

State Budget Office
Office of Regulatory Reinvention
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REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at orr@michigan.gov.

1. Agency Information

Agency name:	Department of Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Professional Licensing
Agency contact person name, e-mail, and phone:	Andria M. Ditschman DitschmanA@michigan.gov 517-241-9255

2. Rule Set Information

Title of proposed rule set:	Qualified Interpreter – General Rules
Rule number(s) or range of numbers:	R 393.5001 – R 393.5095
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes.

3. Estimated timetable for completion, or statutory deadline, if applicable:

1 year

4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

<p>The purpose of the Qualified Interpreter – General Rules is to regulate the minimum credentials, endorsements, levels of expected proficiency, application, testing, licensure, renewal, relicensure, minimum standards of practice, disciplinary procedures, and continuing education for interpreters.</p> <p>The proposed rules are intended to: update references to minimum credentials, endorsements, and levels of expected proficiency; modify definitions; add statutory references; delete obsolete provisions; provide exemptions to licensing requirements; require licensees to have a working knowledge of the English language; clarify the examinations that are acceptable to the Board of Interpreters for the Deaf, Deaf Blind and Hard of Hearing and the requirements for taking an examination; clarify the procedures for applications, certification, recertification, renewal, and listing of interpreters; clarify the definition of good moral character; modify the minimum standards of practice; establish a mentoring program for students and interpreters; clarify the standards for using video-remote interpreting; modify the procedures for complaints, grievances, investigations, and the discipline process for interpreters; clarify the continuing education requirements for interpreters; modify the process for approving continuing education for interpreters; clarify the applicable fees; modify the procedure for Board approval of continuing education; and clarify the requirements for appointing authorities to provide a qualified interpreter.</p>

5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

MCL 393.508a; Executive Reorganization Order No. 1996-2, MCL 445.2001; Executive Reorganization Order No. 2003-1, MCL 445.2011; Executive Reorganization Order No. 2011-4,

MCL 445.2030; Executive Reorganization Order No. 2014-5, MCL 445.2035; Executive Reorganization Order No. 2017-4, MCL 445.2036.

6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

Each state establishes its own requirements with respect to the standards, prelicensure education, licensure, licensure renewal, relicensure, continuing education, and discipline for interpreters. The rules do not conflict with, duplicate or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

No. The subject matter of these rules is not currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda.

8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:

These rules will be promulgated using the full rulemaking process.

9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.

The proposed rules do not incorporate recommendations of any Advisory Rules Committee.

10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.

The Michigan Board of Interpreters for the Deaf, Deaf Blind and Hard of Hearing voted to open the rules at the regularly scheduled board meeting on August 30, 2018. Please see attached copy of the minutes from that meeting.

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received: 10-17-2018

Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2018-070 LR
Date of approval:	10/26/18

Based on the information in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	
Explanation:	