

ADULT FOSTER CARE FACILITY LICENSING ACT (EXCERPT)
Act 218 of 1979

400.723 Complaint; specifications; resolution of issues; notice; failure to resolve issues; hearing; decision; finality; issuance of license.

Sec. 23. (1) The legislative body of a city, village, or township in which an adult foster care facility is located may file a complaint with the department to have the facility's license denied or revoked pursuant to the procedures prescribed in this act and the rules promulgated under this act. The complaint shall specify those provisions of this act or the rules promulgated under this act with which the facility is not in compliance.

(2) The department shall resolve the issues of a complaint filed pursuant to subsection (1) within 45 days after receipt of the complaint. Notice of the resolution of the issues shall be mailed by registered mail to the complainant and the licensee. Failure of the department to resolve the issues of the complaint within 45 days after receipt of the complaint shall serve as a decision by the department to deny or revoke the facility's license, and the licensee shall be notified pursuant to section 22.

(3) If the decision to deny or revoke the license or the resolution of the issues is protested by written objection of the complainant or licensee to the department within 30 days after the denial or revocation of the license or the receipt of the notice pertaining to the denial or revocation, the director or the director's designated representative shall conduct a hearing pursuant to chapter 4 of Act No. 306 of the Public Acts of 1969, as amended. The decision of the director shall be mailed by registered mail to the complainant and the licensee. If the resolution of the issues by the director is not protested within 30 days after receipt of the notice of the resolution, the resolution by the director is final. The department may issue a license pending the resolution of the matter.

History: 1979, Act 218, Eff. Mar. 27, 1980.

Compiler's note: For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the bureau of family services from the department of consumer and industry services to the family independence agency by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of adult foster care licensing advisory council to the family independence agency by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.