

# HOUSE BILL No. 5978

June 30, 1992, Introduced by Rep. Varga and referred to the Committee on Social Services and Youth.

A bill to amend section 3 of Act No. 218 of the Public Acts of 1979, entitled  
"Adult foster care facility licensing act,"  
as amended by Act No. 161 of the Public Acts of 1991, being  
section 400.703 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 3 of Act No. 218 of the Public Acts of  
2 1979, as amended by Act No. 161 of the Public Acts of 1991, being  
3 section 400.703 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 3. (1) "Adult" means:

6       (a) A person 18 years of age or older.

7       (b) A person who is placed in an adult foster care family  
8 home or an adult foster care small group home pursuant to section

1 5(6) of Act No. 116 of the Public Acts of 1973, as amended, being  
2 section 722.115 of the Michigan Compiled Laws.

3 (2) "Adult foster care camp" or "adult camp" means an adult  
4 foster care facility with the approved capacity to receive more  
5 than 4 adults to be provided foster care. An adult foster care  
6 camp is a facility located in a natural or rural environment.

7 (3) "Adult foster care congregate facility" means an adult  
8 foster care facility with the approved capacity to receive more  
9 than 20 adults to be provided with foster care.

10 (4) "Adult foster care facility" means a governmental or  
11 nongovernmental establishment that ~~provides foster care to~~  
12 HOUSES adults WHO ARE RECEIVING OR IN NEED OF FOSTER CARE. Adult  
13 foster care facility includes facilities and foster care family  
14 homes for adults who are aged, mentally ill, developmentally dis-  
15 abled, or physically handicapped who require supervision on an  
16 ongoing basis but who do not require continuous nursing care.  
17 Adult foster care facility does not include any of the  
18 following:

19 (a) A nursing home licensed under article 17 of the public  
20 health code, Act No. 368 of the Public Acts of 1978, as amended,  
21 being sections 333.20101 to 333.22260 of the Michigan Compiled  
22 Laws.

23 (b) A home for the aged licensed under article 17 of the  
24 public health code, Act No. 368 of the Public Acts of 1978, as  
25 amended.

26 (c) A hospital licensed under article 17 of the public  
27 health code, Act No. 368 of the Public Acts of 1978, as amended.

1 (d) A hospital for the mentally ill or a facility for the  
2 developmentally disabled operated by the department of mental  
3 health under the mental health code, Act No. 258 of the Public  
4 Acts of 1974, as amended, being sections 330.1001 to 330.2106 of  
5 the Michigan Compiled Laws.

6 (e) A county infirmary~~-~~operated by a county department of  
7 social services under section 55 of the social welfare act, Act  
8 No. 280 of the Public Acts of 1939, as amended, being section  
9 400.55 of the Michigan Compiled Laws.

10 (f) A child caring institution, children's camp, foster  
11 family home, or foster family group home licensed or approved  
12 under Act No. 116 of the Public Acts of 1973, as amended, being  
13 sections 722.111 to 722.128 of the Michigan Compiled Laws, if the  
14 number of residents who become 18 years of age while residing in  
15 the institution, camp, or home does not exceed the following:

16 (i) Two, if the total number of residents is 10 or fewer.

17 (ii) Three, if the total number of residents is not less  
18 than 11 and not more than 14.

19 (iii) Four, if the total number of residents is not less  
20 than 15 and not more than 20.

21 (iv) Five, if the total number of residents is 21 or more.

22 (g) A foster family home licensed or approved under Act  
23 No. 116 of the Public Acts of 1973, being sections 722.111 to  
24 722.128 of the Michigan Compiled Laws, that has a person who is  
25 18 years of age or older placed in the foster family home under  
26 section 5(7) of Act No. 116 of the Public Acts of 1973, being  
27 section 722.115 of the Michigan Compiled Laws.

1 (h) An establishment commonly described as an alcohol or a  
2 substance abuse rehabilitation center, a residential facility for  
3 persons released from or assigned to adult correctional institu-  
4 tions, a maternity home, or a hotel or rooming house that does  
5 not provide or offer to provide foster care.

6 (i) A facility created by Act No. 152 of the Public Acts of  
7 1885, as amended, being sections 36.1 to 36.12 of the Michigan  
8 Compiled Laws.

9 (5) "Adult foster care family home" means a private resi-  
10 dence with the approved capacity to receive 6 or fewer adults to  
11 be provided with foster care for 5 or more days a week and for 2  
12 or more consecutive weeks. The adult foster care family home  
13 licensee shall be a member of the household, and an occupant of  
14 the residence.

15 (6) "Adult foster care large group home" means an adult  
16 foster care facility with the approved capacity to receive at  
17 least 13 but not more than 20 adults to be provided with foster  
18 care.

19 (7) "Adult foster care small group home" means an adult  
20 foster care facility with the approved capacity to receive 12 or  
21 fewer adults to be provided with foster care.

22 (8) "Aged" means an adult whose chronological age is 60  
23 years of age or older or whose biological age, as determined by a  
24 physician, is 60 years of age or older.

25 (9) "Assessment plan" means a written statement prepared in  
26 cooperation with a responsible agency or person that identifies  
27 the specific care and maintenance, services, and resident

1 activities appropriate for each individual resident's physical  
2 and behavioral needs and well-being and the methods of providing  
3 the care and services taking into account the preferences and  
4 competency of the individual.