

Cutting RED TAPE

RECOMMENDATIONS TO PROTECT PEOPLE AND PROMOTE BUSINESS

February 2025

LARA
LICENSING AND REGULATORY AFFAIRS

A REPORT FROM THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS



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Letter from the Director

In November 2023, I received a letter from Governor Whitmer urging LARA to continue its efforts to reduce barriers to professional licensure, to identify regulatory requirements that could be amended or eliminated, and to cut unnecessary red tape. We have fully embraced and responded to that challenge.

At LARA, we take pride in our mission to protect people and promote business. We refuse to believe that Michigan must choose between safety and efficiency; we must have both. The statutes and rules that regulate our professions as well as our internal policies and procedures should protect the public from bad actors and provide an efficient, flexible pathway for licensure.

The industries we regulate are constantly evolving, and to fulfill our mission, we must listen to our licensees, assess options for change, and implement new ideas. That is exactly the process we undertook in responding to Governor Whitmer's request. Last year, we surveyed licensees and partners from three of our highest volume bureaus: Professional Licensing, Construction Codes, and Corporations, Securities & Commercial Licensing. We asked what laws, rules, and processes should be changed to improve your experience. We received over 16,000 responses.

This report is the culmination of our work to review every one of those responses. It outlines recommendations that range from improving exam experiences, expanding reciprocity, creating new resources, removing unnecessary requirements, and in some instances, evaluating deregulation. LARA will do its part to implement these recommendations. And I call upon each of you to continue to do your part by complying with existing laws, reporting bad actors, and serving the public fairly and professionally. By working together, we will be successful in continuing to make Michigan the home for opportunity.

Summary and Key Takeaways

In the simplest terms, **the Cutting Red Tape Report** is about protecting people and promoting business in the state of Michigan.



In total, it includes nearly 80 recommendations that will make it easier for professionals in various industries to earn and maintain their license to practice in Michigan – and meet critical workforce needs without compromising public health or safety. It also highlights initial steps already taken by the Michigan Department of Licensing and Regulatory Affairs (LARA) amid the compilation of this report.

The recommendations range in scope and complexity. Some are relatively minor changes to internal processes or amendments to administrative rules in collaboration with professional boards. Others are amendments to state law that require action by the Michigan Legislature. All are designed to provide better efficiency and flexibility to the people and businesses of Michigan.

Collectively, the recommendations within this report:

Reduce barriers to licensure and continuing education.

- Remove language barriers and increase access to information and resources that improve the licensing process and help applicants prepare for licensing exams.
- Better align continuing education requirements with other states' practices and allow virtual options to give more flexibility to Michiganders attempting to renew their licenses.
- Standardize and simplify the reporting of qualifying experience to ensure applicants get credit for relevant experience and increase the number of completed applications submitted, particularly in the skilled trades.

Position Michigan to fill critical workforce needs.

- Offer expanded pathways to all those wishing to pursue a licensed profession in the state.
- Expand reciprocity licensing to applicants from other states and relicensing to those who practiced continuously in other states.
- Identify ways to help eligible foreign trained medical professionals earn a license to practice in Michigan.

Enhance the customer experience and better serve small businesses.

- Streamline and clarify regulatory oversight and reporting requirements to expedite and simplify licensing and renewal processes.
- Eliminate outdated or obsolete statutes and licensing programs, and modify regulations that are confusing or cause inefficiency.
- Reduce licensing classifications or add licensing options to provide small businesses and entrepreneurs more flexibility to provide services and make a living.

Improve regulatory compliance and oversight to protect the public.

- Add formal name requirements to licenses to better hold bad actors accountable.
- Improve or implement processes that regulate professions in a more timely fashion, including a citation program for mortuary science.
- Create a Scientific Advisory Commission to provide expert opinions on how best to schedule, or classify, controlled substances.

This report is a product of the collective work of the Bureau of Construction Codes (BCC), the Bureau of Professional Licensing (BPL), and the Corporations, Securities, and Commercial Licensing (CSCL) Bureau. It was created utilizing feedback received from licensees and other key partners who completed the Cutting Red Tape Survey in May 2024, as well as input from LARA staff. The report is a critical component of LARA's five-year strategic plan (2025-2029) and will guide our actions to better serve the people and businesses of Michigan.

Cutting Red Tape Survey Methodology

From May 13 to May 24, 2024, LARA conducted the Cutting Red Tape Survey seeking feedback on how to simplify the licensing process and make it more efficient. The survey was shared with customers via email and posted publicly to the respective web pages of the Bureaus of Professional Licensing, Construction Codes, and Corporations, Securities, and Commercial Licensing.

Excerpts from the Cutting Red Tape Survey are included throughout this report to provide insight into the feedback received. Some comments have been edited for clarity or length.



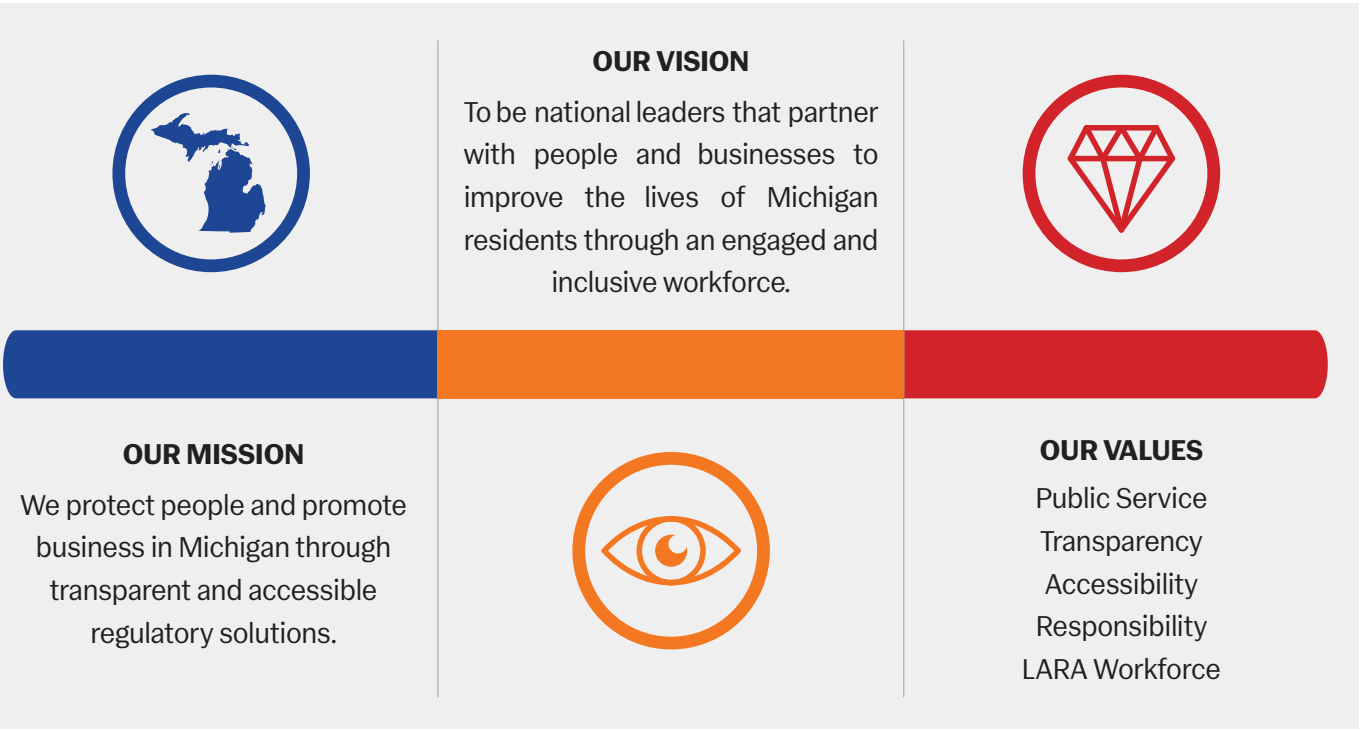
16,488

The number of responses received to the Cutting Red Tape Survey providing direct feedback from Michiganders about how to change laws, rules, or processes to improve the licensee experience.

Protecting People and Promoting Business

LARA'S FIVE-YEAR STRATEGIC PLAN

The Cutting Red Tape Survey and the subsequent policy recommendations are a central part of LARA's five-year strategic plan, spanning fiscal years 2025 to 2029.



LARA

GOALS

- Reduce barriers to licensure.
- Improve regulatory compliance through education and consultation.
- Provide efficient, effective, and timely services.
- Enhance the customer experience across all programs.



BUREAU OF CONSTRUCTION CODES (BCC)

Administers the Construction Code Act, the Skilled Trades Regulation Act, as well as the elevator and manufactured housing programs. Professions BCC oversees include: residential builders, electricians, and other skilled trades professionals.



BUREAU OF PROFESSIONAL LICENSING (BPL)

Licenses and regulates over 700,000 individuals who are governed by either the Michigan Occupational Code or the Public Health Code. Professions BPL oversees include: health care professionals, barbers and cosmetologists, accountants, and real estate agents, among others.



CORPORATIONS, SECURITIES, AND COMMERCIAL LICENSING BUREAU (CSCL)

Facilitates the formation of business entities and nonprofits, and regulates the trading of securities. Professions CSCL oversees include: licensed mortuary science professionals and funeral establishments, among others.

For a full list of bureaus and agencies, visit Michigan.gov/LARA.

Definitions: Process, Rule, Statute

The recommendations in this report fall under three categories requiring unique courses of action and varying amounts of time to complete.

Process – Internal procedures within LARA that can be changed, removed, or created at the department's discretion.

Rules – Administrative rules within LARA that guide each profession's operations and licensing procedures. Modifying rules requires action through the Michigan Office of Administrative Hearings and Rules (MOAHR) and review by the Michigan Legislature.

Michigan's rules are searchable by department, bureau, and rule number on LARA's website at https://ars.apps.lara.state.mi.us/AdminCode/AdminCode.

Statute – Laws which are created, amended, or repealed through formal action by the Michigan Legislature.

Michigan's laws are searchable online through www.legislature.mi.gov/Laws/MCLsearch.

Business and professional licensing oversight

The Department of Licensing and Regulatory Affairs (LARA) protects consumers by ensuring that people practicing various professions and skilled trades in Michigan are properly licensed to do so. At the same time, its work supports economic and job growth by maintaining a functional, efficient regulatory environment where businesses can thrive.

900,000

Number of individuals and businesses licensed and regulated by LARA through the Bureau of Construction Codes, Bureau of Professional Licensing, and Corporations, Securities, and Commercial Licensing Bureau.

Protecting People and Promoting Business

LARA reviews applications, issues licenses, registrations, and/or certificates, processes renewals, maintains all licensing records, conducts inspections, and investigates complaints.



Did you know?

Michigan's workforce is made up of approximately 5 million hard-working Michiganders!*

*According to the Michigan Department of Technology, Management, & Budget

Licensed Professions:



28 Health-related professionals including dentists, doctors, nurses, and physical therapists



29 Skilled professionals, including accountants, electricians, and plumbers

Recommendations – UNIVERSAL

from the Bureau of Construction Codes, Bureau of Professional Licensing, and Corporations, Securities, and Commercial Licensing Bureau

Improve access by translating licensing exams into multiple languages.

PROCESS	
Many applicants do not speak English as their primary language which presents an additional barrier when taking licensing exams. Making exams available in commonly spoken languages in the state will provide greater opportunity for individuals whose first language is not English.	"It would be nice if the journeyman's test was offered in Spanish. English is not my first language, and I have not had any formal schooling in the U.S., so I have never taken a standardized test before. I would feel more confident if the test would be offered in my first language." **Cutting Red Tape Survey** **May 13, 2024, to May 24, 2024**

Make the licensing process and exams easier to understand.

PROCESS	
Licensing exams, processes, and renewal requirements should be written in plain language that is clear, concise, and easy to understand. Although some technical phrasing and terminology is required based on the nature of the content, utilizing tools to ensure the steps to apply for a license and take the exam are easily understood will improve applicants' chances of success on applying for a license, passing the exams, and becoming licensed.	"We have two apprentices that should be journeymen by now but cannot seem to pass the written exam. (They) have been successfully working in the industry for a decade, but cannot pass the darn written exam." **Cutting Red Tape Survey** **May 13, 2024, to May 24, 2024**



Taking Action

Working to Improve Language Access

The Bureau of Professional Licensing and Bureau of Construction Codes are already working to improve language access by translating examinations and other licensing materials. Examples include translating real estate broker and salesperson and residential builder materials to Spanish and cosmetology and manicurist instructor materials to Spanish, Vietnamese, Korean, Simplified Chinese, and Portuguese. LARA has convened a language access committee to identify other programs and materials that can benefit from language translation.

Create a honorary retiree license to recognize the hard work of dedicated professionals.

STATUTE (requires new legislation)

Many other states provide "retired" or "emeritus" licenses, which recognizes the hard work of licensees by allowing them to retain their license in retirement. The Legislature should create a retiree license for individuals who are no longer practicing to retain a license without the need for continued education.

Provide remote access to licensing board meetings to create greater participation.

STATUTE MCL 15.261 et seq.

Amending the Open Meetings Act to provide for remote participation in board meetings will help to ensure greater access to more geographic regions in the state. Currently, many licensing boards that oversee various professions are having issues reaching quorum to hold meetings, which can delay licensing action or rule promulgation. This would also codify practices that were successfully implemented during the height of the COVID-19 pandemic.

Require legal names from licensure applicants to better hold bad actors accountable.

STATUTE MCL 333.16177, MCL 339.202

Under current law, licensees are allowed to use nicknames for licensure, making it harder to hold bad actors accountable. The Legislature should amend the Public Health and Occupational codes to require an applicant or licensee to provide their legal name, providing clarity that will help improve public safety.

Provide mechanism for voluntary relinquishment of licenses.

STATUTE MCL 333.16201, MCL 339.204, MCL 339.5205

Licensees often ask for the ability to permanently relinquish their license, but there is no legal mechanism that allows them to do so, even in instances of death. The Legislature should meet this need by adding new statutory language to provide for the voluntary, permanent relinquishment of a license.

Bureau of Construction Codes (BCC)

Visit BCC's **licensing section** for more details on its responsibility, oversight, and processes.

NOTE: Recommended actions apply to all licenses under the bureau's oversight unless a specific profession or professions are noted in the text.

Provide links to candidate information bulletins directly on the bureau webpage to aid exam preparation.

PROCESS

Approximately 46% of the candidates for skilled trades licensure are unable to pass the licensing exam on the first attempt. Candidate information bulletins provide valuable information to applicants on the structure and content of the exam and important study materials. Providing direct and easy access to these resources will assist applicants in being prepared for the exams.

Allow relicensure without testing for individuals who were continuously licensed in another jurisdiction.

PROCESS

Licensed individuals who leave the state and return are required to requalify for licensure if their Michigan license has been inactive for more than three years. This can include education and examination requirements. Providing discretion on certain licensing requirements using the process allowed by MCL 339.5203 would allow individuals who maintained licensure in another jurisdiction to be relicensed without having to requalify.

Expand reciprocity licensing to all qualified applicants from other states.

STATUTE MCL 339.217

Statutes currently permit reciprocity licensing without requiring additional education or exams for members of the armed services, veterans, and their dependents. However, individuals applying by reciprocity must meet other requirements and the jurisdiction in which they were licensed must be substantially equivalent to the requirements in Michigan. Extending license reciprocity for all qualified individuals (regardless if they have military service) from other states as they transition to Michigan improves the workforce in key areas of need and ensures the continued protection of the public through the vetting process.

"There needs to be some sort of reciprocal licensing with border states or alternate method for being able to use reputable contractors from (Wisconsin) in the (Upper Peninsula)."

Cutting Red Tape Survey
May 13, 2024, to May 24, 2024

Create interactive career maps and career navigation resources for all skilled trades.

PROCESS

Career planning and navigation through the levels of apprentice, journeyperson, master, and contractor in skilled trades can be confusing. Creating interactive tools showing potential pathways and requirements for building a skilled trades business will assist individuals in navigating the process. Resources should include: career maps, licensing requirements, testing guides, common application deficiencies, business filing requirements, and other helpful content.

"The website for licensing requirements and renewals is not easy to navigate. If you do not know the correct terms or key phrases, then you will not be able to find much. A flow chart of the process of applying for a license would be very helpful."

Cutting Red Tape Survey
May 13, 2024, to May 24, 2024

Allow licensed boiler repairers and installers to test control and safety devices.

RULE R 338.5206

The current rule requires that periodic testing of Controls and Safety Devices (CSD-1) of boilers be done by a licensed mechanical contractor. Level IV boiler repairers and level 5b boiler installers possess equivalent knowledge and skills to perform the testing to mechanical contractor licensees with an unlimited heating surface endorsement. Expanding the scope of these licenses will serve a need for boiler owners and improve the practice of boiler licensees in these classifications.

Standardize reporting of qualifying experience to expedite the licensure process for electricians, plumbers, and heating and cooling professionals.

PROCESS

Applicants for electrical, plumbing, and mechanical licenses are required to provide evidence of qualifying experience. The format for reporting the experience is inconsistent or ill-defined, leaving many applicants unsure of the requirement, which results in deficiency notices that slow down the licensure process. Creating standardized forms for the submission of qualifying experience would provide clearer direction on the process and the requirements for the license being sought.

Eliminate the electrical contractor licensing exam as all electrical work already requires a licensed master electrician or journeyman.

PROCESS

The exam currently administered for electrical contractors is not a specific requirement in statute or in rule. Additionally, all electrical work is required to be done by a licensed master electrician or licensed journey electrician and all electrical contractors are required to have a master electrician of record on file with the state.

Although the electrical contractor license is necessary for contracting with individuals and businesses seeking to have electrical work done, the skills and expertise necessary for code compliance has already been evaluated and demonstrated through the person, or the designated master electrician, obtaining the prerequisite license. Removing the exam will expedite the licensing processes for small businesses operating in the electrical field while continuing to ensure code compliance and the safety of the public.

Adjust mechanical contractor testing requirements to align with other trades.

PROCESS

Historically, the mechanical trade exams have limited applicants due to a small number of materials available for reference during the exam. Working with the testing vendor to allow more open book exams (as is the case for other trades), and increasing the allotted time for the exam from three hours to four hours would give applicants ample time to use reference materials and successfully complete the exam. These changes will help qualified applicants, who may struggle with the highly technical nature of the exam or who suffer from testing anxiety, perform to the best of their abilities on the exam.

"Have the exam completely open book just like it was for my boiler exam."

Cutting Red Tape Survey
May 13, 2024, to May 24, 2024

Reduce the number of boiler license classifications to better support small businesses' ability to provide services.

RULE R339.5174, R339.5175

Reducing the number of boiler installer classifications and the number of boiler repairer classifications from six to five will expand the scope of practice for licensees, particularly those in the lower classifications in the earlier stages of their career. These changes could improve the success of small business operators and help reduce the gap between the needs of boiler owners for services and the licensees available to provide the services.

Offer the plumbing practical exam more frequently in geographically friendly locations throughout the Upper and Lower Peninsulas.

PROCESS

The plumbing practical exam is only offered quarterly in the Lansing area. Candidates for journeyman licensure are required to pass the exam and may experience delays when the exam is full or they cannot travel to Lansing to take it. Offering the exam at least eight times per year and including exam locations in the Northern Lower Peninsula and Upper Peninsula would improve accessibility.

"The plumbers licensing requires plumbers to drive long distances and take off work in order to test. (It's) burdensome to most, and we need tradespeople, particularly in the northern regions."

Cutting Red Tape Survey
May 13, 2024, to May 24, 2024

Clarify and update apprentice applications to better maintain registration and record qualifying work experience.

PROCESS

Many apprentice applications are submitted by the supervising licensee using the business address. Often, the apprentice does not receive the renewal application and may lose out on qualifying experience gained because the apprentice registration has lapsed. Clarifying on the application that the address being provided must be the address at which the applicant will receive the notice will assist apprentices in maintaining their registration and getting credit for all their qualifying work experience.

Remove restrictions on qualifying experience for building inspectors.

RULE R 339.5270, R 339.5302, R 339.5309, R 339.5400, R 339.5405, R 339.5406, R 339.5408

Many jurisdictions struggle to recruit and retain qualified individuals to conduct building code inspections and perform plan reviews. The current rules require relevant experience to be demonstrated and, in some cases, require the experience to be gained immediately preceding application. However, many individuals retire from the trade and may take a hiatus before deciding to pursue registration as an inspector. Updating the rules to allow for a reasonable timeframe after retirement to retain qualifying experience will increase the number of qualified building inspectors.

Bureau of Professional Licensing (BPL)

Visit BPL's web pages on **Health Professional Licensing** and **Occupational Licensing** for more details on its responsibility, oversight, and processes.

NOTE: Recommended actions apply to all licenses under the bureau's oversight unless a specific profession or professions are noted in the text.

Allow minor regulatory offenses to be removed from licensees' records.

STATUTE (requires new legislation)

Currently, all disciplinary actions remain on a licensee's record into perpetuity, no matter how minor the infraction. Licensees have reported that this can cause difficulty in finding employment. The Legislature should allow minor regulatory offenses, such as missing continuing education hours, to be removed from a permanent record after certain conditions are met. This will allow licensees with minor offenses to more easily keep and earn employment and fill critical workforce needs.

Repeal English language requirements to embrace non-English speaking professionals.

STATUTE MCL 333.16174(1)(d)

Removing requirements for applicants to demonstrate a working knowledge of English would serve to embrace non-English speaking professionals in high-need professions such as health care. As outlined by the Task Force on Foreign Trained Medical Professionals, this would improve the collective health care system by increasing the number of health care professionals who can treat underserved, non-English speaking patients.

Allow for licensees to complete more continuing education in 24-hour period.

VARIOUS PROFESSIONAL LICENSE RULES

When renewing their license, applicants should be permitted to complete more than 12 hours of continuing education within a 24-hour period.

Reduce required hours of instruction for accountants in alignment with national trends.

STATUTE MCL 339.725(1)(e)

Currently, applicants are required to complete at least 150 hours of coursework to be eligible for an accounting license. The Legislature should consider decreasing the number of hours to 120, which aligns with efforts nationally to lower cumbersome requirements.

Increase self-study options that count toward continuing education credit for certified public accountants.

STATUTE MCL 339.729

Certified Public Accountants (CPAs) are required to take continuing education courses to maintain licensure. Increasing self-study that can count toward continuing education credits, without raising the overall hours of continuing education that is required, would help more accountants maintain their license.

Eliminate Michigan specific continuing education in professional ethics requirements for certified public accountants.

STATUTE MCL 339.729(1)(d)

The Occupational Code currently requires accountancy licensees to complete one hour of Michigan specific continuing education in professional ethics per license cycle. The Legislature should consider eliminating this requirement, or at a minimum, increase the options available to fulfill the requirement.

Exempt sole proprietor accountants from duplicative firm license requirement.

STATUTE MCL 339.728

Under current law, if an individual is licensed as an accountant, they are also required to have an accountancy firm license – even if they do not have any other employees working at the firm. Many times, sole proprietors forget to get their firm license. The Legislature should consider exempting sole proprietors from the duplicative firm license.

Clarify the continuing education period for certified public accountants.

STATUTE MCL 339.729 **RULE** R 338.5210

Michigan law requires CPAs to complete 80 hours of continuing education during every two-year license cycle without stating that 40 hours are needed to be completed in each year of the cycle as required by Rule R 338.5210. Removing the rule would allow a licensee to earn 80 hours over the entire license cycle in accordance with statute, but whenever they choose to do so.

Remove general business coursework requirements to take the certified public accountants exam.

RULE R 338.5115

Current rules require 24 credits of general business courses other than accounting to take the CPA exam. Removing these requirements will help eliminate barriers to taking licensing exams without removing education requirements specific to being an accountant.

Remove 18-month reporting window for misconduct related to appraisals to better serve homeowners and align with federal law.

STATUTE MCL 339.2635(3)(a)(b)

Currently, Michigan law requires that any complaints against appraisal companies be reported within 18 months of the alleged misconduct or the delivery of the appraisal in which it is purported to have occurred. This requirement conflicts with federal guidelines and should be removed to better protect residents seeking an appraisal.

Repeal law requiring two-thirds of principal owners to be licensed at architecture, engineering and surveying firms.

STATUTE MCL 339.2010(1)

Firms practicing architecture, professional engineering, or professional surveying in Michigan are legally required to have at least two-thirds of their principals licensed in the state. The Legislature should consider striking the two-thirds law for firm ownership, as this requirement is not necessary to protect the public and would also better align Michigan with professional requirements across the country.

Expand pathways for licensure for architects to better serve those learning under apprenticeships.

STATUTE MCL 339.2004(1)(a)

Licensed architects are required to have an architectural degree which is a barrier to those who have learned via apprenticeship. The Legislature should amend state law to include reference to a "professional degree or equivalent" which would expand a pathway into the profession for applicants who have demonstrated competency in the profession but lack the specific type of college degree required. It would also bring the profession in line with engineers and surveyors in Michigan as well as public policy nationwide.

Review National Architectural Accrediting Board requirements.

STATUTE MCL 339.2004(1)(a)

The Legislature should review the National Architectural Accrediting Board (NAAB) Accredited School Graduation requirement to determine if it is overly burdensome.

Review and reduce hours of instruction needed for barber license.

STATUTE MCL 339.1108(1)(c)

State law requires licensed barbers to have at least 1,800 hours of study at a licensed barber college or serve as an apprentice for at least 1,800 hours in an apprenticeship program. The Legislature should compare Michigan requirements with other states and consider aligning state standards with industry practices nationwide.

Create licensing option allowing mobile barbershops.

STATUTE (requires new legislation)

The State of Michigan already allows for mobile cosmetology establishments; however, it is not permitted for barbers, despite individuals expressing interest in the concept. The Legislature should evaluate the feasibility and impact of creating a license for mobile barbershops to operate in Michigan.

Consider merging barber and cosmetology professions and their associated regulatory boards to increase efficiency.

STATUTE MCL 339.1101 et seq., MCL 339.1201 et seq.

Due to their similarity, the Legislature should combine the Barber and Cosmetology Boards to create licensing efficiencies while evaluating whether it is still prudent to have separate licenses for barbers and cosmetologists.

Reduce record retention burdens for cosmetology schools.

STATUTE MCL 339.1205a(1)(b)

Michigan law requires monthly submittal of daily attendance records for each cosmetology student or apprentice, which creates an unnecessary burden for schools, apprenticeships, and the state. The Legislature should review the statute and consider changing the monthly submittal of attendance records to only be required upon LARA's request.

Expand the occupational code to allow more flexibility in cosmetology apprenticeships.

STATUTE MCL 339.1203a

The Legislature should consider permitting an apprentice to shampoo hair and adding it to the Occupational Code. This would allow establishments additional workforce flexibility while providing apprentices with more educational opportunities.

Review license cycle length for the behavior analyst career path.

STATUTE MCL 333.18253(1)

The Legislature should review the four-year license cycle length for behavior analysts to determine if a reduction in length is warranted. The current four-year cycle is the longest cycle maintained by the Bureau of Professional Licensing. A number of Cutting Red Tape Survey respondents indicated that they pay for a four-year assistant license that is typically only needed for two years before earning a new license as a behavior analyst.

Approve PACE as a continuing education provider for chiropractors.

RULE R 338.12041(2)(a)

Created by the Federation of Chiropractic Licensing Boards (FCLB), Providers of Approved Continued Education (PACE) is a well-known provider of continuing education. Utilizing PACE in Michigan would provide chiropractors another education option while moving the state in line with approximately 75% of other states throughout the U.S.

Note: The Bureau of Professional Licensing had already begun work on this recommendation at time of publication.

Increase distance learning opportunities for chiropractors to meet continuing education requirements.

RULE R 338.12036, R 338.12037

Evaluating and providing additional opportunities for distance learning to satisfy continuing education requirements for chiropractors is another avenue to make maintaining licensure more convenient. It has become more common following the COVID-19 pandemic.

Note: The Bureau of Professional Licensing had already begun work on this recommendation at time of publication.

Clarify if trust accounts used by collection agencies must be Michigan-based.

STATUTE MCL 339.909

Collection agencies regularly use trust accounts on behalf of their clients. The Legislature should clarify current law regarding whether a trust account is required to be located in Michigan. This will eliminate any confusion or ambiguity.

Evaluate the need for licensing for collection agencies.

STATUTE MCL 339.908

The Legislature should determine if licensure of collection agencies is still needed to protect the public's health, safety, and welfare.

Remove outdated limited license option for mental health counselors.

STATUTE MCL 333.18109

The Legislature should remove the bachelors limited license from the Public Health Code as this language is dated and no longer in use.

Remove professional disclosure statement requirements for mental health counselors.

STATUTE MCL 333.18113

The Legislature should remove mentions of professional disclosure statements from the Public Health Code as this language is outdated.

Remove dated relicensure language for counselors.

STATUTE MCL 333.18114(3)

The Legislature should remove this language from the Public Health Code as it represents dated relicensure language.

Review and expand supervision and eligibility standards across similar mental health professions.

STATUTE MCL 333.18251 – MCL 333.18267, MCL 333.18101 – MCL 333.18117, MCL 333.16901 – MCL 333.16915, MCL 333.18201 – MCL 333.18237, MCL 333.18501 – MCL 333.18518

The Legislature should evaluate what professional practices can be conducted without supervision across the mental health boards (behavior analysts, counseling, marriage and family therapy, psychology, and social workers). It should also consider whether the same practices require supervision or could be supervised by similar professions.

Eliminate dormant dentistry-related task force from the Public Health Code.

STATUTE MCL 333.16624

The Legislature should eliminate the task force for dentistry-related professions referenced in this statute as it has long been dormant.

Expand credential review options for dentistry professions.

RULE R 338.11202(b)

Currently, dental license applicants who graduated from dental education programs that do not comply with board standards must provide official transcripts. Allowing for credential evaluation through the National Association of Credential Evaluation Services would aid this process and speed up the issuance of licenses.

Expand continuing education options for dentistry professions.

RULE R 338.11704a, R 338.11705

The Michigan Board of Dentistry should review if there are additional third-party providers of continuing education to dentistry-related professionals that may be beneficial, such as Delta Dental.

Review efficacy of professional pathways for foreign trained dentists and related occupations.

RULE R 338.11202(c)(iii)

The Michigan Board of Dentistry should review the application of this rule, which could serve as an avenue for foreign trained dentistry professionals to be licensed but needs further clarification to be effective.

Evaluate regulation of hearing aid dealers.

STATUTE MCL 339.1301, MCL 339.1309

The Legislature should review the profession of selling hearing aids to determine if licensure is still needed to protect the public's health, safety, and welfare.

Evaluate deregulation of landscape architect profession.

STATUTE MCL 339.2201 et seq.

The Legislature should determine if it remains necessary to license the profession of landscape architecture to protect the public's health, safety, and well-being.

Make the renewal process consistent across mental health professions.

STATUTE MCL 333.18251 – MCL 333.18267, MCL 333.18101 – MCL 333.18117, MCL 333.16901 – MCL 333.16915, MCL 333.18201 – MCL 333.18237, MCL 333.18501 – MCL 333.18518

The Legislature should review mental health boards – for behavior analysis, counseling, marriage and family therapy, psychology, and social work – to potentially equalize the number of renewals of temporary or limited licenses. The same should be done for specific acts or practices that require supervision from mental health profession to mental health profession.

Allow greater opportunity for virtual supervision to earn marriage and family therapy licensing.

STATUTE MCL 333.16909

The Legislature should explore providing more opportunity for the supervision aspect of direct client therapy to occur virtually.

Clarify statutory language to allow relicensure to serve as renewal when a valid public health code license lapses.

STATUTE MCL 333.18223

Current law limits the number of times temporary or limited Public Health Code licenses can be renewed, and in many cases does not specify if relicensure counts toward the limit. That means that when a license lapses it is unclear if it can be renewed even if the applicant has renewals left to their lapsed license. Relicensure should be viewed the same as renewal for licensees who still have years left before reaching the cap on renewal. The Legislature should update the statute accordingly to implement this goal.



Taking Action

Increasing Licensing Efficiency for Marriage and Family Therapists, Physician's Assistants, and More

The Bureau of Professional Licensing is already making changes to increase efficiencies for licensees without compromising public health or safety. The bureau has increased the cycle length from two to three years for various professions to benefit licensees while spreading out administrative work in processing customers across a longer period of time. This change will benefit many professions, including: marriage and family therapists, midwives, physician's assistants, physical therapists, respiratory care providers, and sanitarians.

Review ways to help foreign trained medical professionals attain licensure.

STATUTE

The Legislature should review the findings and recommendations of LARA's Foreign Trained Medical Professional (FTMP) Licensing Task Force as a means to help this underutilized group of professionals meet Michigan's urgent need for more qualified health care professionals.

NOTE: The Bureau of Professional Licensing has onboarded a licensing specialist to help implement the recommendations of the FTMP Task Force, update licensing guides and materials, and work to implement new licensing programs.









Taking Action

Addressing Michigan's Health Care Talent Crisis

States across the nation have begun aggressively turning to Foreign Trained Medical Professionals (FTMPs) to strengthen their workforce and address critical talent shortages in health care. With an estimated 6,000 immigrants in Michigan with health-related degrees who are underemployed or unemployed, we have the same opportunity. The 2023 Foreign Trained Medical Professional Licensing Report provides a blueprint to help our state engage FTMPs as part of our future workforce and bring more quality health care to more Michiganders.

As mandated by Public Act 166 of 2022, representatives from state government, higher education, hospitals, and other professional associations met with LARA to identify obstacles that prevent FTMPs from practicing in Michigan and create recommendations to improve the efficiency and effectiveness of the licensing process.

The final report and recommendations from this work offers a roadmap for Michigan to help address its health care occupation gap while ensuring that highly qualified individuals have the ability to practice in Michigan.

Reduce continuing education requirements for physicians and podiatrists.

STATUTE MCL 333.17033(1), MCL 333.17533(1), and MCL 333.18033

Currently, physicians and podiatrists are required to complete 150 hours of continuing education during each three-year license cycle. These requirements are higher than most other states. The Legislature is encouraged to reduce the number of required continuing education hours for these professions.

Increase license cycle length for nurses and speech-language pathologists.

RULE R 338.7001a, R 338.7002a

Increasing the license cycle length from two to three years will yield efficiencies for Bureau of Professional Licensing staff, as well as licensees, by spreading out administrative work over a greater period of time. This would apply to nurses and speech-language pathologists and is consistent with changes already made for several professions.

Increase credential evaluation options for nurses through NACES.

RULE R 338.10204

Under current practice, the National Association of Credential Evaluation Services (NACES) is already permitted to evaluate credentials for licensed practical nurses (LPNs). NACES should be added as an entity that can approve and evaluate foreign trained registered nurses (RNs).

Increase distance learning options for occupational therapists to meet continuing education requirements.

RULE R 338.1252(2)

Currently, occupational therapists must complete half of their continuing education hours through a live, synchronous, interactive environment. Eliminating these live requirements and exploring the viability of providing distance-learning options, would potentially allow licensees to watch pre-recorded videos, modules, and webinars to count toward continuing education in occupational therapy.

Eliminate jurisprudence examination for occupational therapists and optometrists.

RULE R 338.1223(c), R 338.323(c)

Eliminate the jurisprudence examination on state laws and rules as part of a larger effort to remove all Michigan jurisprudence exams. These open book examinations are unnecessary and have minimal impact on protecting the public's health, safety, and well-being.

Note: The Bureau of Professional Licensing had already begun work on this recommendation for occupational therapists at time of publication.

Evaluate deregulation of personnel agencies.

STATUTE MCL 339.1001 – MCL 339.1022

The Legislature should determine if it is still necessary to license personnel agencies to protect the public's health, safety, and well-being.

Create Scientific Advisory Commission to provide additional expert guidance on controlled substances.

STATUTE MCL 333.7206

The Legislature should create a Scientific Advisory Commission to serve as a resource for determining substances for inclusion or exclusion from schedules 1 to 5. The commission would be comprised physicians, pharmacists, and representatives from law enforcement, mental health, and public health. Their collective knowledge can provide well-rounded and objective insights into the classification of controlled substances from areas that may currently provide blind spots to the regulation of pharmaceutical substances.

Note: The Bureau of Professional Licensing had already begun work on this recommendation at time of publication.

Expand distance learning opportunities for pharmacists and pharmacy technicians.

STATUTE MCL 333.17731

Currently, pharmacists and pharmacist technicians must complete 20-30 hours of approved continuing education to renew their license. The Legislature should consider eliminating the requirements for live or in-person continuing education considering the availability of virtual options.

Taking Action

Eliminating unnecessary jurisprudence exams for pharmacists and other professions.

In many cases, Michigan still requires licensees to take general jurisprudence exams on state law in addition to exams unique to their profession. This is an open book exam that simply serves as another barrier for potential licensees.

With support of the Bureau of Professional Licensing, Michigan has recently eliminated some of the jurisprudence examinations, including for pharmacists. This is part of a larger effort to eliminate all Michigan jurisprudence exams, which serve little to protect the public's health, safety, and well-being. This report includes other areas where jurisprudence exams should be eliminated.

Eliminate jurisprudence examination for physical therapists and podiatrists.

RULE R 338.7132(d), R 338.8103(c)

Eliminate the jurisprudence exams on state laws and rules as part of a larger effort to eliminate all Michigan jurisprudence exams, including for physical therapists and podiatrists. These open book examinations are unnecessary and have minimal impact on protecting the public's health, safety, and well-being.

Note: The Bureau of Professional Licensing had already begun work on this recommendation for podiatrists at time of publication.

Allow physician's assistants to delegate tasks like nurse practitioners do.

STATUTE MCL 333.16215

The Legislature should permit physician's assistants to delegate acts, tasks, or functions to afford greater consistency with other professions such as nurse practitioners.

Make continuing education requirements more flexible for real estate brokers.

STATUTE MCL 339.2504a

The Legislature should eliminate the continuing education requirements from law and authorize BPL to establish these requirements by rule. This would be more consistent with other occupations and it would add flexibility in monitoring the requirements.

Make license cycles more flexible for social workers.

STATUTE MCL 333.18504(2)

The Legislature should evaluate removing the three-year license cycle from statute so that it can be defined by rule. This would provide for more flexibility within the social work profession.

Move sanitarians and social service technicians from registration to licensure.

STATUTE MCL 333.18503(1)

The Legislature should evaluate moving sanitarians and social service technicians from registration to licensure. Over the past few decades, LARA has moved away from registrations, as they offer little more than title protection. Registrations are typically deregulated now as licensure is the preferred path of oversight.

Reduce restrictions on continuing education for speech-language pathologists.

RULE R 338.629(2)(a)

Current rules allow a maximum of 15 of the 20 continuing education credits to be completed through the American Speech Language Hearing Association (ASHA). Lifting that maximum to allow 100% of the required credits through ASHA would make license renewals more convenient.

Provide clarity to the legal definition of veterinary technicians.

STATUTE MCL 333.18805

Michigan law is quite vague regarding the scope of practice for veterinary technicians. The Legislature should clarify the legal definitions for this profession including knowledge, skills, and supervision requirements. The Legislature should also clarify the scope of practice.

Increase distance-learning continuing education opportunities for veterinarian technicians.

RULE R 338.4993(1)(d)

Current licensing rules for veterinary technicians require that five of the 15 hours of continuing education be completed in person. Eliminating this requirement and allowing all continuing education hours to be completed using distance-learning would ease the burden on licensees.

Corporations, Securities, and Commercial Licensing Bureau (CSCL)

Visit CSCL's web page on **Regulated/Licensed Professions** for more details on its responsibility, oversight, and processes.

NOTE: Recommended actions apply to licenses under the bureau's oversight unless a specific career is noted in the text.

Review and update the state mortuary science licensing examination.

RULE R 339.18921

Review the state's jurisprudence exam for mortuary science to ensure that the questions are essential for establishing a minimum level of competency on the laws and rules for mortuary science in Michigan. This will help ensure that quality applicants have a fair opportunity at passing the exam.

Note: The Corporations, Securities, and Commercial Licensing Bureau had already begun work on this recommendation at time of publication.

"We currently have an apprentice who has passed her national boards and is on her third attempt to pass the state licensing test. She tells me there are questions on that test regarding penalties and jail time for illegal activity in our business. Those questions are unfair. They are geared more for a lawyer and a judge than a mortuary science licensee."

Cutting Red Tape Survey
May 13, 2024, to May 24, 2024

Provide online resources and information for mortuary science applicants.

PROCESS

Provide up-to-date and relevant resources and information to mortuary science applicants and licensees via department webpages. This includes details on how to move from a trainee license to a full license in mortuary science. It is important for the applicant to know what the requirements are for licensure prior to beginning the application process. Providing direct links to the candidate bulletin, which provides guidance in preparing for the PSI exam, will help inform the applicant.

Provide online consumer information about licensed funeral homes operating in Michigan.

PROCESS

Provide online information related to licensed funeral establishments in Michigan, including their location and address. This can assist the public in knowing that the establishment they are working with is licensed to provide mortuary services and resources.

Implement a citation program to provide timely resolution to violations cited during funeral home inspections.

PROCESS MCL 339.553

Michigan's Occupational Code allows the state to issue a citation to a licensed mortuary science professional. Implementing a citation program related to the inspections of funeral establishments will provide a timely response to violations found during an inspection. This will also allow the respondent a quick resolution for violations.

"(We need) continual follow up by the state for funeral homes not abiding by laws and investigations that are reporting fraudulent licenses, and bigger penalties for both."

Cutting Red Tape Survey
May 13, 2024, to May 24, 2024

Clarify education requirements needed for licensure within mortuary science programs.

RULE R 339.18921

Historically, state approved mortuary science programs were three years in length. Current statute even references the requirement of graduating from a "three-year course in mortuary science." However, all accredited mortuary science programs are minimally equivalent to an associate degree, creating some confusion about what is required. An update to the rules is needed to clarify requirements to satisfy a three-year program for mortuary science.

Note: The Corporations, Securities, and Commercial Licensing Bureau had already begun work on this recommendation at time of publication.

"The law states that you don't have to graduate from a college and that you must meet certain requirements, but legislation says you must graduate. This is very confusing."

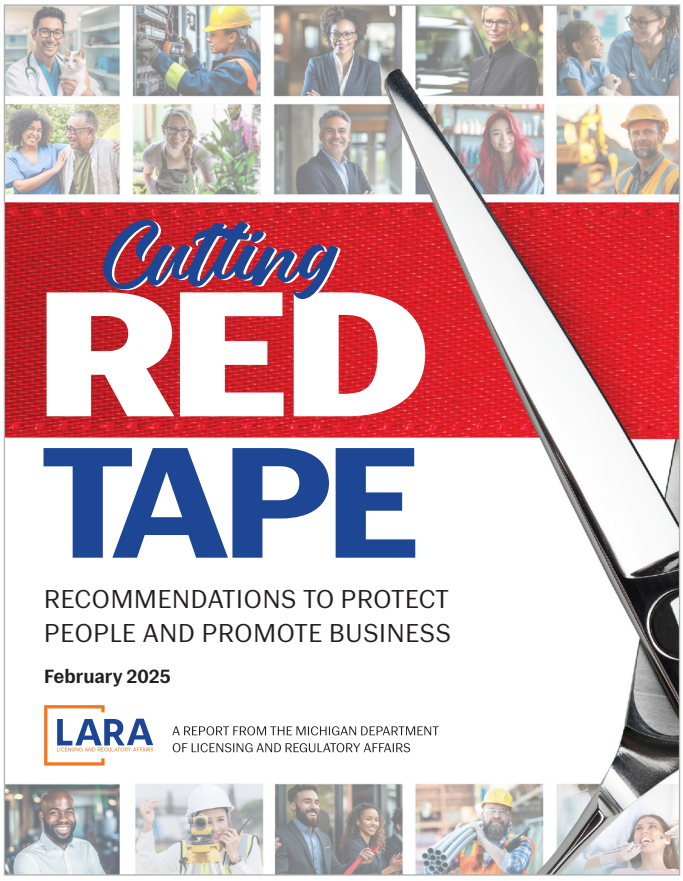
Cutting Red Tape Survey
May 13, 2024, to May 24, 2024

Update administrative rules and establish requirements for continuing education in mortuary science.

RULE R 339.18925, R 339.18927

Rules should be updated to remove outdated reporting requirements and to establish clear requirements for licensing and continuing education.

Note: The Corporations, Securities, and Commercial Licensing Bureau had already begun work on this recommendation at time of publication.



HAVE QUESTIONS OR NEED MORE INFORMATION?

Contact the Michigan Department of Licensing and Regulatory Affairs at 517-335-9700 or Michigan.gov/LARA and ask about the Cutting Red Tape Survey.



Michigan.gov/LARA

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