



HOUSE BILL No. 5003

October 14, 1999, Introduced by Rep. Callahan and referred to the Committee on Regulatory Reform.

A bill to amend 1979 PA 218, entitled
"Adult foster care facility licensing act,"
by amending section 3 (MCL 400.703), as amended by 1998 PA 442.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) "Adult" means:

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

3 (b) A person who is placed in an adult foster care family
4 home or an adult foster care small group home pursuant to section
5 5(6) or (8) of 1973 PA 116, MCL 722.115.

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

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

4 (4) "Adult foster care facility" means a governmental or
5 nongovernmental establishment that provides foster care to
6 adults. Subject to section 26a(1), adult foster care facility
7 includes facilities and foster care family homes for adults who
8 are aged, mentally ill, developmentally disabled, or physically
9 disabled who require supervision on an ongoing basis but who do
10 not require continuous nursing care. Adult foster care facility
11 does not include any of the following:

12 (a) A nursing home licensed under article 17 of the public
13 health code, 1978 PA 368, MCL 333.20101 to 333.22260.

14 (b) A home for the aged licensed under article 17 of the
15 public health code, 1978 PA 368, MCL 333.20101 to 333.22260.

16 (c) A hospital licensed under article 17 of the public
17 health code, 1978 PA 368, MCL 333.20101 to 333.22260.

18 (d) A hospital for the mentally ill or a facility for the
19 developmentally disabled operated by the department of community
20 health under the mental health code, 1974 PA 258, MCL 330.1001 to
21 330.2106.

22 ~~(e) A county infirmary operated by a county department of~~
23 ~~social services or family independence agency under section 55 of~~
24 ~~the social welfare act, 1939 PA 280, MCL 400.55.~~

25 (E) ~~(f)~~ A child caring institution, children's camp,
26 foster family home, or foster family group home licensed or
27 approved under 1973 PA 116, MCL 722.111 to 722.128, if the number

1 of residents who become 18 years of age while residing in the
2 institution, camp, or home does not exceed the following:

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

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

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

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

9 (F) ~~-(g)-~~ A foster family home licensed or approved under
10 1973 PA 116, MCL 722.111 to 722.128, that has a person who is 18
11 years of age or older placed in the foster family home under
12 section 5(7) of 1973 PA 116, MCL 722.115.

13 (G) ~~-(h)-~~ An establishment commonly described as an alcohol
14 or a substance abuse rehabilitation center, a residential facil-
15 ity for persons released from or assigned to adult correctional
16 institutions, a maternity home, or a hotel or rooming house that
17 does not provide or offer to provide foster care.

18 (H) ~~-(i)-~~ A facility created by 1885 PA 152, MCL 36.1 to
19 36.12.

20 (5) "Adult foster care family home" means a private resi-
21 dence with the approved capacity to receive 6 or fewer adults to
22 be provided with foster care for 5 or more days a week and for 2
23 or more consecutive weeks. The adult foster care family home
24 licensee shall be a member of the household, and an occupant of
25 the residence.

26 (6) "Adult foster care large group home" means an adult
27 foster care facility with the approved capacity to receive at

1 least 13 but not more than 20 adults to be provided with foster
2 care.

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

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

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

16 Enacting section 1. This amendatory act does not take
17 effect unless all of the following bills of the 90th Legislature
18 are enacted into law.

19 (a) Senate Bill No. _____ or House Bill No. 5000(request
20 no. 04079'99).

21 (b) Senate Bill No. _____ or House Bill No. 5001(request
22 no. 04079'99 a).

23 (c) Senate Bill No. _____ or House Bill No. 5002(request
24 no. 04079'99 b).

25 (d) Senate Bill No. _____ or House Bill No. 5004(request
26 no. 04079'99 d).