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BILL



ANALYSIS

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Senate Bill 1141 (as introduced 10-20-16)
Sponsor: Senator Marty Knollenberg
Committee: Regulatory Reform

Date Completed: 12-7-16

CONTENT

The bill would amend the Adult Foster Care Facility Licensing Act to redefine "adult foster care facility" as a governmental or nongovernmental establishment in which a single entity or commonly owned and controlled entities provide foster care to adults, except as provided in the Continuing Care Community Disclosure Act; and to specify that the term would not include an establishment commonly described as a substance abuse disorder rehabilitation center.

The Adult Foster Care Facility Licensing Act provides for the licensure and regulation of adult care facilities, the establishment of standards of care for those facilities, and related fees and penalties, among other things.

Currently, "adult foster care facility" means a governmental or nongovernmental establishment that provides foster care to adults. The bill would define the term as a governmental or nongovernmental establishment in which a single entity or commonly owned and controlled entities provide foster care to adults, except as provided in Section 17 of the Continuing Care Community Disclosure Act.

(That Act provides for the regulation of continuing care communities, which are retirement communities with a variety of possible levels of services. These may include a retirement community, a home for the aged, independent living, a nursing home, a home care agency, and a hospice. Section 17 states that an area where room and board together with personal care, protection and supervision, or supervised personal care are provided to a member is not an adult foster care facility if the services are provided only on a temporary basis while the member is recovering from an illness or accident, or until a living unit in an appropriate licensed area of the continuing care community becomes available.)

Currently, "adult foster care facility" includes facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care. The bill would retain this provision.

The term does not include specified types of facilities, such as a nursing home, a home for the aged, or a hospital licensed under the Public Health Code, or a hospital for the mentally ill or a facility for the developmentally disabled operated by the Department of Health and Human Services under the Mental Health Code. "Adult foster care facility" also does not include an establishment commonly described as an alcohol or a substance abuse rehabilitation center. The bill would refer to an establishment commonly described as an alcohol, substance abuse, or substance abuse disorder rehabilitation center.

The bill would take effect 90 days after it was enacted.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton