

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS



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The Department of Licensing and Regulatory Affairs (LARA) is composed of the following agencies, bureaus, and commissions that promote business growth and job creation through streamlined, simple, fair, and efficient regulation, and at the same time protect the health and safety of Michigan's citizens.

Agencies, Bureaus, and Commissions

The **Corporations, Securities and Commercial Licensing Bureau** (CSCL) supports business growth and job creation while protecting the health, safety, and welfare of Michigan's citizens through a simple, fair, efficient, and transparent regulatory structure. CSCL protects consumers through the licensing and regulation of certain professions, occupations, businesses, and services. While the bureau does not have the authority to enforce the ethical standards of a profession, or to handle fee disputes, it does have the authority to investigate and to pursue disciplinary action against a license, registration, or permit issued by the bureau.

CSCL performs the public facing duties of helping to grow business activity in Michigan through the Corporations division, and by protecting the health, welfare, and safety of Michigan citizens through regulatory and licensing functions of the Securities and Audit, Licensing, and Regulatory Compliance divisions. In addition to the divisions listed below, the bureau also includes the IT and Web Development Section.

The **Corporations Division** promotes economic development and growth by facilitating the formation and development of business entities in the state. The division enables domestic and foreign corporations, limited partnerships, and limited liability companies to transact business in the state.

The **Securities and Audit Division** administers the Michigan Uniform Securities Act and the Living Care Disclosure Act, regulating securities offerings, broker-dealers, securities agents, investment advisers, investment adviser representatives, and living care facilities. The division is committed to educating and protecting Michigan investors and consumers while fostering efficient capital formation in Michigan. The Audit Section conducts audits of the financial records of licensees who maintain trust or escrow accounts on behalf of the public in professions under our jurisdiction. These professions include real estate brokers, prepaid funeral contractors, collection agencies, and privately-owned cemeteries. The audits are conducted on a complaint, routine, or random basis.

The **Licensing Division** protects the health, safety, and welfare of the public by ensuring that applicants, licensees, and registrants meet reasonable and appropriate legal requirements for the practice of 17 professions, while providing businesses the opportunity to flourish without having to navigate a web of complex and confusing regulations. Professions/occupations that are handled by the Schools and Licensing Section include: Cemetery, Cemetery Renewals, Commission Support, Midwestern State Authorization Reciprocity Agreement, Mortuary Science,

Polygraph, Prepaid Funerals, Private Colleges & Universities, Professional Employer Organizations, Professional Investigators, Proprietary Schools, Security Alarms, Security Alarm Systems, Security Guards, Student Transcripts, Transportation Network Companies, and Vehicle Protection Warrantors.

The **Regulatory Compliance Division** provides fair and uniform access to the bureau's public records, and fair and equal due process to licensees and registrants accused of violating the statutes and rules administered by CSCL, by conducting compliance conferences and coordinating or undertaking legal representation of the bureau at contested case proceedings. The division also timely, accurately, and effectively drafts and serves CSCL's administrative complaints, subpoenas, and other legal pleadings or orders. It assists the bureau director in tracking and analyzing proposed legislation, responding to legislative inquiries, and promulgating administrative rules. Finally, the division provides prompt, thorough, and polite customer service with an emphasis on respect for others, uniformity, inclusiveness, honesty, and integrity.

The **Office of Communications** responds to inquiries from the news media, issues news releases about important developments in programs and services, and provides public information and news of internal departmental events and policies. The office ensures that key information is communicated to both the internal and external customers of LARA.

The **Bureau of Community and Health Systems** (BCHS) is responsible for state licensing and regulation of facilities, agencies, and programs under the Michigan Public Health Code, Mental Health Code, Adult Foster Care Facility Licensing Act, and the Child Care Organizations Act. BCHS is also the State Survey Agency (SA) for the federal Centers for Medicare and Medicaid Services (CMS) under the Social Security Act §1864 agreement with the U.S. Secretary of Health and Human Services. As the SA, BCHS monitors and determines regulatory compliance of CMS-certified facilities/agencies under federal law and regulations. The mission of BCHS is to protect the health, safety, and welfare of individuals receiving services from state licensed and federally certified providers. A major part of regulatory and licensing activities is performed by field staff statewide, who conduct routine inspections and complaint investigations, and educate providers and the public. The bureau's divisions are: Federal Survey and Certification, Child Care Licensing, Adult Foster Care Facility Licensing and Children's Camps Division, Health Facility State Licensing, Permits, and Support Division.

The **Bureau of Construction Codes** (BCC) is responsible for the construction code enforcement and licensing of those individuals working in boiler, building, code inspection, electrical, elevator, mechanical, plumbing, and ski/amusement trades as well as overseeing the manufactured housing program. BCC also ensures an orderly and consistent review of subdivision plats and administers the statewide program of monumenting and remonumenting the original U.S. government public land survey property. The State Boundary Commission within the bureau is responsible for adjudicating many types of municipal boundary adjustments.

The **Bureau of Employment Relations** (BER) The Michigan Employment Relations Commission (MERC) housed within the BER resolves labor disputes involving public and private sector employees by appointing mediators, arbitrators and fact finders, conducting union representation elections, determining appropriate bargaining units, and adjudicating unfair labor practice cases.

Wage & Hour administers the laws that protect the wages and fringe benefits of Michigan's workers and ensures compliance with the requirement that certain entities post notices related to human trafficking. The division investigates complaints alleging non-payment of wages and fringe benefits, state minimum wage, overtime, equal pay, prevailing wage disputes, and not displaying human trafficking notifications. The Wage and Hour Division also educates employers and employees in the areas covered by these labor standards.

Ethnic Commissions The Michigan Asian Pacific American Affairs Commission, the Commission on Middle Eastern American Affairs, and the Hispanic/Latino Commission are housed in LARA.

The **Bureau of Fire Services** (BFS) serves the training needs of Michigan firefighters; reviews, plans, and inspects state-regulated facilities for fire and life safety.

The **Aboveground and Underground Storage Tank Program** protects the public health, environment, and natural resources of Michigan from environmental contamination and fire safety hazards associated with storage tanks.

627 Tank Truck Program Rule 627 Tank Truck Test Program (Part 55 of the Natural Resources and Protection Act; 1994 PA 451), requires that all delivery vessels perform a pressure/vacuum test annually as performed by LARA.

The **Office of Human Resources** provides a full range of human resources services for all LARA employees, and follows the guiding principles of collaboration, inclusion, integrity, and measurable outcomes to guide LARA in its mission.

The **Marijuana Regulatory Agency** (MRA) oversees the licensing of adult-use marijuana and medical marijuana in Michigan. MRA regulates the state's marijuana facilities and licensees, and tracks marijuana product from seed to sale. The bureau also oversees the state's patient registry program and administers the Michigan Medical Marihuana Act.

The **Michigan Administrative Hearing System** centralizes state government functions related to conducting administrative hearings and includes the Michigan Compensation Appellate Commission, the Michigan Tax Tribunal, Workers' Compensation Board of Magistrates, and the Qualifications Advisory Committee.

The **Michigan Indigent Defense Commission** develops and oversees the implementation, enforcement, and modification of minimum standards, rules, and procedures to ensure that indigent criminal defense services providing effective assistance of counsel are delivered to all indigent adults in this state consistent with the safeguards of the United States Constitution, the Constitution of Michigan of 1963, and with the Michigan Indigent Defense Commission Act.

The **Michigan Liquor Control Commission** regulates availability of alcoholic beverages for consumption while protecting consumers and the general public through regulation of the related industries.

The **Michigan Office of Administrative Hearings and Rules** (MOAHR) is a Type I Agency, created by EO 2019-06. MOAHR includes a Central Panel Administrative Hearing System housed in offices across the state, as well as the agency that oversees administrative rulemaking for the state departments. Administrative hearings handled by MOAHR include benefits issues, regulatory issues, and licensing issues. The state agencies that refer matters for hearing include the bureaus of Community and Health Systems, Marijuana Regulatory Agency, and Professional Licensing; the Department of Health and Human Services; the Public Service Commission; the Unemployment Insurance Agency; and the Workers' Compensation Agency. In addition to several divisions of administrative law judges, the Michigan Compensation Appellate Commission, the Michigan Tax Tribunal, and the Workers' Compensation Board of Magistrates are also part of MOAHR. The organizational mission is to provide all parties in need of administrative hearings and rules with a timely, professional, sound, and respectful process.

The **Michigan Public Service Commission** regulates electric and natural gas utilities, as well as many telecommunications services, to ensure safe, reliable, and accessible energy and telecommunication services at reasonable rates for Michigan's residents.

The **Office of Policy and Legislative Affairs** coordinates legislative activity for the department including monitoring legislation and reviewing and advising on legislative proposals as well as serving as a liaison to the Office of Regulatory Reinvention.

The **Bureau of Professional Licensing** (BPL) is responsible for licensing and regulating more than 700,000 individuals who are regulated by either the Michigan Occupational Code or the Public Health Code. BPL is also responsible for maintaining the Health Professional Recovery Program the Michigan Automated Prescription System and overseeing the certification and regulation of qualified sign language interpreters. The mission of BPL is to protect, preserve and improve the health, safety and welfare of Michigan's citizens through the licensing and regulation of occupational and health professionals. BPL is designed to make the regulatory system simple, fair and efficient. BPL divisions and sections are: Enforcement, Licensing, Investigations and Inspections, Drug Monitoring, Boards and Committees, Michigan Professional Licensing User System and Information Technology.

