Michigan Department of Community Health
Bureau of Health Professions
Health Regulatory Division
P.O. Box 30670
Lansing, Michigan 48909
(517) 373-4972
www.michigan.gov/healthlicense

DCH/HRD-802 (8/06)

Board Use Only

APPLICATION FOR RECLASSIFICATION OF LIMITED LICENSE

Authority: Public Act 368 of 1978, as amended

First Name	Middle Name	Last Name
Street Address		
City	State	Zip Code
Michigan Professional License Number	Social Security Number	Date of Birth (MM/DD/YY)
Signature		**Date**

Check the profession for which you are requesting reclassification. Please submit the appropriate fee indicated by the profession. Please make your check or money order payable to the STATE OF MICHIGAN. Do not send cash. Fees are earned upon receipt and can only be refunded under rules promulgated by the Department.

- ☐ AUDIOLOGIST - $25.00 (16-01-50)
- ☐ D.C. - $25.00 (23-01-50)
- ☐ D.D.S. and/or SPECIALTY - $25.00 (29-01-50)
- ☐ R.D.H. - $20.00 (29-02-50)
- ☐ R.D.A. - $15.00 (29-03-50)
- ☐ M.F.T. - $30.00 (41-01-50)
- ☐ M.D. - $55.00 (43-01-50)
- ☐ L.P.N. - $24.00 (47-03-50)
- ☐ R.N. and/or SPECIALTY - $24.00 (47-04-50)
- ☐ N.H.A. - $15.00 (48-01-50)
- ☐ O.D. - $25.00 (49-01-50)
- ☐ D.O. - $55.00 (51-01-50)
- ☐ O.T. - $25.00 (52-01-50)
- ☐ PHARM - $40.00 (53-01-50)
- ☐ PHARM - CS - $25.00 (3757-50)
- ☐ R.Ph. - $25.00 (53-02-50)
- ☐ MANUF/WHOL - $55.00 (53-06-50)
- ☐ P.T. - $25.00 (55-01-50)
- ☐ P.A. - $35.00 (56-01-50)
- ☐ D.P.M. - $25.00 (59-01-50)
- ☐ Ph.D. - $55.00 (63-01-50)
- ☐ L.L.P. - $55.00 (63-02-50)
- ☐ L.P.C. - $55.00 (64-01-50)
- ☐ R.T. - $25.00 (44-01-50)
- ☐ SANITARIAN - $25.00 (67-01-50)
- ☐ C.S.W./S.W. - $20.00 (68-01-50)
- ☐ D.V.M. - $25.00 (69-01-50)
- ☐ VET TECH - $15.00 (69-02-50)

Please Read Carefully:

1. Submit this application, along with the required supporting documents, to the address shown above.
2. All supporting affidavits **must be** originals **and must be notarized**.
3. All supporting documents **must be attached to this application**.
4. Submission of copies and/or separate mailing of the supporting documents is not acceptable and will cause rejection of your application.
5. The proper fee, as listed above, must accompany this application or it will be rejected.

Supporting documents consist of a minimum of two (2) affidavits which attest to any or all of the following:

A. that you are able to resume the practice of your profession with reasonable skill and safety, and
B. that it is in the public interest that your license be reclassified.

Affidavits are written statements by individuals, made on oath, before a notary public or other person authorized to administer oaths. At minimum, an affidavit must contain the following: Signature of the party making the sworn statement and the date of the signature, signature of notary public and date notarized, the typed, printed or stamped name of notary; and the state, county and expiration date of the notary's commission.

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AFFIDAVITS INFORMATION SHEET

Please read carefully

The statute governing the powers of a notary public reads in pertinent part:

> "Notaries public shall have authority to take the proof and acknowledgments of deed; to administer oaths and take affidavits in any matter or cause pending, or to be commenced...."

The law of the State of Michigan requires that signatures to certain legal instruments (in this case affidavits) be acknowledged before a person authorized by law to take acknowledgments, such as a notary public. This is required so that such instruments can be recorded. An example of how an acknowledgment is taken would be as follows:

> John Doe appears before a notary public with the unsigned instrument and, in the presence of the notary public, signs the instrument and then acknowledges to the notary public that the signature on the instrument is his, that he is the person indicated in the instrument and that he signed the instrument voluntarily and without duress. The notary public then certifies on the instrument itself that it was acknowledged in his presence. In the certification, the notary public is stating in his official capacity that the person so signing was the person he claimed to be. Obviously, when a notary public is not familiar with the person whose acknowledgment he is certifying, the notary public should request that some type of identification be shown.

The signature and stamp of a notary is not sufficient for the affidavit to be acceptable to this Department. The notary must include the date of signature on the affidavit. The wording and format of the certification required to be placed on each affidavit is shown in the example below:

Subscribed and sworn to before me this 1st day of April, 20 05.

(Notary signature here) Jane P. Doe

Notary Public (Notary name printed here) Jane P. Doe (County name) County

My Commission expires: (5/25/2007)

Additional Facts:

1. A notary public cannot certify the acknowledgment to an instrument to which he, himself, has an interest. A notary public may take the acknowledgment of a relative, including a spouse, however, in order to avoid questions of conflict of interest, an independent notary public should be used.

2. An affidavit is a written or printed declaration or statement of facts. It must be made voluntarily and confirmed by the oath or affirmation of the party making it, made before a notary public. The notary public must administer the oath or affirmation prior to the taking of the affidavit.

R 338.1636 Limited license; reclassification; standards and procedures.

Rule 36. (1) The limitations on a license shall continue until the expiration of the period of limitation set forth in the order or until the license is reclassified pursuant to this rule, whichever is later. The period of limitation set forth in the order is a minimum period.

(2) A petition for reclassification of a license that has been limited shall be made in accordance with this rule.

(3) If a license is limited for 1 year or less, it will be presumed that the petitioner meets the requirements of section 7316 or 16249 of the code, unless 1 of the following provisions applies:

(a) The order imposing the limitations provides otherwise.

(b) Another complaint has been filed and is pending at the end of the period of limitation.

(c) A subsequent disciplinary order has been entered.

(d) A response in opposition to reclassification has been filed by a complaining party alleging that the petitioner has failed to fulfill a term of the order imposing the limitations.

(4) If a license is limited for an unspecified period of time or for more than 1 year, or if the petitioner is not entitled to a presumption pursuant to subrule (3) of this rule, then the license shall not be reclassified until the disciplinary subcommittee finds that the petitioner meets the requirements of section 7316 or 16249 of the code.

(5) A petition, with supporting affidavits, shall not be filed for at least 1 year after the effective date of the order imposing the limitations, unless otherwise provided in the order.

(6) Within 30 days after the petition is filed, a complaining party may file a response to the petition. If the response opposes the reclassification, a hearing shall be scheduled. If the petitioner fails to appear at the scheduled hearing, either in person or by counsel, the petitioner shall be deemed in default. If a response is not filed or if the response does not oppose reclassification, the disciplinary subcommittee shall review the petition with supporting affidavits and shall determine whether the requirements of section 7316 or 16249 of the code have been met. If it is found that the requirements have not been met, the petitioner shall be notified and, within 30 days after service of the notice, may request a hearing. The petition for reclassification shall be deemed denied if the petitioner does not file a timely request for a hearing.

(7) After a hearing has been completed, the disciplinary subcommittee shall determine whether the petitioner has satisfied section 7316 or 16259 of the code. The disciplinary subcommittee may deny the petition or grant the petition subject to such terms and conditions as it may deem appropriate.

(8) A subsequent petition for reclassification shall not be filed with the department for at least 1 year after the effective date of the order denying reclassification, unless otherwise ordered by the disciplinary subcommittee.

History: 1996 MR 7, Eff. Aug. 1, 1996.

R338.1637 Affidavits.

Rule 37. (1) An affidavit in support of a petition for reinstatement or reclassification shall set forth the facts which would support a finding that the requirements and conditions have been satisfied and shall be executed by a person who is able to competently testify to the facts.

(2) Affidavits submitted in support of a petition for reinstatement or reclassification are not considered as evidence in an administrative hearing unless offered and accepted as evidence.

History: 1996 MR 7, Eff. Aug. 1, 1996.

333.16249 Reclassification of limited license; requirements.

Sec. 16249. A disciplinary subcommittee may reclassify a license limited under this part to alter or remove the limitations if, after a hearing, it is satisfied that the applicant will practice the profession safely and competently within the area of practice and under conditions stipulated by the disciplinary subcommittee, and should be permitted in the public interest to so practice. The disciplinary subcommittee may require the submission of information necessary to make the determination required for reclassification. As a condition of reclassification, the disciplinary subcommittee may require that the licensee take an examination or attend a school or program selected by the disciplinary subcommittee to take designated courses or training to become competent in those areas of practice the disciplinary subcommittee determines necessary for reclassification. The disciplinary subcommittee may require a statement on a form approved by it from the chief administrator of the school or program attended or the person responsible for the training certifying that the licensee has achieved the required competency.
History: 1978, Act 368, Eff. Sept. 30, 1978;-Am. 1993, Act 79, Eff. Apr. 1, 1994.