



HOUSE BILL No. 4527

March 7, 1995, Introduced by Rep. Randall and referred to the Committee on Human Services.

A bill to amend section 3 of Act No. 218 of the Public Acts of 1979, entitled as amended "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) OR (8) of Act No. 116 of the Public Acts of 1973, ~~as~~
2 ~~amended,~~ being 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 adults. Adult foster care facility includes facilities and
13 foster care family homes for adults who are aged, mentally ill,
14 developmentally disabled, or physically handicapped who require
15 supervision on an ongoing basis but who do not require continuous
16 nursing care. Adult foster care facility does not include any of
17 the following:

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

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

25 (c) A hospital licensed under article 17 of the public
26 health code, Act No. 368 of the Public Acts of 1978. ~~as~~
27 ~~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
5 of 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~~ 722.127 of the Michigan Compiled
14 Laws, if the number of residents who become 18 years of age while
15 residing in the institution, camp, or home does not exceed the
16 following:

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

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

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

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

23 (g) A foster family home licensed or approved under Act
24 No. 116 of the Public Acts of 1973, being sections 722.111 to
25 ~~722.128~~ 722.127 of the Michigan Compiled Laws, that has a
26 person who is 18 years of age or older placed in the foster

1 family home under section 5(7) of Act No. 116 of the Public Acts
2 of 1973, being section 722.115 of the Michigan Compiled Laws.

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

8 (i) A facility created by Act No. 152 of the Public Acts of
9 1885, as amended, being sections 36.1 to 36.12 of the Michigan
10 Compiled Laws.

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

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

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

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

1 (9) "Assessment plan" means a written statement prepared in
2 cooperation with a responsible agency or person that identifies
3 the specific care and maintenance, services, and resident activi-
4 ties appropriate for each individual resident's physical and
5 behavioral needs and well-being and the methods of providing the
6 care and services taking into account the preferences and compe-
7 tency of the individual.

8 Section 2. This amendatory act shall not take effect unless
9 Senate Bill No. ____ or House Bill No. 4528 (request no. 04050'95)
10 of the 88th Legislature is enacted into law.