

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.6238.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2015 *****

333.6238.amended Duration of standard or provisional license; renewal or extension of provisional license; duration and purpose of temporary, nonrenewable permit; visit to licensed substance use disorder program; waiver; confidentiality of accreditation information; complaint.

Sec. 6238. (1) A standard license issued under this part is effective for no longer than 1 year after the date of issuance. The department may issue a provisional license to an applicant temporarily unable to comply with this part or the rules promulgated under this part. The department may renew or extend a provisional license issued under this section for not more than 1 year. The department may issue a temporary, nonrenewable permit for not more than 90 days if additional time is needed for the department to properly investigate or for the applicant to undertake remedial action.

(2) The department shall make at least 1 visit to each licensed substance use disorder program every 3 years for survey and evaluation for the purpose of licensure.

(3) The department may waive the visit required by subsection (2) if the licensed program requests a waiver and submits the following:

(a) Evidence that it is currently fully accredited by an accrediting body with expertise in the health facility type and the accrediting organization is accepted by the department.

(b) A copy of the most recent accreditation executive summary submitted to the department at least 30 days from licensure renewal. Submission of an executive summary does not prevent or prohibit the department from requesting the entire accreditation report if the department considers it necessary.

(4) Accreditation information provided to the department under subsection (3) is confidential, is not a public record, and is not subject to court subpoena. The department shall use the accreditation information only as provided in this section. The department shall properly destroy the documentation after a decision on the waiver request is made.

(5) The department shall grant a waiver under subsection (3) if the accreditation report submitted is less than 3 years old and there is no indication of substantial noncompliance with licensure standards or of deficiencies that represent a threat to public safety or patient care in the accreditation report.

(6) Denial of waiver request by the department is not subject to appeal.

(7) This section does not prohibit the department from conducting an inspection or citing a violation of this part related to a complaint.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2012, Act 501, Eff. Jan. 1, 2013;—Am. 2015, Act 104, Eff. Oct. 1, 2015.

Compiler's note: For transfer of powers and duties of the Office of Substance Abuse Services as an autonomous entity within the Department of Public Health to the Department of Public Health, see E.R.O. No. 1991-3, as amended, compiled at MCL 333.26321 of the Michigan Compiled Laws.

Popular name: Act 368