

## AGENCY REPORT TO THE JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate the rules must complete and submit this form electronically to the Michigan Office of Administrative Hearings and Rules (MOAHR) at [MOAHR-Rules@michigan.gov](mailto:MOAHR-Rules@michigan.gov).

**1. Agency Information:**

Agency name:	Health and Human Services		
Division/Bureau/Office:	Policy and Planning		
Name, title, phone number, and e-mail of person completing this form:	Jared Welehodsky, , Department Analyst, 517-284-4761, <a href="mailto:welehodskyj@michigan.gov">welehodskyj@michigan.gov</a>		
Name of Departmental Regulatory Affairs Officer reviewing this form:	Mary E. Brennan		

**2. Rule Set Information:**

MOAHR assigned rule set number:	<b>2019-045 HS</b>
Title of proposed rule set:	Nonopioid Directive

**3. Purpose for the proposed rules and background:**

Recognizing the current opioid epidemic in this state, patients may now have the completed form added to their records to advise medical facilities and personnel their decision to reject opioids as part of treatment options.
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**4. Summary of proposed rules:**

Mandatory rule promulgation under MCL 333.9145 to develop procedures for recording, disclosure, or distribution of data relating to a nonopioid directive form or the transmission of a nonopioid directive form that complies with state and federal confidentiality and consent laws, rules, and regulations
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**5. List names of newspapers in which the notice of public hearing was published and publication dates (attach copies of affidavits from each newspaper as proof of publication).**

Battle Creek Enquirer, July 2, 2019; Oakland Press, July 2, 2019; Marquette Mining Journal, June 28, 2019
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**6. Date of publication of rules and notice of public hearing in *Michigan Register*:**

August 1, 2019
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**7. Time, date, location, and duration of public hearing:**

9:00 a.m.-12:00 p.m., Tuesday, August 13, 2019, 333 S. Grand Avenue, Room 1G, Lansing, MI 48909.
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**8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:**

<a href="https://dtmb.state.mi.us/ORRDocs/RIS/1941_2019-045HS_ris.pdf">https://dtmb.state.mi.us/ORRDocs/RIS/1941_2019-045HS_ris.pdf</a>
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**9. List of the name and title of agency representative(s) attending public hearing:**

Dr. Catherine Reid, Bureau of State Hospital and Behavioral Administrative Services; Deborah Bach-Stante, Office of Nursing Programs; Jared Welehodsky, Policy and Planning
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**10. Persons submitting comments of support:**

No submissions
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**11. Persons submitting comments of opposition:**

No submissions
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**Michigan Office of Administrative Hearings and Rules**

611 West Ottawa Street; 2nd Floor, Ottawa Building

Lansing, MI 48933

Phone: (517) 335-8658 FAX: (517) 335-9512

**12. Identify any changes made to the proposed rules based on comments received during the public comment period:**

	<b>Name &amp; Organization</b>	<b>Comments Made at Public Hearing</b>	<b>Written Comments</b>	<b>Agency Rationale for Change</b>	<b>Rule Number &amp; Citation Changed</b>
<b>1.</b>	No public comment				
<b>2.</b>					
<b>3.</b>					
<b>4.</b>					

**13. Date report completed:**

August 19, 2019