

Legislative Analysis



CONTINUING EDUCATION DISCIPLINARY RECORDS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4918 as introduced
Sponsor: Rep. Timothy Beson

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4919 as introduced
Sponsor: Rep. Jaime Greene

House Bill 4926 as introduced
Sponsor: Rep. Alicia St. Germaine

Committee: Rules
Complete to 10-15-25

SUMMARY:

House Bills 4918, 4919, and 4926 would amend different acts that regulate occupations to allow for the removal, under certain circumstances, of disciplinary records for violations arising from a failure to complete continuing education requirements. Continuing education requirements are often a condition for renewing a license or registration under the acts.

House Bill 4918 would amend the Occupational Code to provide that, beginning January 1, 2026, a citation for failing to complete required continuing education, and any materials accompanying that citation, are automatically removed from a person's record upon the earlier of the following:

- Three years after the citation was issued.
- The person provides proof to the Department of Licensing and Regulatory Affairs (LARA) that they have completed the continuing education requirements.

An individual whose citation is removed from their record could represent that no citation exists regarding the relevant violation.

Occupations that have continuing education or continuing competency requirements under the code include architects, certified public accountants, funeral directors, landscape architects, professional engineers, professional surveyors, real estate appraisers, real estate brokers and salespeople, and residential builders and maintenance and alteration contractors.

The code generally allows the relevant professional board (or, in some cases, LARA) to waive continuing education requirements upon application if the failure to complete them was due to disability, military service, being out of the country, or circumstances beyond the licensee's control that the applicable entity considers sufficient cause for a waiver.¹

MCL 339.555

¹ <https://www.michigan.gov/lara/-/media/Project/Websites/lara/bpl/Shared-Files/Guidelines-for-Filing-a-Continuing-Education-Waiver-Request.pdf>

House Bill 4919 would amend the Skilled Trades Regulation Act to provide that, beginning January 1, 2026, a citation for failing to complete required continuing education, and any materials accompanying that citation, are automatically removed from a person's record upon the earlier of the following:

- Three years after the citation was issued.
- The person provides proof to LARA that they have completed the requirements.

An individual whose citation is removed from their record could represent that no citation exists regarding the relevant violation.

Occupations regulated under the act include boiler inspectors, installers, repairers, and operators and stationary engineers; building officials and inspectors; electricians and electrical contractors; mechanical contractors; and plumbers and plumbing contractors.

MCL 339.5539

House Bill 4926 would amend Article 15 (Occupations) of the Public Health Code to allow, beginning January 1, 2027, a health professional licensee, registrant, or applicant to ask LARA to set aside a disciplinary record of theirs.

LARA would have to set a disciplinary record aside if the individual shows that the relevant violation was a failure to complete continuing education requirements that they have since successfully completed.

An individual whose disciplinary record is set aside could represent that no disciplinary record exists regarding the relevant violation. LARA would have to remove the record from its public licensing and registration website. The record would not be subject to disclosure under the Freedom of Information Act (FOIA).

LARA would set the form and manner of the application to set aside a disciplinary record.

Health professions with continuing education or professional development requirements under Article 15 of the Public Health Code include, among others, acupuncturists, athletic trainers, audiologists, chiropractors, dental assistants, dental hygienists, dentists, doctors (medical and osteopathic), massage therapists, midwives, nurses, nursing home administrators, occupational therapists, optometrists, pharmacists, physical therapists, podiatrists, psychologists, social workers, speech language pathologists, and veterinarians.

Similarly to the Occupational Code, Article 15 generally allows a professional board to waive continuing education requirements upon application if the failure to complete them was due to disability, military service, being out of the country, or circumstances beyond the licensee's control that the board considers sufficient cause for a waiver.²

MCL 339.5539

² <https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-333-16205>

FISCAL IMPACT:

House Bills 4918 and 4919 would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs. LARA indicated that the bills would require new processes that would take additional staff time, though the department does not anticipate the changes requiring additional staff. Therefore, any costs associated with these bills would likely be absorbed by existing appropriations.

House Bill 4926 would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs. LARA indicated that the bill would require a new process that would take additional staff time, though the department does not anticipate the changes requiring additional staff. Therefore, any costs associated with this bill would likely be absorbed by existing appropriations.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.