

SUBSTITUTE FOR
SENATE BILL NO. 1163

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 home
4 or an adult foster care small group home ~~pursuant~~ **ACCORDING** to
5 section 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 camp
9 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 adults.
6 Subject to section 26a(1), adult foster care facility includes
7 facilities and foster care family homes for adults who are aged,
8 mentally ill, developmentally disabled, or physically disabled who
9 require supervision on an ongoing basis but who do not require
10 continuous nursing care. Adult foster care facility does not
11 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 health
17 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 **THE DEPARTMENT OR** a county
23 ~~department of social services or family independence agency~~ under
24 section 55 of the social welfare act, 1939 PA 280, MCL 400.55.

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

1 become 18 years of age while residing in the institution, camp, or
2 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 than
5 11 and not more than 14.

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

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

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

13 (h) An establishment commonly described as an alcohol or a
14 substance abuse rehabilitation center, a residential facility for
15 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 (i) A facility created by 1885 PA 152, MCL 36.1 to 36.12.

19 **(J) A PRIVATE RESIDENCE THAT PROVIDES FOSTER CARE SERVICES TO**
20 **NOT MORE THAN 1 ADULT WHO RECEIVES MEDICAID THAT DOES NOT ALSO**
21 **PROVIDE ROOM AND BOARD SERVICES TO ANY OTHER INDIVIDUALS IN THE**
22 **HOME.**

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

1 residence.

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

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

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

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