences shall have standards of nursing care that demonstrate concern for the patient or client and evidence the skillful application of all measures of quality and safe, evidence-based nursing practice.
(6) All cooperating agencies shall have a current license, if required, for their operation and adhere to the local zoning ordinances governing their operation.
(7) When a nurse site reviewer visits a site, he or she may survey cooperating agencies as a part of the review process to determine the contribution each makes to the course and program outcomes. Selection must be made by the nurse site reviewer.
(8) Each resource selected to provide clinical experience shall indicate a willingness to cooperate in the curriculum by providing a letter of intent, a written agreement, or a formal contract. Each cooperating agency shall provide experiences of a quality and quantity that enable all students to meet the outcomes established for the clinical experience pursuant to R 338.10303.
History: 1989 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10308 Registered professional nursing education program; curriculum; implementation.
Rule 308. (1) The director and faculty of a program of nursing education leading to licensure as a registered professional nurse shall comply with all of the following provisions:
(a) Select courses and ensure teaching concepts for basic content in the biological, physical, behavioral, and other courses supportive of the nursing major which shall assist the student to succeed in the nursing sequence.
(b) Provide courses and clinical and simulation laboratory experiences in the care of individuals across diverse age groups, genders, races, and cultures, in medical, surgical, pediatric, geriatric, obstetrical, and psychiatric nursing. Opportunities for learning experiences in community aspects of nursing must be made available. The elements of the nursing process must be emphasized in all nursing courses. Clinical laboratory, simulation laboratory, and clinical experience hours must be sufficient in number to meet the course and program outcomes.
(c) Ensure that courses include content relating to all of the following:
(i) The legal scope of practice of a registered nurse.
(ii) The standards of practice and performance and code of ethics for the nursing profession.
(iii) Historical perspectives of nursing and current legal-ethical issues.
(iv) Licensure requirements.
(d) Select cooperating agencies that meet the requirements of R 338.10307(5), (6), and (8).
(2) A registered professional nurse program may substitute up to 50% of clinical hours per specialty content area within a course with simulation laboratory experiences. For simulation laboratory experiences, the board adopts by reference the standards of the International Nursing Association for Clinical Simulation and Learning, as specified in the publication entitled, "Standards of Best Practice: Simulation" 2016. The standards are available from the International Nursing Association for Clinical Simulation and Learning's website at http://www.inacsl.org at no cost. Copies of the standards are available for inspection and distribution at cost from the Board of Nursing, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.
History: 1989 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10309 Licensed practical nursing education program; curriculum; implementation.
Rule 309. (1) The director and faculty of a program of nursing education leading to licensure as a licensed practical nurse shall comply with all of the following provisions:
(a) Select courses and ensure teaching concepts on which the theory and practice of practical nursing are based. The basic principles of the natural and applied sciences that are fundamental to the theory and practice of practical nursing and that are applied in the planning and implementation of nursing care must be included.
(b) Provide courses and clinical and simulation laboratory experiences in the care of individuals across diverse age groups, genders, races, and cultures, in medical, surgical, pediatric, obstetrical, and geriatric nursing and provide supervised practice in the administration of medications. Clinical laboratory, simulation laboratory, and clinical experience hours must be sufficient to meet the outcomes of the curriculum.
(c) Ensure that courses include content relating to all of the following:
(i) The legal scope of practice of a licensed practical nurse.
(ii) The standards of conduct for members of the nursing profession and, in particular, a licensed practical nurse.
(iii) Historical perspectives of nursing and current legal-ethical issues.
(iv) Licensure requirements.
(d) Select cooperating agencies that meet the requirements of R 338.10307(5), (6), and (8).
(2) A licensed practical nursing education program may substitute up to 50% of clinical hours per specialty content area within a course with simulation laboratory experiences, except for pediatric and obstetric clinical hours. A licensed practical nursing education program may substitute up to 100% of pediatric and obstetric clinical hours with simulation laboratory. For simulation laboratory experiences, the board adopts by reference the standards of the International Nursing Association for Clinical Simulation and Learning, as specified in the publication entitled, "Standards of Best Practice: Simulation" 2016. The standards are available from the International Nursing Association for Clinical Simulation and Learning's website at http://www.inacsl.org at no cost. Copies of the standards are available for inspection and distribution at cost from the Board of Nursing, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.
History: 1989 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10310 Board evaluation of a nursing education program.
Rule 310. The board may evaluate a program of nursing education when any of the following occurs:
(a) A request for initiating a program of nursing education is submitted.
(b) A request for full approval of a program is submitted.
(c) A request for approval of a major program change is submitted.
(d) The pass rate for first-time test takers on the required licensure NCLEX examination is less than 80% for any 1 year of compiled statistics provided from the National Council of State Boards of Nursing.
(e) Complaints regarding the conduct of the program are received and it is necessary to validate the complaints, pursuant to section 17242 of the code, MCL 333.17242.
(f) Failure of a nursing education program to submit a nursing education program report, or self-study report pursuant to the time frames set forth in R 338.10303b.
(g) Finding of deficiencies by the national accrediting body that is listed in R 338.10303d.
(h) Failure of a nursing education program to submit faculty exception requests before the start date of the semester under R 338.10305a and R 338.10305b.
(i) Failure of a nursing education program to submit faculty exception requests before the start date of the semester under R 338.10305a and R 338.10305b.
(j) Program completion rate of less than 75% as submitted on a nursing education program report. The rate is calculated by determining the number of students who complete the nursing program in no more than 150% of the stated program length.
(k) Failure of a nursing education program to apply for full approval by the end of the fourth cohort.
(l) Failure of a nursing education program to submit an annual nursing education program report pursuant to the time frames set forth in R 338.10303(d).
(m) Any violation or inconsistency with the code or administrative rules.
History: 1989 AACS; 1998-2000 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10310a
Source: 2020 AACS.

R 338.10311 Failure of program to comply with rules; withdrawal of approval.

Rule 311. (1) The board shall proceed under section 17242 of the code, MCL 333.17242, if the board determines that a program of nursing education does not meet the requirements of this part.
(2) Withdrawal of board approval of the program of nursing education for stated deficiencies which were not remediated does not necessarily make any bona fide student enrolled in the program at the time of withdrawal of approval ineligible for the required NCLEX licensure examination upon satisfactory completion of that program or another program of nursing education which has been approved by the board.
(3) Failure of a nursing program to meet all of the requirements of this part shall not, in and of itself, make a graduate from the program ineligible for licensure in this state. Approval of the program in a jurisdiction that maintains substantially equivalent requirements shall be considered in compliance with these rules.
(4) Failure to comply with R 338.10303d will prohibit admittance of any new cohort.
History: 1989 AACS; 2017 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10312 Program termination; interruption or reduction of admissions.
Rule 312. (1) The program director shall inform the board if a date is established for termination of the program of nursing education.
(2) The program director shall inform the board regarding the system of retention of student records which are needed for endorsement purposes and proof of scholastic achievement. The system of records retention must comply with all applicable federal and state laws and regulations. The board shall retain this information so that graduates may be given the source of information upon request.
(3) The program director shall inform the board if admissions to the program of nursing education are to be reduced, suspended, or interrupted.
(4) A licensed practical nursing program that has suspended admissions for 2 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.
(5) A registered professional nursing program that is 2 years in duration that has suspended admissions for 2 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.
(6) A registered professional nursing program that is 4 years in duration that has suspended admissions for 4 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.
(7) The board shall withdraw approval of any program that has suspended admissions for more than 4 years.
History: 1989 AACS; 2003 AACS; 2017 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

PART 4. NURSE SPECIALTY CERTIFICATION

R 338.10401
Source: 2018 AACS.

R 338.10401a
Source: 2017 AACS.

R 338.10402
Source: 1986 AACS.

R 338.10403
Source: 2018 AACS.

R 338.10404
Source: 2017 AACS.

R 338.10404a
Source: 2017 AACS.

R 338.10404b
Source: 2017 AACS.

R 338.10404c Specialty certification qualifications; clinical nurse specialist.
Rule 404c. (1) A specialty certification for a clinical nurse specialist must be granted to a registered professional nurse who satisfies all of the following requirements:

(a) Holds a current and valid license to practice nursing in this state.
(b) Submits an application for certification as a clinical nurse specialist, on a form provided by the department with the required fee.
(c) Possesses either of the following:
(i) An advanced practice certification from either of the following certification organizations, or successor organizations:
(A) The American Nurses Credentialing Center.
(B) The American Association of Critical Care Nurses Certification Corporation.
(ii) If an applicant is unable to take a national certification exam due to graduation from an accredited clinical nurse specialist master's or doctoral nursing program before the development of clinical nurse specialist core competencies and the requirement of 500 clinical practice hours, he or she may be granted a specialty certification as a clinical nurse specialist based upon submission of a portfolio of evidence that demonstrates knowledge and skill competence in the clinical nurse specialist role and population focus. The portfolio must include all of the following:
(A) Transcripts from an accredited master's or doctoral level educational program in clinical nursing with preparation as a clinical nurse specialist.
(B) Curriculum vitae demonstrating work history in a clinical nurse specialist position before April 9, 2017.
(C) Three letters of recommendation, including 1 from a clinical nurse specialist with national board certification and 2 letters from nursing administrators, nursing supervisors, or advanced practice nurses attesting that the applicant has not less than 3,000 hours of practice as a clinical nurse specialist before April 9, 2017. These letters must provide evidence that the applicant engaged in practice consistent with the standards for a clinical nurse specialist as described by the National Association of Clinical Nurse Specialists (NACNS) in the publication entitled "Clinical Nurse Specialist and Core Competencies" 2010, which is adopted by reference. A copy of the standards and requirements is available at no cost from the association's website at www.nacns.org. A copy of the standards and requirements also is available for inspection and distribution at no cost from the Board of Nursing, Michigan Department of Licensing and Regulatory Affairs, 611 West Ottawa, Lansing, Michigan 48909.
(2) Application for certification as a clinical nurse specialist granted under the criteria set forth in subrule (1)(c)(ii) of this rule is not permitted after March 8, 2020.-
History: 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10405 Nurse anesthetist specialty certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.
Rule 405. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.
(2) An applicant for renewal or reregistration of a lapsed certification shall have obtained recertification or maintained certification, within the 2-year period immediately before the application, from the National Board on Certification and Recertification of Nurse Anesthetists (NBCRNA), or a successor organization.
(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit the evidence for audit.
History: 1986 AACS; 1991 AACS; 2003 AACS; 2017 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10405a Nurse midwife specialty certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.
Rule 405a. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.
(2) An applicant for specialty certification renewal or reregistration of a lapsed certification shall have obtained recertification or maintained certification within the 2-year period immediately before the application, from the American Midwifery Certification Board (AMCB), or a successor organization.
(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit the evidence for audit.
History: 2017 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10405b Nurse practitioner specialty certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.
Rule 405b. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.
(2) An applicant for renewal or reregistration of a lapsed certification shall meet the following requirements appropriate to his or her current source of certification:
(a) An applicant who holds national certification as a nurse practitioner shall have obtained recertification or maintained certification within the 2-year period immediately before the application from 1 of the following organizations or successor organizations:

(i) The American Nurses Credentialing Center.
(ii) The Pediatric Nursing Certification Board.
(iii) The National Certification Corporation for Women's Health Care Nurse Practitioner and Neonatal Nurse Practitioner.
(iv) The American Academy of Nurse Practitioners.
(v) The Oncology Nursing Certification Corporation.
(vi) The American Association of Critical Care Nurses Certification Corporation.
(vii) The American Association of Nurse Practitioners.
(b) An applicant who obtained board certification as a nurse practitioner in this state before 1991 shall have completed 40 continuing education hours in the nursing specialty field within the 2-year period immediately before the application. The board approves and adopts by reference in this rule the standards listed in R 338.10602 for approving continuing education activities for the nurse practitioner.
(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit the evidence for audit.
History: 2017 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10405c Clinical nurse specialist specialty certification renewal; schedule; requirements; maintenance of evidence of compliance.
Rule 405c. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.
(2) An applicant for renewal of a certification shall meet the following requirements appropriate to his or her current source of certification:
(a) An applicant who holds national certification as a clinical nurse specialist shall have obtained recertification or maintained certification within the 2-year period immediately before the application from either of the following organizations or successor organizations:
(i) American Nurses Credentialing Center.
(ii) American Association of Critical Care Nurses Certification Corporation.
(b) An applicant who does not possess national certification as a clinical nurse specialist shall have met the continuing education requirements for his or her role and population focus consistent with the recertification standards as established by the American Nurses Credentialing Center or the American Association of Critical Care Nurses Certification Corporation for the 2-year period immediately before the certification renewal.
(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit this evidence for audit.
History: 2018 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10406
Source: 1986 AACS.

PART 6. CONTINUING EDUCATION

R 338.10601 License renewals; requirements; applicability.
Rule 601. (1) Pursuant to section 16201 of the code, MCL 333.16201, an applicant for license renewal who has been licensed for the 2-year period immediately before the expiration date of the license, shall accumulate not less than 25 hours of continuing education that are approved by the board pursuant to these rules during the 2 years before the expiration of the license.
(2) An applicant for license renewal shall complete not less than 2 hours, of the 25 required hours, of continuing education in pain and pain symptom management in each renewal period pursuant to section 16204(2) of the code, MCL 333.16204. Continuing education in pain and pain symptom management may include, but is not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interventions as they relate to professional practice.
(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. A nurse shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. The board may require an applicant to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.
(4) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.
(5) The requirements of this part do not apply to an applicant during an initial licensure cycle.
History: 1996 AACS; 2003 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10602 Acceptable continuing education; requirements; limitations.

Rule 602. (1) The 25 hours of continuing education required pursuant to R 338.10601(1) for the renewal of a license must comply with the following, as applicable:

(a) No more than 12 credit hours may be earned during a 24-hour.

(b) An applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period.

(2) The board shall consider the following as acceptable continuing education:

ACCEPTABLE CONTINUING EDUCATION ACTIVITIES		
(a)	Completion of an approved continuing education program or activity related to the practice of nursing or any non-clinical subject relevant to the practice of nursing. A continuing education program or activity is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following: The American Association of Nurse Anesthetists (AANA). The American Association of Nurse Practitioners (AANP). The Accreditation Council for Continuing Medical Education (ACCME). The American College of Nurse-Midwives (ACNM). The American Medical Association (AMA). The American Nurses Credentialing Center (ANCC). The American Osteopathic Association (AOA). The National Association of Clinical Nurse Specialists. The National Association for Practical Nurse Education and Service, Inc. (NAPNES). The National League for Nursing (NLN). Another state or provincial board of nursing. A continuing nursing education program offered by a nursing education program that is approved by the board under R 338.10303a. If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.	The number of hours approved by the sponsor or the approving organization. If the activity was not approved for a set number of hours, then 1 credit hour for each 60 minutes of participation may be earned.
(b)	Completion of academic courses related to nursing practice offered by a nursing education program in this state approved by the board under part 3 of these rules or a post-licensure or graduate nursing program that is nationally accredited by a nursing education accrediting organization included in R 338.10303d(2). If audited, an applicant shall submit an official transcript that reflects completion of the academic course and number of semester or quarter credit hours earned.	Five hours of continuing education may be earned for each semester credit hour earned. Three hours of continuing education may be earned for each quarter credit hour earned.

(c)	Obtaining specialty certification or maintaining certification as 1 of the following: Clinical nurse specialist. Nurse anesthetist. Nurse midwife. Nurse practitioner. If audited, an applicant shall submit proof of certification or recertification.	Twenty-five hours, which includes 2 hours for pain and symptom management, may be credited for obtaining or maintaining specialty certification during the renewal period.
(d)	Successful completion of a national nursing specialty examination. If audited, an applicant shall submit proof of a passing score on the examination.	Ten hours may be earned in the year in which the applicant achieves a passing score. A maximum of 20 hours may be earned in each renewal period. Credit must not be given for repeating the same examination in a renewal period.
(e)	Initial publication of a chapter or an article related to the practice of nursing or allied health in any of the following: A nursing or health care textbook. A peer-reviewed textbook. A nursing or health care peer-reviewed journal. If audited, an applicant shall submit a copy of the publication that identifies the applicant as the author or a publication acceptance letter.	Ten hours per publication. A maximum of 10 hours may be earned in each renewal period.
(f)	Independent reading of articles or viewing or listening to media related to nursing practice that do not include a self-assessment component. If audited, an applicant shall submit an affidavit attesting to the number of hours the applicant spent participating in these activities and that includes a description of the activity.	One hour for each 50 to 60 minutes of participation. A maximum of 4 hours may be earned in each renewal period.
(g)	Participation on a health care organization committee dealing with quality patient care or utilization review. If audited, an applicant shall submit a letter from an organization official verifying the applicant's participation and the number of hours the applicant spent participating on the committee.	One hour for each 60 minutes of participation. A maximum of 4 hours may be earned in each renewal period.
(h)	Presentation of an academic or continuing education program that is not a part of the applicant's regular job description. If audited, an applicant shall submit a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.	Three hours may be earned for each 60 minutes of presentation. A maximum of 6 hours may be earned in each renewal period.
(i)	Participation as a preceptor for at least 1 nursing student or a new employee undergoing orientation. A preceptorship must be for a minimum of 120 hours and have a 1 student/employee to 1 preceptor ratio. This may involve more than 1 student or employee.	A maximum of 5 hours of continuing education may be earned in each renewal period.

	If audited, an applicant shall submit written documentation from the educational institution or preceptor's supervisor verifying the dates and hours of the preceptorship.	

History: 1996 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10603
Source: 2017 AACS.

PART 7. NURSING PROFESSIONAL FUND SCHOLARSHIP PROGRAM

R 338.10701
Source: 2017 AACS.

R 338.10702 Board determination of categories and areas of need for designating awards; department shall communicate board's determination of need to nursing programs; applications.
Rule 702. (1) The board shall annually determine categories and areas of need for designating scholarship awards to eligible programs of nursing. The board may consider any of the following in establishing categories and areas of need:
(a) Data generated from licensure renewal information and nursing surveys in this state.
(b) National and state trends that have identified nursing shortages.
(c) Data identifying medically underserved areas, medically underserved populations, or health professional shortage areas.
(d) Health status and nursing care needs of the state's residents.
(2) The department shall communicate the board's determination as to categories and areas of need to approved nursing education programs in this state.
(3) The department shall provide applications to approved programs of nursing that meet the established eligibility criteria in R 338.10703.
History: 1998-2000 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10703
Source: 2020 AACS.

R 338.10704 Nursing education program awards to eligible students; requirements; procedures.
Rule 704. (1) An eligible nursing education program, upon receiving an allocation, shall award a scholarship to a full-time or part-time student who meets all of the following criteria:
(a) Is a permanent resident of this state.
(b) If licensed as a nurse, holds an unencumbered license in this state to practice nursing.
(c) Is not in receipt of a full scholarship from another source.
(d) Maintains satisfactory progress as determined by the eligible nursing education program.
(2) A nursing education program shall apply a scholarship award first to the cost of tuition, books, and fees associated with the program. A nursing program shall then provide the remainder of the award, if any, to the student in the form of a stipend.
(3) The nursing education program shall complete the notice of intent to award the board of nursing scholarship form supplied by the department. The notice must contain all of the following information:
(a) The name, address, and date of birth of the recipient.
(b) Course of study or program in which the recipient is enrolled.
(c) Attestation that all criteria of subrule (1) of this rule have been met.
(d) Information regarding electronic funds transfer from the department to the program.
(e) Signature of the program director and financial aid director or other employee employed by the financial aid office who can attest to accuracy of the information on the form.
(4) If a recipient withdraws from the nursing education program, then within 30 days of withdrawal, the nursing education program shall notify the department, in writing, of its intent to do 1 of the following:
(a) Award the scholarship funds to a recipient who has been chosen to receive the scholarship for the current scholarship year.
(b) Select a new applicant and submit the recipient's application and the notice of intent to award the board of nursing scholarship form to the department.
(c) Return the unused funds to the department.

(5) The nursing education program shall account for all of the funds disbursed by the department no later than February 15 of the academic year in which the funds were distributed. Both of the following apply:
(a) The department shall supply the accounting form to each program that is participating in the nurse professional fund scholarship program.
(b) Failure of a program to submit an accounting statement to the department under this subrule must result in the department withholding future scholarship funds from the program until all past due accounting statements have been submitted and approved.
History: 1998-2000 AACS; 2017 AACS; 2018 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

R 338.10705 School ineligibility; notification; hearing.
Rule 705. (1) If a school is considered ineligible for a nursing scholarship award, then the department shall notify the school in writing.
(2) Upon receipt of notification of ineligibility, a school may request a hearing. The department shall conduct a hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
History: 1998-2000 AACS; 2020 AACS; 2022 MR 10, Eff. May 24, 2022.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

DENTISTRY - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.11101
Source: 2021 AACS.

R 338.11103
Source: 2021 AACS.

R 338.11105
Source: 1997 AACS.

R 338.11107
Source: 1984 AACS.

R 338.11109
Source: 2015 AACS.

R 338.11115
Source: 2015 AACS.

R 338.11117
Source: 1984 AACS.

R 338.11120
Source: 2021 AACS.

R 338.11121
Source: 2021 AACS.

R 338.11123
Source: 2021 AACS.

PART 2. LICENSURE

R 338.11201
Source: 2021 AACS.

R 338.11202
Source: 2021 AACS.

R 338.11203
Source: 2021 AACS.

R 338.11205
Source: 1997 AACS.

R 338.11207
Source: 1997 AACS.

R 338.11209
Source: 2021 AACS.

R 338.11211
Source: 1997 AACS.

R 338.11213
Source: 2021 AACS.

R 338.11215
Source: 1997 AACS.

R 338.11217
Source: 1997 AACS.

R 338.11218
Source: 2021 AACS.

R 338.11219
Source: 1997 AACS.

R 338.11221
Source: 2021 AACS.

R 338.11222
Source: 2021 AACS.

R 338.11223
Source: 2006 AACS.

R 338.11225
Source: 1997 AACS.

R 338.11227
Source: 1997 AACS.

R 338.11233
Source: 2021 AACS.

R 338.11235
Source: 2021 AACS.

R 338.11239

Source: 2021 AACS.

R 338.11241
Source: 2021 AACS.

R 338.11245
Source: 2021 AACS.

R 338.11247
Source: 2021 AACS.

R 338.11249
Source: 1998-2000 AACS.

R 338.11253
Source: 2021 AACS.

R 338.11255
Source: 2021 AACS.

R 338.11257
Source: 2021 AACS.

R 338.11259
Source: 2021 AACS.

R 338.11261
Source: 2021 AACS.

R 338.11263
Source: 2021 AACS.

R 338.11265
Source: 2021 AACS.

R 338.11267
Source: 2021 AACS.

R 338.11269
Source: 2021 AACS.

R 338.11271
Source: 2021 AACS.

PART 3. EDUCATION

R 338.11301
Source: 2021 AACS.

R 338.11302
Source: 2021 AACS.

R 338.11302a
Source: 2021 AACS.

R 338.11303
Source: 2021 AACS.

R 338.11307
Source: 2021 AACS.

PART 4A. DELEGATION, SUPERVISION, ASSIGNMENT OF DENTAL ASSISTANTS, REGISTERED DENTAL ASSISTANTS, AND REGISTERED DENTAL HYGIENISTS

R 338.11401
Source: 2021 AACS.

R 338.11402
Source: 2021 AACS.

R 338.11403
Source: 2021 AACS.

R 338.11404
Source: 2021 AACS.

R 338.11404a
Source: 2021 AACS.

R 338.11405
Source: 2021 AACS.

R 338.11405a
Source: 2021 AACS.

R 338.11405b
Source: 2021 AACS.

R 338.11405c
Source: 2021 AACS.

R 338.11406
Source: 2021 AACS.

R 338.11408
Source: 2021 AACS.

R 338.11409
Source: 2021 AACS.

R 338.11410
Source: 2021 AACS.

R 338.11411
Source: 2021 AACS.

PART 4B. SUPERVISION OF DENTAL THERAPISTS

R 338.11415

R 338.11417

R 338.11419

PART 5. SPECIALTIES

R 338.11501

R 338.11503

R 338.11505

R 338.11507
Source: 2017 AACS.

R 338.11509
Source: 2017 AACS.

R 338.11511
Source: 2017 AACS.

R 338.11512
Source: 2021 AACS.

R 338.11513
Source: 2021 AACS.

R 338.11515
Source: 2021 AACS.

R 338.11517
Source: 2021 AACS.

R 338.11519
Source: 2021 AACS.

R 338.11521
Source: 2021 AACS.

R 338.11523
Source: 2021 AACS.

R 338.11525
Source: 2021 AACS.

R 338.11527
Source: 2021 AACS.

PART 6. GENERAL ANESTHESIA AND INTRAVENOUS CONSCIOUS SEDATION AND ENTERAL SEDATION

R 338.11601
Source: 2021 AACS.

R 338.11602
Source: 2021 AACS.

R 338.11603
Source: 2021 AACS.

R 338.11604
Source: 2021 AACS.

R 338.11605
Source: 2021 AACS.

PART 7. CONTINUING EDUCATION

R 338.11701
Source: 2021 AACS.

R 338.11703
Source: 2021 AACS.

R 338.11704
Source: 2021 AACS.

R 338.11704a
Source: 2021 AACS.

R 338.11704b
Source: 2021 AACS.

R 338.11704c
Source: 2021 AACS.

R 338.11705
Source: 2021 AACS.

PART 8. DENTAL AMALGAM

R 338.11801
Source: 2021 AACS.

R 338.11811
Source: 2021 AACS.

R 338.11813
Source: 2021 AACS.

R 338.11815
Source: 2021 AACS.

R 338.11817
Source: 2021 AACS.

R 338.11819
Source: 2021 AACS.

R 338.11821
Source: 2021 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CHIROPRACTIC - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 338.12001 Definitions.

Rule 1. (1) As used in these rules:
(a) "Adjustment apparatus" means a tool or device used to apply a mechanical force to correct or reduce subluxations, misalignments, and joint dysfunctions.
(b) "Analytical instruments" means instruments used in the detection and diagnosis of human conditions and disorders of the human musculoskeletal and nervous systems as they relate to subluxations, misalignments, and joint dysfunctions, or to assist the chiropractor in offering advice to seek treatment from other health professionals to restore and maintain health.
(c) "Board" means the Michigan board of chiropractic created in section 16421 of the code, MCL 333.16421.
(d) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
(e) "Department" means the department of licensing and regulatory affairs.
(f) "Nationally recognized standards" means that which is taught in a chiropractic educational program or postgraduate educational program accredited by the Council on Chiropractic Education (CCE).
(g) "Physical measures" means procedures or techniques used to correct or reduce subluxations, misalignments, and joint dysfunctions.
(h) "Rehabilitative exercise program" means the coordination of a patient's exercise program; the performance, ordering and use of tests; the performance of measurements; instruction and consultation; supervision of personnel; and the use of exercise and rehabilitative procedures, with or without assistive devices, for the purpose of correcting or preventing subluxations, misalignments, and joint dysfunctions.
(i) "Test" means a procedure that is ordered or performed for the purpose of detecting and diagnosing human conditions and disorders of the human musculoskeletal and nervous systems as they relate to subluxations, misalignments, and joint dysfunctions, or to assist the chiropractor in offering advice to seek treatment from other health professionals to restore and maintain health.
(2) A term defined in the code has the same meaning when used in these rules.
History: 1982 AACS; 2006 AACS; 2011 AACS; 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12001a
Source: 2019 AACS.

R 338.12002
Source: 2011 AACS.

R 338.12003
Source: 2019 AACS.

R 338.12004
Source: 2019 AACS.

R 338.12005
Source: 2019 AACS.

R 338.12006
Source: 2019 AACS.

R 338.12007
Source: 1998-2000 AACS.

R 338.12008
Source: 2019 AACS.

R 338.12008a
Source: 2019 AACS.

R 338.12008b
Source: 2019 AACS.

R 338.12009
Source: 2014 AACS.

R 338.12010
Source: 2019 AACS.

R 338.12011
Source: 2019 AACS.

R 338.12011a
Source: 2019 AACS.

R 338.12011b
Source: 2019 AACS.

R 338.12012
Source: 1997 AACS.

R 338.12013
Source: 1982 AACS.

R 338.12014
Source: 2019 AACS.

R 338.12015
Source: 2019 AACS.

PART 2. EDUCATION

R 338.12021 Educational program standards; adoption by reference.
Rule 21. (1) The standards of the CCE, as specified in the publication entitled, "CCE Accreditation Standards: Principles, Processes & Requirements for Accreditation" January 2018, are adopted by reference. The standards are available from The Council on Chiropractic Education, 8049 N. 85th Way, Scottsdale, Arizona 85258-4321, or at the council's website at http://www.cce-usa.org at no cost. Copies of the standards are available for inspection and distribution at a cost of 10 cents per page from the Board of Chiropractic, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P. O. Box 30670, Lansing, Michigan 48909.
(2) Any chiropractic educational program accredited by the CCE is considered approved.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 3. LICENSURE

R 338.12031 Training standards for identifying victims of human trafficking; requirements.
Rule 31. (1) Under section 16148 of the code, MCL 333.16148, an individual seeking licensure or registration or who is licensed or registered shall complete training in identifying victims of human trafficking that satisfies the following standards:
(a) Training content must cover all 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 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 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 journal, health care journal, or professional or scientific journal.
(c) Acceptable modalities of training may include any of the following:
(i) Teleconference or online seminar.
(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 2016 renewal cycle and for initial licenses issued after March 17, 2021.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12032 Educational limited license; requirements.
Rule 32. An applicant for a nonrenewable educational limited license under section 16412 of the code, MCL 333.16412, shall submit the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and the administrative rules promulgated under the code, an applicant shall satisfy all the following requirements:
(a) Submit proof that the applicant has successfully completed 2 years of education in a college of arts and sciences and have official transcripts provided to the department from the educational institution.
(b) Submit proof that the applicant has successfully completed at least 1 of the following requirements:
(i) Two years of attendance in a program or institution of chiropractic that satisfies the educational standards in R 338.12021 and has official transcripts provided to the department from the educational institution.
(ii) Four semesters of attendance in a program or institution of chiropractic that satisfies the educational standards in R 338.12021 and has official transcripts provided to the department from the educational institution.
(iii) Six quarter terms of attendance in a program or institution of chiropractic that satisfies the educational standards in R 338.12021 and has official transcripts provided to the department from the educational institution.
(c) Submit proof that the applicant will be supervised by a licensed chiropractor on a form provided by the department.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12033 Examination; adoption and approval; passing score.
Rule 33. The national board examination in chiropractic conducted and scored by the National Board of Chiropractic Examiners (NBCE) is approved and adopted. The passing score recommended by the NBCE for the national board examination parts I, II, III, and IV is approved and adopted.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12034 Licensure by examination; requirements.
Rule 34. An applicant for a chiropractic license by examination shall submit the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and the administrative rules promulgated under the code, an applicant shall satisfy both of the following requirements:
(a) Have graduated from a program or institution of chiropractic that satisfies the educational standards in R 338.12021 and have final and official transcripts provided to the department from the educational institution.
(b) Have passed parts I, II, III, and IV of the national board examination conducted and scored by the NBCE, under R 338.12033. The applicant shall ensure that the NBCE issues proof of official passing scores directly to the department.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12035 Licensure by endorsement; requirements.
Rule 35. (1) An applicant for a chiropractic license by endorsement shall submit the required fee and a completed application on a form provided by the department. In addition to satisfying the requirements of the code and the administrative rules promulgated under the code, an applicant shall satisfy either of the following requirements:
(a) Have been licensed in another state of the United States for 5 years or more immediately preceding the date of application.
(b) Have been licensed in another state of the United States for less than 5 years immediately preceding the date of filing an application and have passed parts I, II, III, and IV of the national board examination that is conducted and scored by the NBCE, under R 338.12033. The applicant shall have the NBCE issue proof of official passing scores directly to the department.
(2) 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 chiropractic. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12036 Relicensure requirements.

Rule 36. (1) An applicant for relicensure whose license has been lapsed for less than 3 years preceding the date of application may be relicensed under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies all the following requirements:

(a) Establishes that he or she is of good moral character.

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

(c) Submits proof to the department of the completion of, in the 3-year period immediately preceding the application for relicensure, 45 hours of continuing education in programs approved under R 338.12041 that include all the following requirements:

(i) The required continuing education hours listed in R 338.12041(1)(d) to (h).

(ii) Not more than 15 continuing education hours in distance learning programs.

(d) 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 chiropractic. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

(2) An applicant for relicensure whose license has been lapsed for 3 years or more may be relicensed under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies all the following requirements:

(a) Establishes that he or she is of good moral character.

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

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

(d) Provides either of the following:

(i) Submits proof to the department of the completion of, in the 3-year period immediately preceding the application for relicensure, 45 hours of continuing education in programs approved under R 338.12041 that include all the following requirements:

(A) Twenty-four live and in-person continuing education hours on chiropractic adjusting techniques.

(B) The required continuing education hours listed in R 338.12041(1)(d) to (h).

(C) Not more than 15 continuing education hours in distance learning programs.

(ii) Documentation to the department that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure.

(e) 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 chiropractic. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12037 License renewal; continuing education.

Rule 37. (1) An applicant for license renewal shall complete 30 hours of continuing education in the 2-year period immediately preceding the application that satisfy R 338.12041.

(2) This rule does not apply to a licensee who has obtained his or her initial chiropractic license within the 2-year period immediately preceding the expiration date of the initial license.

(3) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule. The licensee shall retain documentation of satisfying this rule for a period of 4 years from 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.

History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 4. CONTINUING EDUCATION

R 338.12041 Acceptable continuing education.

Rule 41. (1) The 30 hours of continuing education required under R 338.12037 must satisfy all the following requirements:

(a) No more than 12 credit hours of continuing education may be earned during 1 24-hour period.

(b) At least 15 hours of continuing education must be completed by attending a live, in-person program.

(c) Credit for a continuing education program or activity that is identical to or substantially identical to a program or activity for which the licensee has already earned credit during the license cycle shall not be granted.

(d) Under section 16431(2) of the code, MCL 333.16431, at least 1 hour of continuing education must be in pain and symptom management. Continuing education in pain and symptom management includes, but is not limited to, courses in any of the

following:
(i) Chiropractic manipulative treatment.
(ii) Manual therapies.
(iii) Therapeutic exercises for pain management.
(iv) Behavior management.
(v) Psychology of pain.
(vi) Pharmacology.
(vii) Behavior modification.
(viii) Stress management.
(ix) Clinical applications.
(x) Drug interventions as they related to the practice of chiropractic.
(e) At least 1 hour of continuing education must be in sexual boundaries.
(f) At least 1 hour of continuing education must be in ethics.
(g) At least 2 hours of continuing education must be in physical measures and must be completed by attending a live, in-person program.
(h) At least 2 hours of continuing education must be in performing and ordering tests and must be completed by attending a live, in-person program.
(2) In addition to those programs approved under R 338.12042, the following are considered acceptable continuing education:
(a) Attendance at or participation in a continuing education program or activity related to the practice of chiropractic, or any non-clinical subject relevant to the practice of chiropractic education, administration, management, or science, which includes, but is not limited to, live in-person programs, interactive or monitored teleconferences, audio-conferences, web-based programs, online programs, and review of journal articles or other self-study programs approved or offered by the Michigan Association of Chiropractors (MAC) according to the following:
(i) If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, the sponsor's name or the name of the organization that approved the program or other activity, and the date on which the program or activity was completed.
(ii) The number of continuing education hours for a specific program or activity is the number of hours approved by the approving organization for the specific program or activity.
(iii) A maximum of 30 hours of continuing education may be earned for this category in each renewal period.
(b) Successful completion of a course or courses related to the practice of chiropractic which are offered by a chiropractic school approved under R 338.12021, according to the following:
(i) If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, the school's name, and the date on which the course or courses was completed.
(ii) The number of continuing education hours for a specific course or courses is the number of hours approved by the school for the specific course or courses.
(iii) A maximum of 30 hours of continuing education may be earned for courses completed in this category in each renewal period.
(c) Initial presentation of a continuing education program related to the practice of chiropractic to a state, regional, national, or international organization. To receive credit, the presentation must not be a part of the licensee's regular job description and must be approved or offered for continuing education credit by the American Chiropractic Association (ACA), the International Chiropractors Association (ICA), or an approved program under this rule or R 338.12042. Continuing education under this subdivision is subject to the following:
(i) If audited, the licensee shall submit a copy of the presentation notice or advertisement showing the date of the presentation and the licensee's name listed as a presenter.
(ii) Two hours of continuing education credit are granted for each 50 to 60 minutes of presentation. No other credit is granted for preparation of a presentation.
(iii) A maximum of 10 hours of continuing education may be earned in this category in each renewal period.
(3) This rule takes effect beginning with the first renewal cycle after January 7, 2019. Continuing education programs approved before the effective date of this amended rule are considered approved.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12042 Approval of continuing education programs.
Rule 42. (1) An organization may petition the board for approval of a continuing education program.
(2) The petition shall be filed at least 60 days before the commencement of the program.
(3) The petition shall include all of the following information:
(a) A description of the sponsoring organization.

(b) Name, title, and address of the program director.
(c) An outline of the course.
(d) A resumé for all speakers or presenters, or both.
(e) A description of the delivery method.
(f) The dates and location or locations that the course will be delivered.
(g) A description of how attendance will be monitored, sample documents, and identification of the person monitoring attendance.
(h) A sample certificate or other document that will be issued upon completion and a description of how the participant will be notified.
(i) If appropriate, a request for recognition in a specific topic area required by R 338.12041(1)(d) to (h).
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

PART 5. STANDARDS OF PRACTICE

R 338.12051
Source: 2019 AACS.

R 338.12052 Tests; performance or ordering; requirements.
Rule 52. Under section 16423 of the code, MCL 333.16423, the performance, ordering, or use of tests must satisfy all the following requirements:
(a) The performance and ordering of tests must be for the practice of chiropractic as defined in section 16401(1)(e) of the code, MCL 333.16401.
(b) The performance, ordering, or use of tests must be for the purpose of detecting and diagnosing human conditions and disorders of the human musculoskeletal and nervous systems as they relate to subluxations, misalignments, and joint dysfunctions, or to assist the chiropractor in offering advice to seek treatment from other health professionals to restore and maintain health. The performance and ordering of tests may be included as, but not limited to, a part of a rehabilitative exercise program.
(c) The performance and ordering of tests must be substantially equivalent to nationally recognized standards.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12053 Analytical instruments; criteria for approval.
Rule 53. Under section 16423 of the code, MCL 333.16423, analytical instruments must satisfy all the following requirements:
(a) The instruments must be used for the practice of chiropractic as defined in section 16401(1)(e) of the code, MCL 333.16401.
(b) The instruments must be used for the purpose of detecting and diagnosing human conditions and disorders of the human musculoskeletal and nervous systems as they relate to subluxations, misalignments, and joint dysfunctions, or to assist the chiropractor in offering advice to seek treatment from other health professionals to restore and maintain health. The use of the instrument may be included as, but not limited to, a part of a rehabilitative exercise program.
(c) The use of the instrument must be substantially equivalent to nationally recognized standards.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

R 338.12054 Adjustment apparatus; criteria for approval.
Rule 54. Under section 16423 of the code, MCL 333.16423, an adjustment apparatus must satisfy all the following requirements:
(a) The apparatus must be used for the practice of chiropractic as defined in section 16401(1)(e) of the code, MCL 333.16401.
(b) The apparatus must be used for the purpose of correcting or reducing subluxations, misalignments, and joint dysfunctions. The use of the apparatus may be included as, but is not limited to, a part of a rehabilitative exercise program.
(c) The use of the apparatus must be substantially equivalent to nationally recognized standards.
History: 2019 AACS; 2022 MR 4, Eff. Feb. 22, 2022.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ACUPUNCTURE – GENERAL RULES

PART 1. GENERAL RULES

R 338.13001
Source: 2021 AACS.

R 338.13002 Training standards for identifying victims of human trafficking; requirements.
Rule 2. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure or who is licensed or registered shall have completed training in identifying victims of human trafficking that meets 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 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 registration, or by a college or university.
(iv) Reading an article related to the identification of victims of human trafficking that meets 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 may 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 self-certification statement must include the individual's name and 1 of the following:
(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of the 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.
History: 2016 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13003
Source: 2021 AACS.

R 338.13004 Approval and adoption of examinations; approval and adoption of standards of competence.
Rule 4. (1) The board approves and adopts the examinations developed, scored, and required for certification by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM).
(2) The board approves and adopts the NCCAOM national standards of competence in acupuncture and Oriental medicine as set forth in the document titled, "NCCAOM Certification Handbook," effective January 1, 2019. The document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing at 611 W. Ottawa St. P.O. Box 30670, Lansing, Michigan 48909 and at no cost from NCCAOM at www.nccaom.org or National Certification Commission for Acupuncture and Oriental Medicine, 2025 M. Street NW, Suite 800, Washington, DC 20036.
History: 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

PART 2. LICENSURE

R 338.13005 Rescinded.

History: 2011 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13006 Rescinded.
History:2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13007 Rescinded.
History:2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13008 Rescinded.
History:2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13010 Rescinded.
History: 2011 AACS; 2019 AACS; 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13011 Licensure of Michigan-registered acupuncturist; requirements.
Rule 11. Beginning April 1, 2021, and ending March 31, 2024, the department shall issue a license to an applicant who, in addition to meeting all the requirements of the code and the rules promulgated under the code, satisfies both of the following:
(a) Submits a completed application on a form provided by the department, together with the requisite fee.
(b) Is currently registered as an acupuncturist in this state.
History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13012 Licensure of non-NCCAOM certified acupuncturist; requirements.
Rule 12. (1) Beginning April 1, 2021, and ending March 31, 2024, the department shall issue a license to an applicant who, in addition to meeting all the requirements of the code and the rules promulgated under the code, submits a completed application on a form provided by the department, together with the requisite fee, and satisfies both of the following:
(a) The applicant shall establish that he or she is certified in clean needle technique by the Council of Colleges of Acupuncture and Oriental Medicine.
(b) The applicant shall demonstrate to the board that he or she has the education, training, and experience required for licensure pursuant to sections 16515 and 16525 of the code, MCL 333.16515 and 333.16525. The applicant shall satisfy both of the following:
(i) The applicant shall establish that he or she has completed a minimum of 1,245 hours of systematic acupuncture education, as that term is defined in section 16501 of the code, MCL 333.16501, by submitting his or her education records, training records, or other verifiable evidence of the applicant's education and training that included live lectures, demonstrations, and supervised clinical training specific to acupuncture.
(ii) The applicant shall establish that he or she has provided acupuncture treatment to an average of 50 or more unique patients per year during the 4 years preceding the date of application for licensure by submitting his or her patient and billing records. Documentation must not include multiple treatments provided to the same patient. The applicant shall ensure that patient confidentiality is protected on every document submitted by redacting all personal identifying information. A patient's initials or unique patient number shall be used on each document submitted to clearly identify the patient and billing records as belonging to a unique patient.
(2) If documentation submitted pursuant to this rule is in a language other than English, an original, official translation must also be submitted.
History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13013 Licensure of NCCAOM-certified applicant; requirements.
Rule 13. The department shall issue a license to an applicant who, in addition to meeting all the requirements of the code and the rules promulgated under the code, satisfies both of the following:
(a) Submits a completed application on a form provided by the department, together with the requisite fee.
(b) Submits proof acceptable to the department that he or she is currently certified by NCCAOM as a Diplomate of Acupuncture or Diplomate of Oriental Medicine.
History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13014 Limited License; requirements; restrictions.
Rule 14. (1) Beginning April 1, 2021, and ending March 31, 2024, the department shall issue a limited license to an applicant who, in addition to meeting the requirements of the code and the rules promulgated under the code, meets all of the following:
(a) The applicant provides documentation that he or she has been performing acupuncture under the supervision of a physician

licensed under part 170 of the code, MCL 333.17001 to 333.17097, or part 175 of the code, MCL 333.17501 to 333.17556, for a minimum of 2 years before March 4, 2020.

(b) The applicant submits a form provided by the department that contains the name and signature of the supervising physician acknowledging assumption of the supervisory responsibilities described under section 16109(2) of the code, MCL 333.16109.

(c) The applicant holds a license to engage in another health profession as that term is defined in section 16105(2) of the code, MCL 333.16105, at the time of his or her application.

(2) A limited licensee shall comply with all of the following:

(a) Engage in the practice of acupuncture only under the supervision of the physician identified pursuant to subrule (1)(b) of this rule.

(b) Notify the department if the physician identified pursuant to subrule (1)(b) of this rule is no longer willing or able to supervise the limited licensee.

(i) If the supervising physician is no longer willing or able to supervise the limited licensee, the limited licensee shall not provide acupuncture services until a new supervising physician licensed under part 170 of the code, MCL 333.17001 to 333.17097, or part 175 of the code, MCL 333.17501 to 333.17556, is secured and the requirements of subrule (1)(b) of this rule have been met by the new supervising physician and the form, provided by the department, that contains the name and signature of the supervising physician acknowledging assumption of the supervisory responsibilities described under section 16109(2) of the code, MCL 333.16109, has been submitted to the department.

(ii) A limited license cannot be renewed if a supervising physician licensed under part 170 of the code, MCL 333.17001 to 333.17097, or part 175 of the code, MCL 333.17501 to 333.17556, is not identified.

(c) A limited licensee shall not collect payment from an insurer for performing a service that is within the practice of acupuncture.

History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13015

Source: 2021 AACS.

R 338.13016 Licensure by endorsement; requirements.

Rule 16. (1) An applicant for an acupuncturist license by endorsement, in addition to meeting all the requirements of the code and the rules promulgated under the code, shall submit a completed application on a form provided by the department, together with the requisite fee and satisfy both of the following:

(a) Demonstrate to the satisfaction of the department that he or she holds an active license or registration in good standing from another state or a license in good standing from a province of Canada on the date of filing an application for licensure by endorsement.

(b) Submit proof acceptable to the department that he or she is currently certified by NCCAOM as a Diplomate of Acupuncture or Diplomate of Oriental Medicine.

(2) An applicant for licensure by endorsement shall comply with both of the following:

(a) Disclose each license, registration, or certification in a health profession or specialty issued by another state, the United States military, the federal government, or another country on the application form.

(b) 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 at the time of application.

History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13017 Application for relicensure; requirements.

Rule 17. (1) An applicant whose license has lapsed may be relicensed by satisfying the requirements of the code and the rules promulgated under the code and upon submission of the appropriate documentation as noted in the table below:

(a) For an acupuncturist who has let his or her Michigan license lapse and is currently licensed or registered in another state or province of Canada.		Lapsed 0-3 years	Lapsed more than 3 years
(i)	Submits a completed application on a form provided by the department, together with the required fee.	√	√
(ii)	Establishes that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√

(iii)	Submits fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√
(iv)	Submits proof of having completed 30 hours of continuing education in compliance with R 338.13031 and R 338.13033 within the 2-year period immediately preceding the application for relicensure.	√	√
(v)	An applicant who is or has ever 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 do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.	√	√
(b) For an acupuncturist who has let his or her Michigan license lapse and is not currently licensed or registered in another state or province of Canada.		Lapsed 0-3 years	Lapsed more than 3 years
(i)	Submits a completed application on a form provided by the department, together with the required fee.	√	√
(ii)	Establishes that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√
(iii)	Submits fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√
(iv)	Submits proof of having completed 30 hours of continuing education in compliance with R 338.13031 and R 338.13033 within the 2-year period immediately preceding the application for relicensure.	√	√
(v)	Possesses a current and valid NCCAOM certification as a Diplomate of Acupuncture or Diplomate of Oriental Medicine.		√
(vi)	An applicant who is or has ever 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 do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) 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 at the time of application.		

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13020

Source: 2021 AACS.

R 338.13025 Rescinded.

History: 2011 AACS; 2019 AACS;2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

PART 3. LICENSE RENEWAL, LIMITED LICENSE RENEWAL, AND CONTINUING EDUCATION

R 338.13026 Rescinded.

History: 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13028 Rescinded.

History: 2021 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13030

Source: 2021 AACS.

R 338.13031 Renewal of acupuncturist license; renewal of limited license; requirements; limitations; waiver request.

Rule 31. (1) Pursuant to section 16517 of the code, MCL 333.16517, an applicant for renewal of a license or limited license, who has been licensed for the 2-year period immediately preceding the expiration date of the license, shall satisfy the requirements of R 338.7001 to R 338.7005 and accumulate 30 hours of continuing education related to the practice of acupuncture and approved by the board pursuant to these rules, during the 2 years before the expiration date of the license.

(2) An applicant for renewal of a license or a limited license shall accumulate at least 5 hours of the required hours of continuing education in pain and symptom management related to the practice of acupuncture during each license cycle pursuant to sections 16204(2) and 16517(2) of the code, MCL 333.16204 and 333.16517.

(3) An applicant for renewal of a limited license, in addition to meeting the requirements of subrules (1) and (2) of this rule, shall meet all of the following:

(a) Pursuant to section 16517(3) of the code, MCL 333.16517, the applicant shall hold an active license to engage in another health profession, as that term is defined in section 16105 of the code, MCL 333.16105, at the time of his or her application, and as a condition of renewal of his or her limited license. –

(b) The applicant shall accumulate the continuing education credits required in subrules (1) and (2) of this rule in addition to any continuing education credits accumulated for the purpose of renewing his or her other health professional license.

(c) The applicant shall submit a form, provided by the department, that contains the name and signature of his or her supervising physician acknowledging that the physician provided the supervisory responsibilities described under section 16109(2) of the code, MCL 333.16109, during the previous license cycle and agreeing to provide those supervisory responsibilities during the next license cycle.

(4) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule. An applicant shall retain documentation of satisfying the requirements of this rule for a period of 4 years from the date of applying for license renewal. The board may require an applicant to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(5) The department must receive a request for a waiver under section 16205 of the code, MCL 333.16205, before the expiration date of the license.

(6) The continuing education credits earned in 1 license cycle may not be carried forward to the next license cycle.

(7) The applicant may not earn continuing education credits for completing the same activity twice within the same license cycle.

History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13033 Acceptable continuing education, requirements.
Rule 33. (1) The board approves for continuing education a course or activity approved by the NCCAOM as a professional development activity (PDA). One PDA credit equals 1 hour of continuing education credit that can be accumulated to satisfy the requirements of R 338.13031.
(2) Pursuant to section 16517(1) of the code, MCL 333.16517, an individual who has met the continuing education standards of the NCCAOM is considered to have met the continuing education requirements for license renewal.
(3) If an applicant does not meet the requirements of subrule (2) of this rule, he or she shall accumulate not less than 30 continuing education credits by participating in a course or activity approved by the NCCAOM.
History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13035 Rescinded.
History: 2011 AACS; 2019 AACS; 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13040
Source: 2019 AACS.

PART 4. REGISTERED ACUPUNCTURIST, DELEGATION

R 338.13041 Registered acupuncturist; delegation.
Rule 41. Until March 31, 2024, a registered acupuncturist may engage in the practice of acupuncture under section 16511(1) of the code, MCL 333.16511, under the delegation of an allopathic physician or osteopathic physician and surgeon in accordance with sections 16104, 16109, and 16215(3)(a) of the code, MCL 333.16104, 333.16109, and 333.16215.
History: 2022 MR 22, Eff. Nov. 21, 2022.

R 338.13045
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF MIDWIFERY

PART 1. GENERAL PROVISIONS

R 338.17101
Source: 2019 AACS.

PART 2. PRELICENSURE LICENSED MIDWIFERY EDUCATION

R 338.17111
Source: 2019 AACS.

R 338.17113
Source: 2019 AACS.

R 338.17115
Source: 2019 AACS.

PART 3. LICENSURE

R 338.17121
Source: 2019 AACS.

R 338.17122
Source: 2019 AACS.

R 338.17123
Source: 2019 AACS.

R 338.17125
Source: 2019 AACS.

R 338.17127
Source: 2019 AACS.

PART 4. PRACTICE, CONDUCT, AND CLASSIFICATION OF CONDITIONS

R 338.17131
Source: 2019 AACS.

R 338.17132
Source: 2019 AACS.

R 338.17133
Source: 2019 AACS.

R 338.17134
Source: 2019 AACS.

R 338.17135
Source: 2019 AACS.

R 338.17136
Source: 2019 AACS.

R 338.17137
Source: 2019 AACS.

PART 5. LICENSE RENEWAL AND CONTINUING EDUCATION

R 338.17141
Source: 2019 AACS.

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

PREPAID FUNERAL & CEMETERY SALES

PART 1. GENERAL PROVISIONS

R 339.11
Source: 2014 AACS.

PART 2. CONTRACTS

R 339.21
Source: 2006 AACS.

R 339.22
Source: 2014 AACS.

R 339.23
Source: 2006 AACS.

R 339.24
Source: 2014 AACS.

PART 3. STANDARDS OF OPERATION

R 339.31
Source: 2014 AACS.

R 339.32
Source: 2014 AACS.

R 339.33
Source: 2006 AACS.

R 339.34
Source: 2014 AACS.

R 339.35
Source: 2006 AACS.

R 339.36
Source: 2006 AACS.

R 339.37
Source: 2006 AACS.

PART 4.RECORD KEEPING

R 339.41
Source: 2014 AACS.

R 339.42
Source: 2014 AACS.

R 339.43
Source: 2014 AACS.

R 339.45
Source: 2006 AACS.

R 339.47
Source: 2006 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

CORPORATIONS, SECURITIES, AND COMMERCIAL LICENSING BUREAU

UNARMED COMBAT

PART 1. GENERAL PROVISIONS

R 339.101
Source: 2019 AACS.

R 339.102

Source: 2016 AACS**.**

R 339.103
Source: 2016 AACS**.**

PART 2. PROFESSIONAL BOXING, AMATEUR MIXED MARTIAL ARTS, AND PROFESSIONAL MIXED MARTIAL ARTS

R 339.201
Source: 2019 AACS.

R 339.202
Source: 2019 AACS.

R 339.202a
Source: 2009 AACS.

R 339.203
Source: 2019 AACS.

R 339.203a
Source: 2019 AACS.

R 339.203b
Source: 2019 AACS.

R 339.203c
Source: 2019 AACS.

R 339.203d
Source: 2016 AACS**.**

R 339.204
Source: 2019 AACS.

R 339.205
Source: 2019 AACS.

R 339.205a
Source: 2019 AACS.

R 339.205b
Source: 2019 AACS.

R 339.206
Source: 2016 AACS**.**

R 339.206a
Source: 2016 AACS**.**

R 339.207
Source: 2019 AACS.

R 339.209
Source: 2005 AACS.

R 339.210

Source: 2019 AACS.

R 339.211
Source: 2009 AACS.

R 339.213
Source: 2019 AACS.

R 339.215
Source: 2019 AACS.

R 339.217
Source: 2019 AACS.

R 339.219
Source: 2016 AACS**.**

R 339.221
Source: 2009 AACS.

R 339.223
Source: 2019 AACS.

R 339.223a
Source: 2016 AACS**.**

R 339.225
Source: 2009 AACS.

R 339.226
Source: 2019 AACS.

R 339.226a
Source: 2019 AACS.

R 339.227
Source: 2019 AACS.

R 339.229
Source: 2019 AACS.

R 339.230
Source: 2019 AACS.

R 339.231
Source: 2019 AACS.

R 339.232
Source: 2019 AACS.

R 339.233
Source: 2009 AACS.

R 339.234
Source: 2016 AACS**.**

R 339.234a
Source: 2016 AACS**.**

R 339.235
Source: 2019 AACS.

R 339.235a
Source: 2016 AACS**.**

R 339.237
Source: 2009 AACS.

R 339.239
Source: 2019 AACS.

R 339.241
Source: 2016 AACS**.**

R 339.243
Source: 2019 AACS.

R 339.245
Source: 2019 AACS.

Rule 339.246
Source: 2019 AACS.

Rule 339.246a
Source: 2019 AACS.

R 339.247
Source: 2016 AACS**.**

R 339.249
Source: 2019 AACS.

R 339.251
Source: 2019 AACS.

R 339.253
Source: 2019 AACS.

R 339.255
Source: 2019 AACS.

R 339.257
Source: 2016 AACS**.**

R 339.259
Source: 2016 AACS**.**

R 339.261
Source: 2016 AACS**.**

R 339.263
Source: 2005 AACS.

R 339.265
Source: 2019 AACS.

R 339.267
Source: 2016 AACS.

R 339.269
Source: 2019 AACS.

R 339.271
Source: 2016 AACS.

PART 3. FEES

R 339.301
Source: 2016 AACS.

R 339.303
Source: 2016 AACS.

PART 4.

R 339.401
Source: 2005 AACS.

R 339.403
Source: 2009 AACS.

OFFICE OF COMMERCIAL SERVICES

OCCUPATIONAL BOARDS

R 339.601
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL CODE RENEWALS

PART 1. LICENSE AND REGISTRATION RENEWALS

R 339.1001
Source: 2014 AACS.

R 339.1001a
Source: 2021 AACS.

PART 2. LICENSE AND REGISTRATION RENEWALS

R 339.1002
Source: 2021 AACS.

R 339.1003
Source: 2021 AACS.

R 339.1003a
Source: 2021 AACS.

R 339.1004
Source: 2014 AACS.

R 339.1005
Source: 1997 AACS.

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OCCUPATIONAL CODE—DISCIPLINARY RULES

PART 1. GENERAL RULES

R 339.1701
Source: 2015 AACS.

R 339.1702
Source: 2021 AACS.

R 339.1703
Source: 2021 AACS.

R 339.1705
Source: 2015 AACS.

R 339.1706
Source: 2021 AACS.

R 339.1707
Source: 1997 AACS.

R 339.1708
Source: 2021 AACS.

R 339.1709
Source: 2015 AACS.

R 339.1710
Source: 2021 AACS.

R 339.1711
Source: 1997 AACS.

PART 2. HISTORICAL RECORDS

R 339.1712
Source: 2021 AACS.

R 339.1713
Source: 2015 AACS.

PART 3. INVESTIGATIONS

R 339.1714
Source: 2021 AACS.

R 339.1715
Source: 1997 AACS.

PART 4. CONTESTED CASE PROCEEDINGS

R 339.1716
Source: 2021 AACS.

R 339.1721
Source: 2015 AACS.

R 339.1725
Source: 1997 AACS.

PART 5. COMPLIANCE CONFERENCE AND REQUEST FOR ADJOURNMENT

R 339.1726
Source: 2021 AACS.

R 339.1727
Source: 1997 AACS.

R 339.1728
Source: 1997 AACS.

R 339.1731
Source: 2021 AACS.

R 339.1741
Source: 2015 AACS.

R 339.1743
Source: 2015 AACS.

R 339.1745
Source: 2015 AACS.

R 339.1746
Source: 1997 AACS.

R 339.1741
Source: 2015 AACS.

R 339.1743
Source: 2015 AACS.

R 339.1745
Source: 2015 AACS.

R 339.1753
Source: 1997 AACS.

R 339.1755
Source: 2015 AACS.

R 339.1757

Source: 2015 AACS.

R 339.1759
Source: 2015 AACS.

R 339.1761
Source: 2015 AACS.

R 339.1763
Source: 2015 AACS.

R 339.1765
Source: 2015 AACS.

R 339.1767
Source: 2015 AACS.

R 339.1771
Source: 2015 AACS.

ATHLETICS

PART 1. GENERAL PROVISIONS

R 339.3101
Source: 2005 AACS.

R 339.3102
Source: 2005 AACS.

R 339.3201
Source: 2005 AACS.

R 339.3202
Source: 2005 AACS.

R 339.3203
Source: 2005 AACS.

R 339.3204
Source: 2005 AACS.

R 339.3205
Source: 2005 AACS.

R 339.3206
Source: 2005 AACS.

R 339.3207
Source: 2005 AACS.

R 339.3207a
Source: 2005 AACS.

R 339.3208
Source: 2005 AACS.

R 339.3209

Source: 2005 AACS.

R 339.3210
Source: 2005 AACS.

R 339.3210a
Source: 2005 AACS.

R 339.3211
Source: 2005 AACS.

R 339.3212
Source: 2005 AACS.

R 339.3213
Source: 2005 AACS.

R 339.3214
Source: 2005 AACS.

R 339.3215
Source: 2005 AACS.

R 339.3216
Source: 2005 AACS.

R 339.3217
Source: 2005 AACS.

R 339.3218
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R 339.3219
Source: 2005 AACS.

R 339.3220
Source: 2005 AACS.

R 339.3221
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R 339.3222
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R 339.3223
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R 339.3224
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R 339.3225
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R 339.3228
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R 339.3230
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R 339.3231
Source: 2005 AACS.

R 339.3232
Source: 2005 AACS.

R 339.3233
Source: 2005 AACS.

R 339.3234
Source: 2005 AACS.

R 339.3235
Source: 2005 AACS.

R 339.3236
Source: 2005 AACS.

R 339.3199
Source: 1985 AACS.

PART 2. PROFESSIONAL BOXING

R 339.3201
Source: 1995 AACS.

R 339.3202
Source: 1995 AACS.

R 339.3203
Source: 1995 AACS.

R 339.3204
Source: 1995 AACS.

R 339.3205
Source: 1995 AACS.

R 339.3206
Source: 1995 AACS.

R 339.3207
Source: 1995 AACS.

R 339.3207a
Source: 1995 AACS.

R 339.3208
Source: 1995 AACS.

R 339.3209
Source: 1995 AACS.

R 339.3210
Source: 1995 AACS.

R 339.3210a
Source: 1995 AACS.

R 339.3211
Source: 1995 AACS.

R 339.3212
Source: 1995 AACS.

R 339.3213
Source: 1995 AACS.

R 339.3214
Source: 1995 AACS.

R 339.3215
Source: 1995 AACS.

R 339.3216
Source: 1995 AACS.

R 339.3217
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R 339.3218
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R 339.3219
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R 339.3220
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R 339.3221
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R 339.3222
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R 339.3229
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R 339.3230
Source: 1995 AACS.

R 339.3231
Source: 1995 AACS.

R 339.3232
Source: 1995 AACS.

R 339.3233
Source: 1995 AACS.

R 339.3234
Source: 1985 AACS.

R 339.3235
Source: 1995 AACS.

R 339.3236
Source: 1995 AACS.

DIRECTOR'S OFFICE

COLLECTION AGENCIES

R 339.4001
Source: 2014 AACS.

R 339.4003
Source: 2014 AACS.

R 339.4005
Source: 2014 AACS.

R 339.4007
Source: 2014 AACS.

R 339.4009
Source: 2014 AACS.

R 339.4011
Source: 2014 AACS.

PERSONNEL AGENCIES

PART 1. GENERAL PROVISIONS

R 339.5001
Source: 2014 AACS.

R 339.5005

Source: 2014 AACS.

R 339.5009
Source: 1996 AACS.

PART 2. LICENSING

R 339.5021
Source: 2014 AACS.

R 339.5023
Source: 2014 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.5031
Source: 2014 AACS.

R 339.5033
Source: 2014 AACS.

R 339.5035
Source: 2014 AACS.

R 339.5037
Source: 2014 AACS.

R 339.5039
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BARBERS

PART 1. GENERAL PROVISIONS

R 339.6001
Source: 2014 AACS.

R 339.6002
Source: 2021 AACS.

R 339.6003
Source: 2014 AACS.

R 339.6019
Source: 1991 AACS.

PART 2. LICENSES

R 339.6021
Source: 1998 AACS.

R 339.6022

Source: 2021 AACS.

R 339.6023
Source: 2021 AACS.

PART 3. SANITATION

R 339.6031
Source: 2021 AACS.

R 339.6033
Source: 2019 AACS.

R 339.6035
Source: 1991 AACS.

R 339.6037
Source: 2019 AACS.

R 339.6039
Source: 2003 AACS.

PART 4. BARBER COLLEGES

R 339.6040
Source: 2021 AACS.

R 339.6041
Source: 2019 AACS.

R 339.6045
Source: 2014 AACS.

R 339.6047
Source: 2021 AACS.

R 339.6049
Source: 1991 AACS.

R 339.6051
Source: 2014 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

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NURSING HOME ADMINISTRATORS

PART 1. GENERAL PROVISIONS

R 339.14001
Source: 2019 AACS.

R 339.14002
Source: 2019 AACS.

R 339.14003
Source: 2021 AACS.

PART 2. EDUCATION

R 339.14005
Source: 2021 AACS.

R 339.14007
Source: 2019 AACS.

PART 3. LICENSURE

R 339.14008
Source: 2021 AACS.

R 339.14009
Source: 2019 AACS.

R 339.14011
Source: 2019 AACS.

R 339.14012
Source: 2021 AACS.

R 339.14013
Source: 2021 AACS.

R 339.14015
Source: 2019 AACS.

R 339.14019
Source: 1992 AACS.

R 339.14020
Source: 2021 AACS.

R 339.14020a
Source: 2021 AACS.

R 339.14021
Source: 2014 AACS.

PART 4. CONTINUING EDUCATION

R 339.14022
Source: 2019 AACS.

R 339.14023
Source: 2019 AACS.

R 339.14024
Source: 2021 AACS.

R 339.14024a
Source: 2019 AACS.

R 339.14025

Source: 2019 AACS.

R 339.14026
Source: 2021 AACS.

R 339.14026a
Source: 2021 AACS.

R 339.14027
Source: 2019 AACS.

R 339.14029
Source: 2019 AACS.

R 339.14030
Source: 2019 AACS.

R 339.14031
Source: 2019 AACS.

R 339.14032
Source: 2019 AACS.

R 339.14033
Source: 2019 AACS.

R 339.14035
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

ARCHITECTS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.15101 Definitions.
Rule 101. (1) As used in these rules:
(a) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(b) "Continuing education" means an instructional course or activity in an approved health, safety, and welfare subject that is designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.
(c) "Course" means any qualifying activity with a clear purpose and goal that will keep, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation are not considered activities, except for employer compensated continuing education activities.
(d) "Department" means the department of licensing and regulatory affairs.
(e) "Distance learning" means any of the following:
(i) Courses where an instructor and a licensee may be apart, and instruction takes place through online or electronic media.
(ii) Courses, which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.
(iii) Monographs, which are distant learning courses that examine or investigate current and emerging topics in architecture, and which can be in the form of an online quiz or test offered by a sponsor that may not require an instructor.
(f) "Health, Safety, and Welfare (HSW) subjects" means technical and professional subjects related to the practice of architecture that safeguard the public and that include the continuing education subjects approved under R 339.15506.
(g) "Sponsor" means a person who represents to the public that any of its courses fulfill the requirements of section 2009 of the code, MCL 339.2009, for continuing education.

(2) A term defined in the code has the same meaning when used in these rules.
History: 1985 AACS; 2006 AACS; 2013 AACS; 2014 AACS; 2018 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.15102
Source: 1998-2000 AACS.

R 339.15103
Source: 2014 AACS.

R 339.15104
Source: 2001 AACS.

R 339.15105
Source: 1985 AACS.

PART 2. EDUCATION, EXPERIENCE, AND EXAMINATION STANDARDS

R 339.15201 Educational requirement; adoption by reference of educational standard.
Rule 201. (1) An applicant for an architect license shall provide 1 of the following to satisfy the educational requirements under the code:
(a) Transcripts verifying that the applicant received a first professional degree from an architectural program that is accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB).
(b) An evaluation report from the Education Evaluation Services for Architects-National Council of Architectural Registration Boards (EESA-NCARB) that states the applicant for architect licensure has met the NCARB Education Standard established in the NCARB Education Guidelines.
(c) A credentials evaluation provided by a current member of the National Association of Credential Evaluation Services (NACES) that verifies the applicant for architect licensure received a degree that satisfies all the categories, subject areas, and semester credit hour requirements established under the NCARB Education Standard adopted by reference under subrule (2) this rule.
(2) The NCARB Education Standard in the "NCARB Education Guidelines," effective January 6, 2021, is adopted by reference. This document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, at 611 W. Ottawa St., P.O. Box 30670, Lansing, Michigan 48909 and at no cost from NCARB at https://www.ncarb.org/ or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.
History: 1985 AACS; 2006 AACS; 2018 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.15202 Experience requirement.
Rule 202. An applicant for an architect license shall provide 1 of the following to satisfy the experience requirements under the code:
(a) A valid certificate of completion of any internship program from NCARB.
(b) Proof of current and continuous licensure in another state of at least 5 years.
History: 1985 AACS; 1989 AACS; 2006 AACS; 2018 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.15203
Source: 1998-2000 AACS.

R 339.15204 Examination requirement.
Rule 204. An applicant for an architect license shall provide proof of obtaining a passing score as determined by NCARB on the NCARB Architectural Registration Examination.
History: 2006 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

PART 3. RELICENSURE

R 339.15301
Source: 2020 AACS.

R 339.15302

Source: 2014 AACS.

R 339.15304 Relicensure requirements.
Rule 304. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the code, MCL 339.411, by satisfying all the following requirements:
(a) Providing a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Providing proof to the department verifying that the applicant has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.
(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the code, MCL 339.411, by satisfying all the following requirements:
(a) Providing a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Establishing that the applicant has met all the requirements for initial licensure under the code and these rules.
(d) Providing proof to the department verifying that the applicant has completed not less than 24 hours of continuing education activities approved under R 339.15502 during the 2-year period immediately preceding the date of the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year from the date of the application to provide proof of completing the deficient hours.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401 Model rules of conduct; adoption by reference.
Rule 401. (1) A licensee shall follow the NCARB model rules of conduct adopted by reference in this rule.
(2) The NCARB model rules of conduct in the document "Model Rules of Conduct 2018-2019," revised July 2018, is adopted by reference. This document is available for inspection and distribution at the cost of 10 cents per page from the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 W. Ottawa St., P.O. Box 30670, Lansing, Michigan 48909 and at no cost from NCARB at https://www.ncarb.org/ or National Council of Architectural Registration Boards, 1401 H St. NW, Suite 500, Washington, DC 20005.
History: 1985 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.15402
Source: 2020 AACS.

R 339.15403
Source: 2020 AACS.

R 339.15404 Seal design, use, security, and validation.
Rule 404. (1) Effective 60 days after the promulgation of this rule, the seal of an architect must include the licensee's name and full license number, as shown on the licensee's state-issued architect license and indicate "State of Michigan" and "Licensed Architect" in the legend surrounding the seal. The seal must have a design substantially equivalent to figure 404.
(2) A licensee's seal shall be used by the licensee whose name appears on the seal for as long as the license is in effect. A licensee is responsible for the security of the licensee's seal.

FIGURE 404

History: 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

PART 5. LICENSE RENEWAL AND CONTINUING EDUCATION

R 339.15501 License renewal requirement; continuing education waiver.

Rule 501. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 24 hours of continuing education in activities approved under R 339.15502 during the 2-year period immediately preceding the expiration date of the license.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.15502.

(3) A licensee shall keep documentation of satisfying the requirements of this rule and R 339.15502 for a period of 4 years from the date of applying for license renewal.

(4) A licensee is subject to audit under this part and may have to provide documentation as described under R 339.15502 upon request of the department.

(5) A request for a continuing education waiver under section 204(2) of the code, MCL 339.204, must be received by the department before the expiration date of the license.

History: 2013 AACS; 2018 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.15502 Acceptable continuing education.

Rule 502. (1) The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Credits Earned for Activity and Allowed for Renewal Cycle
(a)	Completing a continuing education program or activity, regardless of the format in which it is offered, if it is in an HSW subject under R 339.15506 and is approved or offered for continuing education by any of the following: Another state board of architects. NCARB. American Institute of Architects. Construction Specifications Institute. University of Michigan. Lawrence Technological University. University of Detroit Mercy. Andrews University. An NAAB accredited degree granting institution. United States Green Building Council. If audited, a licensee shall provide a copy of a letter or a certificate of completion issued by the relevant above-referenced sponsor or	The number of credits approved by the sponsor or the approving organization.

	organization showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the continuing education program or activity, and the date or dates on which the program was held, or the activity completed.	
(b)	Passing a postgraduate academic course in an HSW subject under R 339.15506 that is offered by an architectural program that is accredited by NAAB or CACB. If audited, a licensee shall provide a copy of the transcript issued by the NAAB-accredited or CACB-accredited architectural program showing the number of completed credit hours for the academic courses.	Fifteen continuing education hours are granted for each semester credit or 10 continuing education hours are granted for each quarter credit. A maximum of 15 continuing education hours are granted for this activity in each renewal period.
(c)	Attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference in which the subject matter is an HSW subject under R 339.15506. If audited, a licensee shall provide a copy of a letter or a certificate of completion issued by the sponsor or organization of the seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention or conference showing the licensee's name, sponsor name or the name of the organization, and the date or dates on which the above-referenced activity was held and attended by the licensee.	One continuing education hour is granted for every 50 minutes of continuous instruction. One-half (0.5 credit) of 1 continuing education hour is granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.
(d)	Teaching, instructing, or presenting a subject that is an HSW subject under R 339.15506. If audited, a licensee shall provide a letter issued by the course or activity sponsor or organization confirming the licensee as the teacher, instructor, or presenter of a course or activity, together with a copy of the course syllabus, or other program documentation, showing that licensee is the instructor, the name of the course or activity, and the date or dates the course or activity took place.	One continuing education hour is granted for every 50 minutes continuous instruction. One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.
(e)	Publishing a peer-reviewed paper, article, or book on a subject that is an HSW subject under R 339.15506. If audited, a licensee shall provide a copy of the publication that identifies the licensee as the author of the publication and the publication acceptance letter showing the licensee's name, article name, and date of publishing.	Six continuing education hours are granted for this activity. Credit for continuing education hours is not granted for multiple publications of the same peer-review paper, article, or book. A maximum of 12 continuing education hours are granted for this activity during each renewal period.
(f)	Serving as a voting member on a local, state,	Three continuing education hours are

	or national committee, board, council, or association, if it enhances the participant's knowledge and understanding of architecture. To receive credit, a licensee must take part in at least 50% of the regularly scheduled meetings of the committee, board, council, or association. If audited, a licensee shall provide documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association and provide verification of the licensee's status as a voting member on the committee, board, council, or association.	granted for each committee, board, council, or association on which the licensee is a member. A maximum of 3 continuing education hours are granted for this activity during each renewal period.
(g)	Participating in a company-sponsored seminar or training that is on an HSW subject under R 339.15506. If audited, a licensee shall provide a copy of a letter or a certificate of completion issued by the company or organization presenting the seminar or training on its behalf, showing the licensee's name, company name or the name of the organization presenting the seminar or training on behalf of the company, subject of seminar or training, and the date or dates on which the above-referenced seminar or training was held and completed by the licensee.	One continuing education hour is granted for every 50 minutes of continuous instruction. One-half (0.5 credit) of 1 continuing education hour shall be granted for every additional 25 minutes of continuous instruction that follows the initial 50 minutes of continuous instruction.

(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education credit during the renewal period.
(3) Except as provided under subrule (1) of this rule, 50 minutes of continuous instruction is equal to 1 continuing education hour. For purpose of this rule, "continuous instruction" means the time taking part in the activity, not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.
History: 2013 AACS; 2018 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.15502a
Source: 2020 AACS.

R 339.15503
Source: 2020 AACS.

R 339.15504
Source: 2020 AACS.

R 339.15505
Source: 2018 AACS.

R 339.15506
Source: 2020 AACS.

R 339.15507
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROFESSIONAL ENGINEERS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.16001 Definitions.
Rule 1. (1) As used in these rules:
(a) "Board" means the board of professional engineers created under section 2002 of the code, MCL 339.2002.
(b) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(c) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.
(d) "Course" means any qualifying activity with a clear purpose and goal that will keep, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice.
(e) "Department" means the department of licensing and regulatory affairs.
(2) A term defined in the code has the same meaning when used in these rules.
History: 1985 AACS; 2008 AACS; 2013 AACS; 2014 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16002
Source: 1998-2000 AACS.

R 339.16003
Source: 2014 AACS.

R 339.16004
Source: 2001 AACS.

R 339.16006
Source: 1985 AACS.

PART 2. LICENSURE

R 339.16021 Educational requirement.
Rule 21. An applicant for licensure shall provide to the department 1 of the following to satisfy the educational requirement under the code:
(a) Transcripts verifying that the applicant received a baccalaureate degree or higher degree in engineering from a program accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET) or the Canadian Engineering Accreditation Board (CEAB).
(b) Transcripts verifying that the applicant received a master's degree or doctorate in engineering from a school and program with an EAC/ABET-accredited or a CEAB-accredited baccalaureate degree program that is in the same engineering discipline as the applicant's master's degree or doctorate.
(c) A credentials evaluation from the National Council of Examiners for Engineering and Surveying (NCEES) that verifies all the following:
(i) The applicant for licensure received either of the following:
(A) A baccalaureate degree in engineering from a non-United States-based program.
(B) A master's degree or doctorate in engineering from a non-EAC/ABET-accredited program.
(ii) The applicant for licensure completed not less than 32 college semester credit hours in the areas of mathematics and basic science.
(iii) The applicant for licensure completed not less than 48 college semester credit hours in engineering science or engineering design courses that satisfy the course requirements established under the NCEES Engineering Education Standard.
(d) A credentials evaluation that verifies the applicant received a baccalaureate degree in engineering from an educational program that is substantially equivalent to an EAC/ABET-accredited baccalaureate degree program in engineering. The credentials evaluation must be generated by a company that is a current member of the National Association of Credential Evaluation Services (NACES).

History: 1985 AACS; 2008 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16022 Professional engineering experience; credit for work experience; credit for educational experience.

Rule 22. (1) Under section 2004(2)(a) of the code, MCL 339.2004, an applicant for professional engineer licensure shall document at least 8 years of professional experience in engineering work, including not more than 5 years of education granted under subrule (4) of this rule. An applicant shall satisfy the requirements of this rule to receive credit for professional experience.

(2) An applicant for licensure shall provide either of the following to the department to receive credit for professional experience in engineering work:

(a) Proof acceptable to the department verifying that the applicant has obtained not less than 4 years of experience practicing as a licensed or registered professional engineer in another state.

(b) All of the following:

(i) The dates of performing engineering work that qualifies as professional experience under subrule (3) of this rule.

(ii) The supervising individual's name and license or registration number and the state in which the supervising individual is licensed or registered as a professional engineer.

(iii) Documentation from the supervising individual attesting to the work experience, dates of work, and supervision.

(3) Engineering work that satisfies all the following requirements qualifies as professional experience:

(a) The work involves the use of engineering principles and data.

(b) The work is in the form of consultation, investigation, evaluation, planning, design, or review of materials or completed phases of work in the construction, alteration, or repair in connection with a public or private utility, structure, building, machine, equipment, process, work, or project.

(c) The work is performed while under the direction of a professional engineer licensed in this state or licensed or registered in another state.

(4) The department shall grant not more than 5 years of professional experience credit to an applicant holding a degree that satisfies the requirements under R 339.16021. Credit is limited to the following amounts:

(a) Not more than 4 years of professional experience for a baccalaureate degree in engineering. Experience is granted for only 1 baccalaureate degree.

(b) Not more than 1 year of professional experience for a post-baccalaureate degree in engineering. Experience is granted for only 1 post-baccalaureate degree.

History: 1985 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16023

Source: 1998-2000 AACS.

R 339.16024

Source: 2020 AACS.

R 339.16025 Relicensure requirements.

Rule 25. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the code, MCL 339.411, by satisfying all the following requirements:

(a) Providing a completed application on a form provided by the department.

(b) Paying the required fee to the department.

(c) Providing proof to the department verifying that the applicant has completed 15 hours of continuing education in activities approved under R 339.16041 during the 12 months immediately preceding the date of filing the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.

(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the code, MCL 339.411, by satisfying all the following requirements:

(a) Providing a completed application on a form provided by the department.

(b) Paying the required fee to the department.

(c) Establishing that the applicant has met all the requirements for initial licensure under the code and these rules.

(d) Providing proof to the department verifying that the applicant has completed 30 hours of continuing education in activities approved under R 339.16041 during the 24 months immediately preceding the date of filing the relicensure application. If the department determines that the amount of continuing education hours provided with the application is deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.

History: 1985 AACS; 2008 AACS; 2014 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16026 Examination requirements.

Rule 26. An applicant for professional engineer licensure shall provide to the department both of the following to satisfy the examination requirements under the code:

(a) Verification that the applicant achieved a passing score as determined by NCEES on either of the following examinations:

(i) The NCEES Principals and Practice of Engineering examination.

(ii) Both components of the NCEES Structural Engineering examination, known as SE-I and SE-II.

(b) Verification of either of the following:

(i) The applicant achieved a passing score as determined by NCEES on the NCEES Fundamentals of Engineering examination.

(ii) The applicant received a doctorate in engineering from a school and program with an EAC/ABET-accredited or a CEAB-accredited baccalaureate degree program that is in the same engineering discipline as the applicant's doctorate in engineering.

History: 2008 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

PART 3. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.16031 Professional conduct; requirements; restrictions.

Rule 31. (1) A licensee shall follow all the rules of conduct under this part.

(2) A licensee shall do all the following:

(a) If the licensee is the person in responsible charge, the licensee shall notify the licensee's employer or client, and any other appropriate authority when the licensee's judgment is overruled under circumstances that endanger life or property.

(b) If the licensee is not the person in responsible charge, the licensee shall notify the person in responsible charge when the licensee's judgment is overruled under circumstances that endanger life or property.

(c) Participate in phases of a project in which the licensee is competent.

(d) Undertake assignments in which the licensee is qualified by education or experience in the specific technical field involved.

(e) Complete, sign, seal, or approve engineering documents that conform with the law and applicable professional standards.

(f) Be objective and truthful in professional reports, statements, or testimony and include all relevant and pertinent information in these reports, statements, or testimony.

(g) Disclose to an employer, client, or public body on which the licensee serves all known or potential conflicts of interest that could influence or appear to influence the licensee's judgment or the quality of the licensee's services.

(3) A licensee shall not do any of the following:

(a) Disclose confidential information obtained in a professional capacity without the prior consent of the client or employer, unless authorized or required by law or these rules.

(b) Partner, practice, or offer to practice with any person or firm or assist any person or firm that the licensee knows is engaged in fraudulent or dishonest business or professional practices or the unlawful practice of professional engineering.

(c) Falsify the licensee's qualifications or the qualifications of the licensee's associates or permit misrepresentations of the licensee's qualifications or the qualifications of the licensee's associates.

(d) Misrepresent or exaggerate the licensee's experience or qualifications.

(e) Knowingly make statements containing a material misrepresentation of fact or omitting a material fact or knowingly make statements that deceive the public.

(f) Attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensed professional engineers.

(g) Give or offer to give, directly or indirectly, to a client, potential client, the agent of a client, or the agent of a potential client, a commission, contribution, gift, or other valuable consideration to secure or retain engineering work. This restriction does not include payments to an employment agency for securing employment or employees for salaried positions.

(h) Solicit or accept a compensation, contribution, gift, or other valuable consideration, directly or indirectly, from more than 1 party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.

(i) Solicit or accept a commission, contribution, gift, or other valuable consideration, directly or indirectly, from other parties dealing with the licensee's clients or employers, or from outside agents who have no dealings with the licensee's client or employer, in connection with the work for which the licensee is responsible, unless the circumstances are fully disclosed and agreed to by all interested parties.

(j) Solicit or accept a commission, contribution, gift, or other valuable consideration, directly or indirectly, when the licensee's judgment may be compromised.

(k) Complete, sign, seal, or approve engineering documents that do not conform with the law or applicable professional standards.

(4) Work for which the licensee is responsible, the procedures followed, and the decisions made by individuals under the licensee's supervision must be subject to sustained review and approval by the licensee.

History: 1985 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16032 Professional engineer seal.
Rule 32. (1) Effective 2 years after the promulgation of this rule, the seal of a professional engineer must include the licensee's name and full license number, as shown on the licensee's state-issued professional engineer license and indicate "State of Michigan" and "Licensed Professional Engineer" in the legend surrounding the seal. The seal must have a design substantially equivalent to figure 32 below.
(2) A licensee's seal shall be used by the licensee whose name appears on the seal for as long as the license is in effect. A licensee is responsible for the security of the licensee's seal.

FIGURE 32

History: 1985 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16033
Source: 2020 AACS.

R 339.16034
Source: 2020 AACS.

PART 4. LICENSE RENEWAL AND CONTINUING EDUCATION

R 339.16040 Continuing education required for renewal; certification of compliance; document retention; continuing education waiver.
Rule 40. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 30 hours of continuing education in activities approved under R 339.16041 during the 2-year period immediately preceding the expiration date of the license. Of the 30 hours, at least 2 hours of continuing education must be earned in ethics, as it relates to professional engineering.
(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.16041.
(3) A licensee shall keep documentation of satisfying the requirements of this rule and R 339.16041 for a period of 4 years from the date of filing the application for license renewal.
(4) A licensee is subject to audit under this part and may have to provide documentation as described by R 339.16041 upon request of the department.
(5) A request for a continuing education waiver under section 204(2) of the code, MCL 339.204, must be received by the department before the expiration date of the license.
History: 2013 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16041 Acceptable continuing education; limitations.
Rule 41. (1) The department shall grant credit for in-person or online continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Continuing Education Hours Granted for Activity
(a)	Completing a continuing education program or activity	The number of continuing

	related to professional engineering that is approved or offered for continuing education credit by any of the following: Another state's board of engineers. A professional engineering association, organization, or society. NCEES. ABET. If audited, a licensee shall provide documentation or a certificate of completion showing the licensee's name, total continuing education credits earned, sponsor name and contact information, program title, and the date the program was held or completed.	education hours approved by the approving entity are granted for this activity.
(b)	Passing an academic course related to professional engineering offered by a college or university that offers a baccalaureate degree or higher degree in an engineering program that is accredited by EAC/ABET or CEAB. If audited, a licensee shall provide a copy of the transcript showing the number of credit hours of the academic courses related to professional engineering.	Fifteen continuing education hours are granted for each semester credit or 10 continuing education hours are granted for each quarter credit.
(c)	Attending a seminar, in-house course, workshop, or professional or technical presentation related to professional engineering. If audited, the licensee shall provide a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the presentation.	One continuing education hour is granted for every 50 minutes attending the activity.
(d)	Teaching, instructing, or presenting a subject related to professional engineering. If audited, a license shall provide documentation by the college or university confirming the licensee as the teacher, instructor, or presenter of the academic course, the dates of the course or presentation, the number of classroom hours spent teaching, instructing, or presenting, and the course title.	Two continuing education hours are granted for every 50 minutes of teaching, instruction or presenting. A maximum of 12 continuing education hours are granted for this activity during each renewal period.
(e)	Publication of a peer-reviewed paper, article, or book related to professional engineering. If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	Six continuing education hours are granted for this activity. Credit is not granted for multiple publications of the same peer-review paper, article, or book. A maximum of 18 continuing education hours are granted for this activity during each renewal period.
(f)	Serving as a voting member on a state or national committee, board, council, or association related to professional engineering. To receive credit, a licensee	Three continuing education hours are granted for the year in which the licensee serves as a member.

	must take part in at least 50% of the regularly scheduled meetings of the committee, board, council, or association. If audited, a licensee shall provide documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association and provide verification of the licensee's status as a voting member on the committee, board, council, or association.	A maximum of 6 continuing education hours are granted for this activity during each renewal period.
(g)	Attending a Michigan board of professional engineers meeting. To receive credit, the licensee shall obtain a form provided by the department from a department employee present at the meeting and have that employee complete, sign, and date the form. The licensee shall present a valid government-issued photo identification to the department employee for verification. If audited, the licensee shall provide a copy of the form completed, signed, and dated by the department employee who was present at the meeting.	One continuing education hour is granted for each meeting attended. A maximum of 6 continuing education hours are granted for this activity during each renewal period.
(h)	Serving as a school-sponsored mentor to an engineering student in a school-sponsored program. To receive credit, this activity must not be part of the licensee's regular job description. If audited, the licensee shall provide a letter from an authorized official from the school verifying the licensee's role and the number of mentoring hours the licensee provided.	Four continuing education hours are granted for this activity. A maximum of 8 continuing education hours are granted for this activity during each renewal period.
(i)	Participating in a company-sponsored or hosted seminar or training that is designed to enhance professional development in the licensee's area of professional practice. If audited, a licensee shall provide documentation or a certificate of completion issued by the company presenting the seminar or training showing the licensee's name, company name, subject of seminar or training, and the date on which the seminar or training was held.	One continuing education hour is granted for every 50 minutes of the seminar or training.
(j)	Studying an article related to professional engineering published in a peer-reviewed journal or professional or scientific journal that expands the licensee's knowledge of the professional engineering field. If audited, a licensee shall provide the title and author of the article, publication name of the peer-reviewed journal or professional or scientific journal, and date, volume, and issue of publication, as applicable, as well as date read.	Two continuing education hours are granted for each article studied. A maximum of 4 continuing education hours are granted for this activity during each renewal period.
(k)	Obtaining a patent related to professional engineering. If audited, a licensee shall provide a copy of the patent grant letters showing the licensee as the author of the patent and the date in which the patent was issued.	Ten continuing education hours are granted for each patent. A maximum of 20 continuing education hours are granted for

		this activity during each renewal period.

(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education hours during the renewal period.
(3) Not more than 12 continuing education hours may be earned during a 24-hour period.
History: 2013 AACS; 2020 AACS; 2022 MR 6, Eff. March 17, 2022.

R 339.16042
Source: 2020 AACS.

R 339.16043
Source: 2020 AACS.

R 339.16044
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROFESSIONAL SURVEYORS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.17101 Definitions.
Rule 101. (1) As used in these rules:
(a) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
(b) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.
(c) "Department" means the department of licensing and regulatory affairs.
(2) A term defined in the code has the same meaning when used in these rules.
History: 1985 AACS; 1995 AACS; 2013 AACS; 2014 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.17102
Source: 1997 AACS.

R 339.17103
Source: 2014 AACS.

R 339.17104
Source: 2001 AACS.

R 339.17105
Source: 1985 AACS.

PART 2. EDUCATION, EXPERIENCE, AND EXAMINATIONS

R 339.17201 Educational requirements.
Rule 201. An applicant for a professional surveyor license shall provide 1 of the following to satisfy the educational requirements under the code:
(a) Transcripts verifying that the applicant received a baccalaureate degree or higher degree in a surveying program accredited by any of the following:
(i) The Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET).
(ii) The Engineering Technology Accreditation Commission of ABET (ETAC/ABET).
(iii) The Applied and Natural Science Accreditation Commission of ABET (ANSAC/ABET).
(b) A National Council of Examiners for Engineering and Surveying (NCEES) credentials evaluation that verifies the applicant

received a baccalaureate degree or higher degree and satisfies the NCEES surveying core program requirements found in the NCEES Surveying Education Standard.
(c) A credentials evaluation that verifies the applicant received a baccalaureate degree or higher degree in surveying from an educational program that is substantially equivalent to a baccalaureate degree or higher degree program that is accredited by EAC/ABET, ETAC/ABET, or ANSAC/ABET. The credentials evaluation must be generated by a company that is a current member of the National Association of Credential Evaluation Services (NACES).
History: 1985 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.17202 Professional surveying experience; verification; educational credit for experience.
Rule 202. (1) Under section 2004(3)(a) of the code, MCL 339.2004, an applicant for a professional surveyor license shall document at least 8 years of professional experience in professional surveying, including not more than 5 years of education. An applicant shall satisfy the requirements of this rule to receive credit for professional experience.
(2) Professional surveying work that is performed while under the supervision of a professional surveyor who is licensed or registered in this state or another state and involves work in 1 or more of the following areas qualifies as professional experience:
(a) Providing professional services such as consultation, investigation, testimony, evaluation, planning, mapping, assembling, and interpreting reliable scientific measurements and information relative to the location, size, shape, or physical features of the earth, improvements on the earth, the space above the earth, or any part of the earth, and the utilization and development of these facts and interpretations into an orderly survey map, plan, report, description, or project.
(b) Land surveying, which is the surveying of an area for its correct determination or description for its conveyance or for the establishment or reestablishment of a land boundary and the designing or design coordination of the plotting of land and the subdivision of land.
(c) Geodetic surveying, which includes surveying for a determination of the size and shape of the earth, both horizontally and vertically, and the precise positioning of points on the earth utilizing angular and linear measurements through spatially oriented spherical geometry.
(d) Utilizing and managing land information systems through the establishment of datums and local coordinate systems and points of reference.
(e) Engineering and architectural surveying for design and construction layout of infrastructure.
(f) Cartographic surveying for the making of maps, including topographic and hydrographic mapping.
(3) An applicant for a professional surveyor license shall provide to the department 1 of the following to receive credit for professional experience:
(a) Proof acceptable to the department verifying that the applicant has obtained not less than 4 years of experience practicing as a licensed or registered professional surveyor in another state.
(b) All of the following:
(i) The dates of performing work that satisfies the requirements under subrule (2) of this rule.
(ii) The supervising individual's name, license or registration number, and state in which the supervising individual is licensed or registered as a professional surveyor.
(iii) Documentation from the supervising individual attesting to the work experience, supervision, and the dates of work and supervision.
(4) The department shall grant not more than 5 years of professional experience in professional surveying to an applicant holding a degree that satisfies the requirements under R 339.17201. Credit must be granted in the following amounts:
(a) Not more than 4 years of professional experience must be granted for a baccalaureate degree. Experience must be granted for only 1 baccalaureate degree.
(b) Not more than 1 year of professional experience must be granted for a post-baccalaureate degree. Experience must be granted for only 1 post-baccalaureate degree.
History: 1985 AACS; 1995 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.17203 Examination requirements.
Rule 203. An applicant for a professional surveyor license shall satisfy all the following examination requirements under the code:
(a) Achieve a passing score on the Fundamentals of Surveying Examination administered by NCEES. A passing score on the exam must be determined by NCEES.
(b) Achieve a passing score on the Principles and Practice of Surveying Examination administered by NCEES. A passing score on the exam must be determined by NCEES.
(c) Achieve a passing score on the Michigan Professional Surveying Examination. A passing score on the exam must be determined by the department's chosen administrator of the exam.

History: 1985 AACS; 1993 AACS; 2013 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

PART 3. PROFESSIONAL SURVEYOR SEAL AND RELICENSURE

R 339.17301 Professional Surveyor Seal.
Rule 301. (1) Effective 60 days after the promulgation of this rule, the seal of a professional surveyor must include the licensee's name and full license number, as shown on the licensee's state-issued professional surveyor license and indicate "State of Michigan" and "Licensed Professional Surveyor" in the legend surrounding the seal. The seal must have a design substantially equivalent to Figure 301 below.
(2) A licensee's seal shall be used by the licensee whose name appears on the seal for as long as the license is in effect. A licensee is responsible for the security of the licensee's seal.

FIGURE 301

History: 1985 AACS; 1995 AACS; 2014 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.17302
Source: 2014 AACS.

R 339.17303 Relicensure.
Rule 303. (1) An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the code, MCL 339.411, by satisfying all the following requirements.
(a) Providing a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Providing proof to the department that the applicant completed 15 hours of continuing education, 1 of which must be in the area of professional ethics related to surveying, in activities approved under R 339.17506 during the 1-year period immediately preceding the date of filing the relicensure application. If the department determines that the amount of the continuing education hours provided with the application is deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.
(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the code, MCL 339.411, by satisfying all the following requirements:
(a) Providing a completed application on a form provided by the department.
(b) Paying the required fee to the department.
(c) Establishing that the applicant has met all the requirements for initial licensure under the code and these rules.
(d) Providing proof to the department verifying that the applicant completed 30 hours of continuing education, 2 of which must be in the area of professional ethics related to surveying, in activities approved under R 339.17506 during the 2-year period immediately preceding the date of filing the relicensure application. If the department determines that the amount of the continuing education hours provided with the application are deficient, the applicant has 1 year from the date of filing the application to provide proof of completing the deficient hours.
History: 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.17401 Solicitation of employment; restrictions; exception.

Rule 401. (1) In the solicitation of employment, a licensee shall not falsify, or permit the misrepresentation of, the academic or professional qualifications of the licensee or the licensee's associates.
(2) A licensee shall not offer to pay or give, or pay or give, directly or indirectly, to a client or potential client or to the agent of a client or potential client, a commission, contribution, gift, or other substantial valuable consideration to secure or retain professional surveying work. This restriction does not include payments to an employment agency for the purpose of securing employment or employees for salaried positions.
(3) A licensee shall seek professional employment based on the licensee's qualifications, competence, and ability to properly accomplish the employment sought.
History: 1985 AACS; 1995 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.17402
Source: 1985 AACS.

R 339.17403
Source: 1995 AACS.

R 339.17404
Source: 2014 AACS.

PART 5. CONTINUING EDUCATION

R 339.17505 Continuing education; license renewal; requirements.
Rule 505. (1) An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 30 hours of continuing education during the 2-year period immediately preceding the expiration date of the license and satisfy both of the following requirements:
(a) Obtain 2 of the 30 hours of continuing education in an activity that focuses on the area of professional ethics related to surveying. The professional ethics related to surveying is not required to focus on areas specific to Michigan administrative rules or statutes.
(b) Obtain all 30 hours of continuing education in activities that satisfy the requirements under R 339.17506.
(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.17506.
(3) A licensee shall keep documentation of satisfying the requirements of this rule and R 339.17506 for a period of 4 years from the date of filing the application for license renewal.
(4) A licensee is subject to audit under this part and may have to provide documentation as described by R 339.17506 upon request of the department.
(5) A request for a continuing education waiver under section 204(2) of the code, MCL 339.204, must be received by the department before the expiration date of the license.
History: 2013 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.17506 Acceptable continuing education; limitations.
Rule 506. (1) The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Continuing Education Credits for the Activity
(a)	Completing a continuing education program or activity related to professional surveying that is approved or offered for continuing education credit by another state board of professional surveyors. If audited, a licensee shall provide documentation or a certificate of completion showing the licensee's name, total continuing education credits earned, sponsor name and contact information, program title, and the date the program was held or completed.	The number of continuing education credits approved by the approving entity must be granted for this activity.
(b)	Passing an academic course related to professional surveying from a baccalaureate degree or higher degree	Fifteen continuing education credits must be granted for each

	surveying program that is accredited by EAC/ABET, ETAC/ABET, or ANSAC/ABET. If audited, a licensee shall provide a copy of the transcript showing credit hours of the academic courses related to surveying.	semester credit or 10 continuing education credits must be granted for each quarter credit.
(c)	Attending a seminar, in-house course, workshop, or professional or technical presentation related to surveying. If audited, the licensee shall provide a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the presentation.	One continuing education credit must be granted for every 50 minutes of continuous instruction.
(d)	Presenting a seminar, in-house course, workshop, or professional or technical presentation related to surveying. A licensee shall not receive credit for a presentation offered as part of their regular job description or duties. If audited, the licensee shall provide a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the presentation.	Two continuing education credits must be granted for every 50 minutes of continuous instruction.
(e)	Teaching, instructing, or presenting a subject related to professional surveying that is part of an academic course related to surveying that is offered at a college or university. If audited, a licensee shall provide documentation by the college or university confirming the licensee as the teacher, instructor, or presenter of the academic course, the dates of the course or presentation, number of classroom hours spent teaching, instructing, or presenting, and the course title.	Two continuing education credits must be granted for every 50 minutes of continuous instruction.
(f)	Initial publication of a peer-reviewed paper, article, or book related to surveying. If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	Six continuing education credits must be granted for this activity.
(g)	Serving as a voting member on a state or national surveying committee, board, council, or association. To receive credit, a licensee shall take part in at least 50% of the regularly scheduled meetings of the committee, board, council, or association. If audited, a licensee shall provide documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.	Three continuing education credits must be granted for the year in which the licensee serves as a member.
(h)	Attending a Michigan board of professional surveyors meeting. To receive credit, the licensee shall obtain a form provided by the department from a department employee present at the meeting and have that employee complete, sign, and date the form. The licensee shall present a valid government-issued photo identification to the department	One continuing education credit must be granted for each meeting attended.

	employee for verification. If audited, the licensee shall provide a copy of the form completed, signed, and dated by the department employee who was present at the meeting.	
(i)	Serving as a school-sponsored mentor to a surveying student in a school-sponsored program. To receive credit, this activity shall not be part of the licensee's regular job description. If audited, the licensee shall provide a letter from an authorized official from the school verifying the licensee's role and the number of mentoring hours the licensee provided.	Four continuing education credits must be granted for this activity.
(j)	Obtaining patents related to surveying.	Ten continuing education hours must be granted for each approved patent.

(2) Continuing education credits must not be granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education credits during the renewal period.
(3) Not more than 12 continuing education credits may be earned during a 24-hour period.
(4) As used in this rule, "continuous instruction" means the time spent completing an activity not including breakfast, lunch, or dinner periods, coffee breaks, or any other breaks in the program.
History: 2013 AACS; 2020 AACS; 2022 MR 4, Eff. Feb. 23, 2022.

R 339.17507
Source: 2020 AACS.

R 339.17508
Source: 2020 AACS.

R 339.17509
Source: 2020 AACS.

FORESTERS

PART 1. GENERAL PROVISIONS

R 339.18001
Source: 2014 AACS.

R 339.18005
Source: 2014 AACS.

R 339.18007
Source: 2014 AACS.

PART 2. REGISTRATION

R 339.18021
Source: 1998-2000 AACS.

R 339.18023
Source: 2014 AACS.

R 339.18025

Source: 2014 AACS.

R 339.18027
Source: 2014 AACS.

R 339.18029
Source: 1998-2000 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.18031
Source: 2014 AACS.

R 339.18035
Source: 2014 AACS.

MORTUARY SCIENCE

PART 1. GENERAL PROVISIONS

R 339.18901
Source: 2014 AACS.

R 339.18905
Source: 2014 AACS.

R 339.18919
Source: 1991 AACS.

PART 2. LICENSING

R 339.18921
Source: 2001 AACS.

R 339.18923
Source: 1998-2000 AACS.

R 339.18925
Source: 1991 AACS.

R 339.18927
Source: 2001 AACS.

R 339.18929
Source: 2014 AACS.

PART 3. STANDARDS OF OPERATIONS

R 339.18930
Source: 2001 AACS.

R 339.18931
Source: 2014 AACS.

R 339.18933
Source: 1991 AACS.

R 339.18937
Source: 1991 AACS.

PART 4. STANDARDS OF CONDUCT

R 339.18941
Source: 2014 AACS.

R 339.18943
Source: 1991 AACS.

R 339.18945
Source: 1991 AACS.

R 339.18947
Source: 2014 AACS.

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LANDSCAPE ARCHITECTS – GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.19001
Source: 2014 AACS.

R 339.19002
Source: 2021 AACS.

PART 2. EDUCATION AND EXAMINATION

R 339.19004
Source: 2021 AACS.

R 339.19005
Source: 1998-2000 AACS.

R 339.19006
Source: 2021 AACS.

R 339.19007
Source: 2014 AACS.

PART 3. LICENSURE

R 339.19008
Source: 2021 AACS.

R 339.19010
Source: 2021 AACS.

R 339.19012
Source: 2021 AACS.

PART 4. LICENSE RENEWAL, CONTINUING EDUCATION, SANCTIONS FOR FAILURE TO COMPLETE

CONTINUING EDUCATION

R 339.19014
Source: 2021 AACS.
R 339.19016
Source: 2021 AACS.

R 339.19018
Source: 2021 AACS.

R 339.19020
Source: 1983 AACS.

PART 2. REGISTRATION

R 339.19021
Source: 1998-2000 AACS.

R 339.19023
Source: 2021 AACS.

R 339.19025
Source: 2021 AACS.

R 339.19027
Source: 2014 AACS.

PART 3. EXAMINATIONS

R 339.19031
Source: 1998-2000 AACS.

R 339.19033
Source: 1998-2000 AACS.

R 339.19035
Source: 1998-2000 AACS.

R 339.19037
Source: 1998-2000 AACS.

R 339.19039
Source: 1998-2000 AACS.

PART 5. SEAL REQUIREMENTS

R 339.19041
Source: 2021 AACS.

R 339.19045
Source: 2014 AACS.

R 339.19049
Source: 2014 AACS.

PROFESSIONAL COMMUNITY PLANNERS

PART 1. GENERAL PROVISIONS

R 339.20001
Source: 2014 AACS.

R 339.20002
Source: 2014 AACS.

R 339.20009
Source: 2014 AACS.

PART 2. REGISTRATION

R 339.20011
Source: 2014 AACS.

R 339.20013
Source: 2014 AACS.

R 339.20015
Source: 2014 AACS.

R 339.20017
Source: 2014 AACS.

R 339.20018
Source: 2014 AACS.

R 339.20019
Source: 2014 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.20031
Source: 2014 AACS.

R 339.20033
Source: 2014 AACS.

R 339.20035
Source: 2014 AACS.

R 339.20037
Source: 2014 AACS.

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REAL ESTATE BROKERS AND SALESPERSONS - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.22101
Source: 2021 AACS.

R 339.22103

Source: 2014 AACS.

R 339.22199
Source: 1991 AACS.

PART 2. LICENSING

R 339.22201
Source: 2018 AACS.

R 339.22203
Source: 2021 AACS.

R 339.22205
Source: 2017 AACS.

R 339.22207
Source: 2017 AACS.

R 339.22209
Source: 2014 AACS.

R 339.22211
Source: 2017 AACS.

R 339.22213
Source: 2014 AACS.

R 339.22215
Source: 2017 AACS.

R 339.22217
Source: 2021 AACS.

PART 3. LAPSE OF BROKER'S LICENSE AND BROKER'S DEATH OR DISABILITY

R 339.22219
Source: 2021 AACS.

R 339.22221
Source: 2021 AACS.

PART 4. PRACTICE AND CONDUCT

R 339.22301
Source: 2017 AACS.

R 339.22305
Source: 2021 AACS.

R 339.22307
Source: 2021 AACS.

R 339.22309
Source: 2017 AACS.

R 339.22310

Source: 2017 AACS.

R 339.22311
Source: 2017 AACS.

R 339.22313
Source: 2021 AACS.

R 339.22315
Source: 2018 AACS.

R 339.22317
Source: 2017 AACS.

R 339.22319
Source: 2017 AACS.

R 339.22321
Source: 2021 AACS.

R 339.22323
Source: 2017 AACS.

R 339.22325
Source: 2017 AACS.

R 339.22327
Source: 2017 AACS.

R 339.22329
Source: 2017 AACS.

R 339.22333
Source: 2002 AACS.

R 339.22335
Source: 1997 AACS.

R 339.22337
Source: 2014 AACS.

R 339.22339
Source: 2017 AACS.

R 339.22401
Source: 2017 AACS.

R 339.22403
Source: 1997 AACS.

R 339.22405
Source: 2017 AACS.

R 339.22501
Source: 2013 AACS.

R 339.22503

Source: 2013 AACS.

R 339.22505
Source: 2013 AACS.

R 339.22507
Source: 2013 AACS.

R 339.22509
Source: 2013 AACS.

R 339.22511
Source: 2013 AACS.

R 339.22513
Source: 2013 AACS.

R 339.22515
Source: 2013 AACS.

R 339.22517
Source: 2013 AACS.

R 339.22519
Source: 2013 AACS.

R 339.22521
Source: 2013 AACS.

R 339.22523
Source: 2013 AACS.

R 339.22525
Source: 2013 AACS.

R 339.22527
Source: 2013 AACS.

R 339.22529
Source: 2013 AACS.

R 339.22601
Source: 2018 AACS.

R 339.22602
Source: 2018 AACS.

R 339.22603
Source: 2018 AACS.

R 339.22604
Source: 2018 AACS.

R 339.22605
Source: 2018 AACS.

R 339.22606

Source: 2018 AACS.

R 339.22607
Source: 2018 AACS.

R 339. 22609
Source: 2018 AACS.

R 339.22611
Source: 2018 AACS.

R 339.22613
Source: 2018 AACS.

R 339.22615
Source: 2014 AACS.

R 339.22617
Source: 2018 AACS.

PART 5. REAL ESTATE EDUCATION

SUBPART 1. PRELICENSURE EDUCATION

R 339.22618
Source: 2021 AACS.

R 339.22619
Source: 2021 AACS.

R 339.22620
Source: 2021 AACS.

R 339.22621
Source: 2021 AACS.

R 339.22622
Source: 2018 AACS.

R 339.22623
Source: 2018 AACS.

R 339.22624
Source: 2021 AACS.

R 339.22625
Source: 2021 AACS.

R 339.22626
Source: 2021 AACS.

R 339.22627
Source: 2018 AACS.

R 339.22628
Source: 2018 AACS.

SUBPART 2. CONTINUING EDUCATION

R 339.22629
Source: 2021 AACS.

R 339.22630
Source: 2021 AACS.

R 339.22631
Source: 2018 AACS.

R 339.22632
Source: 2021 AACS.

R 339.22633
Source: 2002 AACS.

R 339.22635
Source: 2002 AACS.

R 339.22637
Source: 2002 AACS.

R 339.22639
Source: 2007 AACS.

R 339.22641
Source: 2007 AACS.

R 339.22643
Source: 1991 AACS.

R 339.22645
Source: 2018 AACS.

R 339.22647
Source: 2014 AACS.

R 339.22651
Source: 2014 AACS.

R 339.22652
Source: 2014 AACS.

R 339.22653
Source: 2007 AACS.

R 339.22654
Source: 2007 AACS.

R 339.22655
Source: 2007 AACS.

R 339.22657
Source: 2014 AACS.

R 339.22659
Source: 2014 AACS.

R 339.22661
Source: 2002 AACS.

R 339.22663
Source: 2007 AACS.

R 339.22664
Source: 2007 AACS.

R 339.22665
Source: 2014 AACS.

R 339.22667
Source: 1997 AACS.

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REAL ESTATE APPRAISERS - GENERAL RULES

PART 1. GENERAL PROVISIONS

R 339.23101
Source: 2021 AACS.

R 339.23102
Source: 2016 AACS.

R 339.23103
Source: 2014 AACS.

R 339.23104
Source: 2021 AACS.

PART 2. LICENSING

R 339.23201
Source: 2014 AACS.

R 339.23203
Source: 2021 AACS.

R 339.23203a
Source: 2021 AACS.

R 339.23205
Source: 2021 AACS.

R 339.23207
Source: 2002 AACS.

R 339.23209
Source: 2021 AACS.

PART 3. APPRAISER EDUCATION

R 339.23301
Source: 2021 AACS.

R 339.23303
Source: 2021 AACS.

R 339.23305
Source: 1996 AACS.

R 339.23307
Source: 2021 AACS.

R 339.23309
Source: 2021 AACS.

R 339.23311
Source: 2021 AACS.

R 339.23313
Source: 2021 AACS.

R 339.23315
Source: 2021 AACS.

PART 3A. PRELICENSURE EDUCATION

R 339.23316
Source: 2021 AACS.

R 339.23317
Source: 2021 AACS.

R 339.23319
Source: 2021 AACS.

R 339.23320
Source: 2021 AACS.

PART 3B. CONTINUING EDUCATION

R 339.23321
Source: 2021 AACS.

R 339.23323
Source: 2021 AACS.

R 339.23325
Source: 2021 AACS.

R 339.23326
Source: 2021 AACS.

R 339.23327
Source: 2010 AACS.

PART 4. STANDARDS OF CONDUCT

R 339.23401
Source: 2021 AACS.

R 339.23403
Source: 2021 AACS.

R 339.23405
Source: 2021 AACS.