

**Michigan Office of Administrative Hearings and Rules**

**Administrative Rules Division (ARD)**

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**REGULATORY IMPACT STATEMENT  
and COST-BENEFIT ANALYSIS (RIS)**

**Agency Information:**

**Department name:**

Licensing and Regulatory Affairs

**Bureau name:**

Bureau of Professional Licensing

**Name of person filling out RIS:**

Dena Marks

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**Rule Set Information:**

**ARD assigned rule set number:**

2021-53 LR

**Title of proposed rule set:**

Social Work – General Rules

**Comparison of Rule(s) to Federal/State/Association Standard**

**1. Compare the proposed rules to parallel federal rules or standards set by a state or national licensing agency or accreditation association, if any exist.**

Each state establishes its own requirements with respect to the registration or licensure of social workers, so there are no federal rules or standards set by a national or state agency that the proposed rules can be compared to.

**A. Are these rules required by state law or federal mandate?**

MCL 333.16145 requires that only a board or task force may promulgate rules to specify requirements for licenses, registrations, renewals, examinations, and required passing scores.

MCL 333.16148 requires the department to promulgate rules pertaining to training standards for identifying victims of human trafficking.

MCL 333.16287 requires the department, in consultation with the board, to promulgate rules to implement telehealth services.

MCL 333.18516 requires the department, in consultation with the board, to promulgate rules regarding the completion of continuing education for a licensee seeking renewal.

MCL 333.18518 requires the department to promulgate rules regarding the minimum training requirements for the practice of social work at the bachelor's and master's levels.

The rules are not required by any federal mandate.

**B. If these rules exceed a federal standard, please identify the federal standard or citation, describe why it is necessary that the proposed rules exceed the federal standard or law, and specify the costs and benefits arising out of the deviation.**

The proposed rules do not exceed a federal standard.

**2. Compare the proposed rules to standards in similarly situated states, based on geographic location, topography, natural resources, commonalities, or economic similarities.**

The proposed rules are consistent with the standards required in the Public Health Code and the rules are largely consistent with the requirements of other states in the Great Lakes Region. Every state in the Great Lakes region provides for the registration or licensure of social workers. Most states in the Great Lakes region do not provide for registration of social service technicians. Ohio does register social work assistants. The requirements for this registration and the restoration of registration after lapse are largely consistent with the requirements for registration and reregistration for social service technicians in Michigan. The Ohio administrative rules also permit the board to issue a registration by endorsement to an appropriate applicant, but the requirements for registration by endorsement are not set out in the Ohio rules.

**A. If the rules exceed standards in those states, please explain why and specify the costs and benefits arising out of the deviation.**

The standards pertaining to the requirements for accumulating social work experience hours for licensure, issuance of a limited license, relicensure, and continuing education for license renewal differ from state to state. Overall, the standards in the proposed social work rules do not exceed those of the other states in the Great Lakes region. To the extent that the social work experience hours for licensure exceed other states' standards, they do so to comply with statutory requirements. Ohio does register social work assistants. The requirements for this registration and the restoration of registration after lapse are largely consistent with the requirements for registration and reregistration for social service technicians in Michigan. The standards for registration by endorsement in Ohio are left to the discretion of the board.

**3. Identify any laws, rules, and other legal requirements that may duplicate, overlap, or conflict with the proposed rules.**

There are no other laws, rules, or other legal requirements that may duplicate, overlap, or conflict with these proposed rules.

**A. Explain how the rules have been coordinated, to the extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter. This section should include a discussion of the efforts undertaken by the agency to avoid or minimize duplication.**

No coordination is needed because there are no other applicable laws that regulate the areas addressed in the proposed rules.

**4. If MCL 24.232(8) applies and the proposed rules are more stringent than the applicable federally mandated standard, provide a statement of specific facts that establish the clear and convincing need to adopt the more stringent rules.**

MCL 24.232(8) does not apply.

**5. If MCL 24.232(9) applies and the proposed rules are more stringent than the applicable federal standard, provide either the Michigan statute that specifically authorizes the more stringent rules OR a statement of the specific facts that establish the clear and convincing need to adopt the more stringent rules.**

MCL 24.232(9) does not apply.

## **Purpose and Objectives of the Rule(s)**

**6. Identify the behavior and frequency of behavior that the proposed rules are designed to alter.**

Part 1 General Provisions: The rules in this part pertain to definitions used in the rule set, educational standards adopted by reference, and training standards for identifying victims of human trafficking. The proposed rules clarify definitions for better reader understanding, update educational standards to recognize programs deemed equivalent by the Council on Social Work Education to assist applicants in meeting educational requirements, and update the training standards for identifying victims of human trafficking to inform applicants for licensure, registration, and renewal that the standard must now be met when the application is submitted.

Part 2 Social Service Technician Requirements: The rules in this part pertain to social service technician registration. The proposed rules clarify the requirements for registration, registration by endorsement, and reregistration to assist applicants in meeting the requirements for registration. The proposed rules also amend the registration by endorsement and reregistration rules to require an applicant to disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being registered by endorsement or reregistered. These proposed changes are intended to ensure public safety and will assist applicants in determining if they satisfy the requirements for registration by endorsement or reregistration.

Part 3 Bachelor's Social Worker Requirements: The rules in this part pertain to bachelor's social worker licenses. The proposed rules clarify the requirements for licensure, licensure by endorsement, and relicensure.

The proposed rules amend the licensure by endorsement rule to add the requirements for a Canadian-licensed applicant to assist the applicant in becoming licensed. The proposed rules also amend the licensure by endorsement and relicensure rules to require an applicant to disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement or relicensed. These proposed changes are intended to ensure public safety and will assist applicants in determining if they satisfy the requirements for licensure by endorsement or to be relicensed. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

Part 4 Master's Social Worker Requirements: The rules in this part pertain to master's social worker licenses. The proposed rules clarify the requirements for licensure, licensure by endorsement, and relicensure.

The proposed rules amend the licensure by endorsement rule to add the requirements for a Canadian-licensed applicant to assist the applicant in becoming licensed. The proposed rules also amend the licensure by endorsement and relicensure rules to require an applicant to disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement or relicensed. These proposed changes are intended to ensure public safety and will assist applicants in determining if they satisfy the requirements for licensure by endorsement or to be relicensed. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

Part 5 Continuing Education: The proposed rules in this part pertain to continuing education. The proposed rules clarify that the requirements for renewal contained in the Public Health Code General Rules must be complied with in addition to the applicant completing the necessary continuing education hours. The proposed rules also clarify the requirements in the acceptable continuing education rule. The proposed changes will assist applicants for renewal in meeting all requirements and in accumulating approved continuing education credits required for license renewal.

**A. Estimate the change in the frequency of the targeted behavior expected from the proposed rules.**

The frequency of use is not expected to change.

**B. Describe the difference between current behavior/practice and desired behavior/practice.**

Part 1 General Provisions: The current rules do not contain definitions for some terms used in the rule set. The proposed rules clarify definitions for better reader understanding. The current rules do not identify educational programs that are recognized as equivalent by the Council on Social Work Education. The proposed rules will approve and adopt those programs to assist applicants in meeting the educational requirements for licensure. The current rules contained outdated information on when an applicant must have completed the training for identifying victims of human trafficking. The proposed rules will clarify that all applicants must have completed this training at the time of application to assist the applicant in meeting the requirements for licensure, registration, or renewal.

Part 2 Social Service Technician Requirements: The current rules do not reference the requirements that must be met in other rules promulgated under the code, such as the Public Health Code General Rules. The proposed rules will advise that any rule promulgated pursuant to the Code must be satisfied, in addition to the requirements specifically set out in this rule set to be registered as a social service technician. The proposed changes are to advise and assist an applicant in meeting all requirements for registration. The current rules for registration by endorsement and reregistration do not specify the registration verification required to ensure that the applicant is safe to practice. The proposed rules specify the disclosure and verification requirements to ensure public safety and will assist applicants in determining if they satisfy the requirements for registration by endorsement or reregistration.

Part 3 Bachelor's Social Worker Requirements: The current rules do not reference the requirements that must be met in other rules promulgated under the code, such as the Public Health Code General Rules. The proposed rules will advise that any rule promulgated pursuant to the Code must be satisfied, in addition to the requirements specifically set out in this rule set to be licensed as a bachelor's social worker. The proposed changes are to advise and assist an applicant in meeting all requirements for licensure. The current rules for licensure by endorsement and relicensure do not specify the licensure verification required to ensure that the applicant is safe to practice. The proposed rules specify the disclosure and verification requirements to ensure public safety and will assist applicants in determining if they satisfy the requirements for licensure by endorsement or relicensure. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

Part 4 Master's Social Worker Requirements: The current rules do not reference the requirements that must be met in other rules promulgated under the code, such as the Public Health Code General Rules. The proposed rules will advise that any rule promulgated pursuant to the Code must be satisfied, in addition to the requirements specifically set out in this rule set to be licensed as a master's social worker. The proposed changes are to advise and assist an applicant in meeting all requirements for licensure. The current rules for licensure by endorsement and relicensure do not specify the licensure verification required to ensure that the applicant is safe to practice. The proposed rules specify the disclosure and verification requirements to ensure public safety and will assist applicants in determining if they satisfy the requirements for licensure by endorsement or relicensure. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

Part 5 Continuing Education: The current rule concerning continuing education requirements does not advise that the requirements for renewal contained in the Public Health Code General Rules must be complied with in addition to the applicant completing the necessary continuing education hours. The proposed rules will advise applicants that the requirements of those rules must also be met for license renewal. The current rule pertaining to acceptable continuing education contains 2 ambiguities that will be eliminated in the proposed rule. The desired behavior is better understanding and easier compliance with the requirements of the rule.

**C. What is the desired outcome?**

R 338.2921: The proposed rule is intended to clarify the meanings of the terms used in the rule set.

R. 338.2923: The proposed rule is intended to inform an applicant about accredited and recognized education programs and educational requirements.

R 338.2929: The proposed rule is intended to advise an applicant for licensure or renewal of the date that the training

standards for identifying victims of human trafficking must be met.

R 338.2931: The proposed rule is intended to clarify the requirements for a limited social service technician registration.

R 338.2933: The proposed rule is intended to clarify the requirements for social service technician registration.

R 338.2935: The proposed rule is intended to clarify the requirements for social service technician registration by endorsement and how verification will be completed.

R 338.2937: The proposed rule is intended to clarify the requirements for social service technician reregistration and how verification will be completed.

R 338.2939: The proposed rule is intended to clarify for an applicant the requirements for a limited bachelor's social worker license.

R 338.2941: The proposed rule is intended to clarify for an applicant the requirements for licensure as a bachelor's social worker.

R 338.2943: The proposed rule is intended to clarify for an applicant all of the requirements for a bachelor's of social work license by endorsement for those holding a license or registration in another state or a license in a province of Canada and how verification will be completed.

R 338.2945: The proposed rule is intended to clarify for an applicant all of the requirements for relicensure and how verification will be completed. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

R 338.2947: The proposed rule is intended to clarify for an applicant the requirements for a limited master's social worker license.

R 338.2949: The proposed rule is intended to clarify for an applicant the requirements for licensure as a master's social worker.

R 338.2955: The proposed rule is intended to clarify for an applicant all of the requirements for relicensure and how verification will be completed. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

R 338.2957: The proposed rule is intended to clarify for an applicant all of the requirements for a master's of social work license by endorsement for those holding a license or registration in another state or a license in a province of Canada and how verification will be completed.

R 338.2961: The proposed rule is intended to clarify continuing educational requirements and advise the applicant that the requirements for renewal set forth in the Public Health Code General Rules must be met in addition to completing the continuing educational requirements.

R 338.2963: The proposed rule is intended to clarify continuing education activities.

**7. Identify the harm resulting from the behavior that the proposed rules are designed to alter and the likelihood that the harm will occur in the absence of the rule.**

Part 1 General Provisions: The current rules define terms currently defined in the Public Health Code and fail to define “department” as it is used in the rule set. The proposed rules will assist the reader in understanding and complying with these rules.

The current board approval of educational programs does not recognize that the Council on Social Work Education (CSWE) has recognized through a memorandum of understanding educational programs it has determined are equivalent to a program accredited by the CSWE. The proposed change to the rule will ensure that an applicant whose program was recognized by the CSWE can proceed through the application process without having to seek approval directly from the board.

The current rule pertaining to training standards for identifying victims of human trafficking contain outdated information. The proposed changes will advise an applicant for registration, licensure, or renewal that this training must be completed when the application is filed.

Part 2 Social Service Technician Requirements: The current rules do not clearly state that requirements for a social service technician registration, registration by endorsement, or reregistration may be contained in other rule sets, such as the Public Health Code General Rules. The potential harm is that an applicant will not recognize that there are registration requirements contained in other rule sets and may fail to comply.

The current rules do not set out the verification process for an applicant for registration by endorsement or reregistration. The potential harm in the current rules is that the applicant is unable to determine if he or she satisfies the requirements for registration by endorsement or reregistration.

Part 3 Bachelor’s Social Worker Requirements: The current rules do not clearly state that requirements for a bachelor’s social work limited license, license, licensure by endorsement, or relicensure may be contained in other rule sets, such as the Public Health Code General Rules. The potential harm is that an applicant will not recognize that there are requirements contained in other rule sets and may fail to comply.

The current rules do not set out the requirements for licensure by endorsement for an applicant who holds a license in a province of Canada. The proposed rules set forth those requirements. Additionally, the current rules do not set out the verification process for an applicant for licensure by endorsement or relicensure. The potential harm in the current rules is that the applicant is unable to determine if he or she satisfies the requirements for licensure by endorsement or relicensure. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

Part 4 Master’s Social Worker Requirements: The current rules do not clearly state that requirements for a master’s social work limited license, license, licensure by endorsement, or relicensure may be contained in other rule sets, such as the Public Health Code General Rules. The potential harm is that an applicant will not recognize that there are requirements contained in other rule sets and may fail to comply.

The current rules do not set out the requirements for licensure by endorsement for an applicant who holds a license in a province of Canada. The proposed rules set forth those requirements. Additionally, the current rules do not set out the verification process for an applicant for licensure by endorsement or relicensure. The potential harm in the current rules is that the applicant is unable to determine if he or she satisfies the requirements for licensure by endorsement or relicensure. The number of hours of supervised work experience hours needed for relicensure for an applicant whose license has been lapsed for more than 3 years but less than 7 years has been reduced to 480 hours from 1,000 hours.

Part 5 Continuing Education: The current rules set out the requirements for continuing education for license renewal and approval of continuing education programs. The current rules contain ambiguities. The proposed rules clarify those rules to eliminate licensee confusion regarding the requirements.

**A. What is the rationale for changing the rules instead of leaving them as currently written?**

Part 1 is being changed because it contains definitions contained in the Public Health Code and does not define the term “department.” It is also being amended to identify the board’s approval of educational programs deemed equivalent to those accredited by the Council on Social Work Education and to clarify the rule pertaining to the training standards for identifying victims of human trafficking.

Part 2 is being changed because it lacks references to other rules promulgated under the Public Health Code that set out requirements for registration, registration by endorsement, and reregistration. This part also lacks clarity in the verification process, which the proposed rules will remedy.

Part 3 is being changed because it lacks references to other rules promulgated under the Public Health Code that set out requirements for limited licenses, licenses, licensure by endorsement, and relicensure. It also lacks the requirements for licensure by endorsement for a Canadian-licensed applicant. This part also lacks clarity in the verification process, which the proposed rules will remedy.

Part 4 is being changed because it lacks references to other rules promulgated under the Public Health Code that set out requirements for limited licenses, licenses, licensure by endorsement, and relicensure. It also lacks the requirements for licensure by endorsement for a Canadian-licensed applicant. This part also lacks clarity in the verification process, which the proposed rules will remedy.

Part 5 is being changed to eliminate 2 ambiguities in the rules.

**8. Describe how the proposed rules protect the health, safety, and welfare of Michigan citizens while promoting a regulatory environment in Michigan that is the least burdensome alternative for those required to comply.**

Part 1 General Provisions: The rules in this part protect the health, safety, and welfare of Michigan citizens by ensuring that the rules are understood for better compliance, by requiring a licensee to attend an accredited school or a program deemed equivalent by the accrediting body, and requiring that a registrant, licensee, or renewal applicant has acquired knowledge to identify victims of human trafficking. There is no less burdensome way to ensure that a licensee is prepared to practice and to identify victims of human trafficking.

Part 2 Social Service Technician Requirements: The rules in this part protect the health, safety, and welfare of Michigan citizens by ensuring that a social service technician applicant has complied with all requirements for registration, registration by endorsement, or reregistration as a social service technician. The rules will also ensure that an applicant for registration by endorsement or reregistration has gone through the appropriate verification process to determine if the applicant is safe to practice. There is no less burdensome way to ensure that a registrant has complied with all necessary requirements and is safe to practice.

Part 3 Bachelor’s Social Worker Requirements: The rules in this part protect the health, safety, and welfare of Michigan citizens by ensuring that a bachelor’s social work applicant has complied with all requirements for a limited license, license, licensure by endorsement, or relicensure as a bachelor’s social worker. The rules will also ensure that an applicant for licensure by endorsement or relicensure has gone through the appropriate verification process to determine if the applicant is safe to practice. There is no less burdensome way to ensure that a licensee has complied with all necessary requirements and is safe to practice.

Part 4 Master’s Social Worker Requirements: The rules in this part protect the health, safety, and welfare of Michigan citizens by ensuring that a master’s social work applicant has complied with all requirements for a limited license, license, licensure by endorsement, or relicensure as a master’s social worker. The rules will also ensure that an applicant for licensure by endorsement or relicensure has gone through the appropriate verification process to determine if the applicant is safe to practice. There is no less burdensome way to ensure that a licensee has complied with all necessary requirements and is safe to practice.

Part 5 Continuing Education: The rules in this part protect the health, safety, and welfare of Michigan citizens by requiring a licensee seeking renewal to complete continuing education so that he or she knows the current developments and standard of care in his or her profession. There is no less burdensome way to accomplish this goal.

**9. Describe any rules in the affected rule set that are obsolete or unnecessary and can be rescinded.**

No rules can be rescinded.

**Fiscal Impact on the Agency**

Fiscal impact is an increase or decrease in expenditures from the current level of expenditures, i.e. hiring additional staff, higher contract costs, programming costs, changes in reimbursements rates, etc. over and above what is currently expended for that function. It does not include more intangible costs for benefits, such as opportunity costs, the value of time saved or lost, etc., unless those issues result in a measurable impact on expenditures.

**10. Please provide the fiscal impact on the agency (an estimate of the cost of rule imposition or potential savings for the agency promulgating the rule).**

The proposed rules are not expected to have a fiscal impact on the agency.

**11. Describe whether or not an agency appropriation has been made or a funding source provided for any expenditures associated with the proposed rules.**

No agency appropriation has been made or a funding source provided because there are no expenditures associated with the proposed rules.

**12. Describe how the proposed rules are necessary and suitable to accomplish their purpose, in relationship to the burden(s) the rules place on individuals. Burdens may include fiscal or administrative burdens, or duplicative acts.**

Part 1 General Provisions: The rules in this part will ensure that a licensee has attended an accredited school or a program that the accrediting body has determined is equivalent to an accredited program and acquired knowledge to identify victims of human trafficking. There is no additional burden on an individual as a result of the proposed rules.

Part 2 Social Service Technician Requirements: The rules in this part ensure that an applicant for social service technician registration has complied with all applicable rules to work as a registrant. The proposed rules also clarify the verification process for an applicant for registration by endorsement or reregistration. There is no additional burden on an individual as a result of the proposed rules.

Part 3 Bachelor's Social Worker Requirements: The rules in this part ensure that an applicant for a bachelor's social worker limited license or license has complied with all applicable rules to work as a bachelor's social worker. The proposed rules also clarify the verification process for an applicant for licensure by endorsement or relicensure. There is no additional burden on an individual as a result of the proposed rules.

Part 4 Master's Social Worker Requirements: The rules in this part ensure that an applicant for a bachelor's social worker limited license or license has complied with all applicable rules to work as a master's social worker. The proposed rules also clarify the verification process for an applicant for licensure by endorsement or relicensure. There is no additional burden on an individual as a result of the proposed rules.

Part 5 Continuing Education: The rules in this part are being revised to eliminate 2 ambiguities and to inform the applicant that requirements for license renewal may be contained in the Public Health Code General Rules. There is no additional burden on an individual as result of the proposed rules.

**A. Despite the identified burden(s), identify how the requirements in the rules are still needed and reasonable compared to the burdens.**

There is no identified burden imposed by the proposed rules.

**Impact on Other State or Local Governmental Units**

**13. Estimate any increase or decrease in revenues to other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Estimate the cost increases or reductions for other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Include the cost of equipment, supplies, labor, and increased administrative costs in both the initial imposition of the rule and any ongoing monitoring.**

There are no anticipated increases or reductions for other state or local governmental units as result of the proposed rules.

**14. Discuss any program, service, duty, or responsibility imposed upon any city, county, town, village, or school district by the rules.**

There are no anticipated or intended programs, services, duties, or responsibilities imposed on any city, town, village, or school district as a result of these proposed rules.

**A. Describe any actions that governmental units must take to be in compliance with the rules. This section should include items such as record keeping and reporting requirements or changing operational practices.**

There are no anticipated actions that a governmental unit must take to comply with the proposed rules.

**15. Describe whether or not an appropriation to state or local governmental units has been made or a funding source provided for any additional expenditures associated with the proposed rules.**

No appropriations have been made to any governmental units as result of the proposed rules. No additional expenditures are anticipated or intended with the proposed rules.

## **Rural Impact**

**16. In general, what impact will the rules have on rural areas?**

The proposed rules impose requirements on individual registrants and licensees, so the impact is on an individual regardless of that person's location. Even if a registrant's or licensee's workplace was in a rural area, the department could not exempt his or her business because it would create a disparity in the regulation of the profession.

**A. Describe the types of public or private interests in rural areas that will be affected by the rules.**

The proposed rules will not impact public or private interests in rural areas.

## **Environmental Impact**

**17. Do the proposed rules have any impact on the environment? If yes, please explain.**

The proposed rules will not have any impact on the environment.

## **Small Business Impact Statement**

**18. Describe whether and how the agency considered exempting small businesses from the proposed rules.**

The department did not consider exempting small business because they are not impacted by the proposed rules.

**19. If small businesses are not exempt, describe (a) the manner in which the agency reduced the economic impact of the proposed rules on small businesses, including a detailed recitation of the efforts of the agency to comply with the mandate to reduce the disproportionate impact of the rules upon small businesses as described below (in accordance with MCL 24.240(1)(a-d)), or (b) the reasons such a reduction was not lawful or feasible.**

The rules cannot exempt small businesses because the rules do not directly regulate small businesses. The rules regulate individual registrants and licensees. Further, the Michigan Public Health Code requires social service technicians to be registered and bachelor's and master's social workers to be licensed.

**A. Identify and estimate the number of small businesses affected by the proposed rules and the probable effect on small businesses.**

There are approximately 29,324 registered or licensed social work professionals in Michigan.

A registrant or licensee may work in a small business. However, no matter what type of business environment the registrant or licensee works in, he or she will have to comply with the proposed rules. The rules do not impact small businesses differently because the impact is to the individual licensee only.

**B. Describe how the agency established differing compliance or reporting requirements or timetables for small businesses under the rules after projecting the required reporting, record-keeping, and other administrative costs.**

The agency did not establish separate compliance or reporting requirements for small businesses. The proposed rules will apply to all social worker registrants and licensees. The rules were drafted to be the least burdensome on all affected registrants and licensees.

**C. Describe how the agency consolidated or simplified the compliance and reporting requirements for small businesses and identify the skills necessary to comply with the reporting requirements.**

The agency did not consolidate or simplify compliance and reporting requirements for small businesses with the proposed rules because the proposed rules do not impact small businesses.

**D. Describe how the agency established performance standards to replace design or operation standards required by the proposed rules.**

The agency did not establish performance standards to replace design or operation standards required by these rules.

**20. Identify any disproportionate impact the proposed rules may have on small businesses because of their size or geographic location.**

The proposed rules do not impact small business. They impact an individual registrant or licensee. Therefore, there is no disproportionate impact on a small business because of its size or geographic location.

**21. Identify the nature of any report and the estimated cost of its preparation by small businesses required to comply with the proposed rules.**

The proposed rules affect individuals applying for registration, licensure, and renewal, regardless if they practice in a small business. There is no separate cost to a small business.

**22. Analyze the costs of compliance for all small businesses affected by the proposed rules, including costs of equipment, supplies, labor, and increased administrative costs.**

There are no expected costs for equipment, supplies, labor, or administrative costs that a small business would incur in complying with the proposed rules.

The rules impact licensees and registrants and not small businesses.

**23. Identify the nature and estimated cost of any legal, consulting, or accounting services that small businesses would incur in complying with the proposed rules.**

There are no expected costs for legal, consulting, or accounting services that a small business would incur in complying with the proposed rules.

**24. Estimate the ability of small businesses to absorb the costs without suffering economic harm and without adversely affecting competition in the marketplace.**

There are no expected costs to a small business that will cause economic harm to a small business or the marketplace as a result of the proposed rules.

**25. Estimate the cost, if any, to the agency of administering or enforcing a rule that exempts or sets lesser standards for compliance by small businesses.**

The proposed rules impose requirements on individual registrants and licensees rather than a small business. Even if a registrant's or licensee's practice qualifies as a small business, the department could not exempt his or her business because it would create disparity in the regulation of the profession.

Therefore, there is no cost to the agency for administering or enforcing the rules because exempting or setting lesser standards of compliance for a small business is not in the best interest of the public.

**26. Identify the impact on the public interest of exempting or setting lesser standards of compliance for small businesses.**

The proposed rules impose requirements on individual registrants and licensees rather than a small business. Even if a registrant's or licensee's work qualifies as a small business, the department could not exempt his or her business because it would create a disparity in the regulation of the profession. Therefore, exempting or setting lesser standards of compliance for a small business is not in the best interest of the public.

**27. Describe whether and how the agency has involved small businesses in the development of the proposed rules.**

The department worked with the Michigan Board of Social Workers in the development of the proposed rules. The Board is composed of members of the profession and public members.

**A. If small businesses were involved in the development of the rules, please identify the business(es).**

No small businesses were involved in the development of the rules.

**Cost-Benefit Analysis of Rules (independent of statutory impact)**

**28. Estimate the actual statewide compliance costs of the rule amendments on businesses or groups.**

There are no estimated compliance costs with these rule amendments on businesses or groups.

**A. Identify the businesses or groups who will be directly affected by, bear the cost of, or directly benefit from the proposed rules.**

No businesses or groups will be directly affected or benefitted by the proposed rules. No additional costs will be imposed on any businesses or groups.

**B. What additional costs will be imposed on businesses and other groups as a result of these proposed rules (i.e. new equipment, supplies, labor, accounting, or recordkeeping)? Please identify the types and number of businesses and groups. Be sure to quantify how each entity will be affected.**

No additional costs will be imposed on any businesses or groups.

**29. Estimate the actual statewide compliance costs of the proposed rules on individuals (regulated individuals or the public). Include the costs of education, training, application fees, examination fees, license fees, new equipment, supplies, labor, accounting, or recordkeeping.**

It is estimated that there will be no new compliance costs imposed on individuals as a result of the proposed rules.

**A. How many and what category of individuals will be affected by the rules?**

All licensees, registrants, and applicants are affected by the proposed rules.

**B. What qualitative and quantitative impact do the proposed changes in rules have on these individuals?**

There is no qualitative or quantitative impact on individuals as a result of the proposed rules.

**30. Quantify any cost reductions to businesses, individuals, groups of individuals, or governmental units as a result of the proposed rules.**

There are no cost reductions to businesses, individuals, groups of individuals, or governmental units as a result of the proposed rules.

**31. Estimate the primary and direct benefits and any secondary or indirect benefits of the proposed rules. Please provide both quantitative and qualitative information, as well as your assumptions.**

The proposed rules use clear, concise language, and implement the statutory requirements for licensing. The clear, concise language allows the public, registrants, and licensees to better understand the requirements for licensure.

**32. Explain how the proposed rules will impact business growth and job creation (or elimination) in Michigan.**

The rules are not expected to have an impact on business growth, job creation, or job elimination in Michigan.

**33. Identify any individuals or businesses who will be disproportionately affected by the rules as a result of their industrial sector, segment of the public, business size, or geographic location.**

The department does not expect any individuals or businesses to be disproportionately impacted by the rules as a result of their industrial sector, segment of the public, business size, or geographic location.

**34. Identify the sources the agency relied upon in compiling the regulatory impact statement, including the methodology utilized in determining the existence and extent of the impact of the proposed rules and a cost-benefit analysis of the proposed rules.**

Illinois: <https://www.idfpr.com/profs/SocialWorker.asp>

Indiana: <http://www.in.gov/pla/3030.htm>

Kentucky: <https://bsw.ky.gov/licenseApplication/Pages/overview.aspx>

Minnesota: <https://www.revisor.mn.gov/statutes/?id=148E.055>

New York: <http://www.op.nysed.gov/prof/sw/lmsw.htm#edu>

Ohio: <https://cswmft.ohio.gov/>; <https://cswmft.ohio.gov/wps/wcm/connect/gov/faba2418-aa3e-4af2-99be-358454da55a5/CSWMFT+Board+Laws+and+Rules+4757+4-19-2021.pdf?MOD=AJPERES&CVID=nBxPivP>

Pennsylvania:

<https://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/SocialWorkersMarriageanFamilyTherapistsandProfessionalCounselors/Pages/default.aspx>

Wisconsin: [https://docs.legis.wisconsin.gov/code/admin\\_code/mpsw/3.pdf](https://docs.legis.wisconsin.gov/code/admin_code/mpsw/3.pdf)

**A. How were estimates made, and what were your assumptions? Include internal and external sources, published reports, information provided by associations or organizations, etc., that demonstrate a need for the proposed rules.**

Since the rules are required by statute, no estimates were made.

## **Alternative to Regulation**

**35. Identify any reasonable alternatives to the proposed rules that would achieve the same or similar goals.**

Since the rules are required by statute, there are no reasonable alternatives to the proposed rules.

**A. Please include any statutory amendments that may be necessary to achieve such alternatives.**

Since the rules are required by statute, a statutory change would be needed to provide an alternative.

**36. Discuss the feasibility of establishing a regulatory program similar to that proposed in the rules that would operate through private market-based mechanisms. Please include a discussion of private market-based systems utilized by other states.**

Since the rules are required by statute, private market-based systems cannot serve as an alternative. The licensing, registration, and regulation of social workers are state functions, and states regulate social workers by statute, regulation, or both. Private market-based systems are not used for licensing and regulation.

There are professional organizations that establish criteria for membership, but these organizations would provide the public with significantly less protection because membership in many of these organizations is voluntary. This means an individual who meets the membership requirements but does not join one of the professional organizations would be able to practice, and there would be no way to ensure their competency or hold them accountable.

**37. Discuss all significant alternatives the agency considered during rule development and why they were not incorporated into the rules. This section should include ideas considered both during internal discussions and discussions with stakeholders, affected parties, or advisory groups.**

Since the rules are specifically required by statute, there are no alternatives to the proposed rules that the agency could consider. They are necessary for the administration and enforcement of the licensing process.

## **Additional Information**

**38. As required by MCL 24.245b(1)(c), please describe any instructions regarding the method of complying with the rules, if applicable.**

The instructions for compliance are included in the rules.