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STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF COMMUNITY AND HEALTH SYSTEMS

IN RE: PUBLIC HEARING ON ADULT
FOSTER CARE ADMINISTRATIVE
RULES

PUBLIC HEARING BEFORE TAMMY BAGBY
MANAGER FOR THE BUREAU OF COMMUNITY AND HEALTH SYSTEMS
IN THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

July 8, 2025

1:02 p.m.

G. Mennen Williams Building
525 West Ottawa Street, 1st Floor Auditorium
Lansing, Michigan 48933

RECORDED BY: Rachelle Roberts, CER 9585
Certified Electronic Recorder
Esquire Deposition Solutions
Firm Registration Number 8035

APPEARANCES

For LARA:

Tammy Bagby, Manager Bureau of
Community and Health Systems,
Department of Licensing and
Regulatory Affairs
Jay Calewarts, Director of Adult
Foster Care Licensing Division

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1 Lansing, Michigan 48933

2 Tuesday, July 8, 2025 - 1:02 p.m.

3 MS. BAGBY: All right. Good afternoon.

4 My name is Tammy Bagby, and I'm manager of the
5 Bureau of Community and Health Systems in the
6 Department of Licensing and Regulatory Affairs. We
7 are going to recess until 1:10 to allow anybody who
8 may be attending to find parking and come in the
9 building. So we're going to recess until 1:10.

10 THE RECORDER: Off the record at 1:03.

11 (A recess was taken.)

12 THE RECORDER: Back on the record at
13 1:11.

14 MS. BAGBY: It is 1:11, and we will get
15 started with the administrative rules public
16 hearing. Again, my name is Tammy Bagby, and I am
17 manager for the Bureau of Community and Health
18 Systems in the Department of Licensing and
19 Regulatory Affairs.

20 This hearing regarding the new proposed
21 administrative rules for Licensing Adult Foster
22 Care Facilities and the rescinding of the previous
23 rule sets of Adult Foster Care Facilities Family
24 Homes, Adult Foster Care Congregate Facilities,
25 Adult Foster Care Large Group Homes, Adult Foster

1 Care Small Group Homes, Adult Foster Care Fire
2 Safety Rules for Family and Small Group Homes, and
3 Adult Foster Care Certification of Specialized
4 Programs, is being called to order at 1:11 on July
5 8th at the G. Mennen Williams Building Auditorium,
6 located at 525 West Ottawa Street in Lansing,
7 Michigan.

8 The hearing is being conducted under the
9 authority of the Administrative Procedure Act,
10 Public Act 306 of 1969. The Notice of Public
11 Hearing was published in three newspapers: on June
12 12th in the Marquette Mining Journal, June 17th in
13 the Grand Rapids Press, and June 19th in the Flint
14 Journal. The same notice was published in the
15 Michigan Register on July 1st, 2025. Regulatory
16 impact statement copies are available in the hall
17 where you came in for further explanation of the
18 rule sets. They can also be found on the website
19 for the Michigan Office of Administrative Hearing
20 and Rules.

21 Pursuant to Section 45 of the
22 Administrative Procedures Act MCL 24.245, the
23 public hearing is an opportunity for the public to
24 present data, views, questions, and arguments
25 regarding the proposed rules. The department will

1 use the testimony and documents presented at this
2 hearing to determine if any changes should be made
3 to the proposed rules before they are adopted.

4 If you have comments, please make sure
5 they relate directly to the proposed rules. If you
6 have questions regarding the rules, please submit
7 your questions as part of your testimony for the
8 department's review. If you have suggested changes
9 to the proposed rules, please include the specific
10 reason why the changes would be in the public
11 interest.

12 If you wish to comment, complete a white
13 card that were available when you came in and hand
14 it to myself. This will help the department
15 prepare the hearing record. When you testify,
16 please identify yourself by name and organization,
17 if any, that you may be speaking for today.

18 Written statements can be submitted
19 directly to me. The department will also accept
20 written statements emailed or postmarked by 5:00 p.m.
21 today, July 8th, 2025. Address information can be
22 found in the Notice of the Public Hearing that we
23 have made available in the hall. If you would -- if
24 you would like to testify and have not completed a
25 card, please do so now.

1 The department staff from the Bureau of
2 Community and Health Systems include myself and Jay
3 Calewarts, division director of the Adult Foster
4 Care Licensing team. Before we start the public
5 comments, I invite Jay to the podium.

6 MR. CALEWARTS: Thanks, Tammy.

7 Once again, my name is Jay Calewarts.
8 I'm the director of the Adult Foster Care Licensing
9 Division. This proposed rule set licensing adult
10 foster care facilities creates a single document
11 with applicable requirements for all state license
12 providers, as well as specific requirements based
13 on the level of care being provided. This
14 significantly reduces the number of rules and pages
15 providers must review.

16 The proposed rule sets -- the proposed
17 rules are designed to ensure a uniform standard to
18 provide quality and service and maintain a safe
19 environment to protect the health and safety and
20 welfare of residents residing in these licensed
21 facilities 24 hours a day, seven days a week. It
22 sets a minimum standard for all licensed AFC
23 facilities. It comports with today's practice
24 standards and eliminates unnecessary or outdated
25 rules, such as no longer requiring routine

1 tuberculosis testing for staff. It sets a uniform
2 standard for record retention for provider records,
3 reduces the current rule sets of approximately 120
4 pages and 206 rules to approximately 39 pages and
5 73 rules.

6 Other changes include increasing the
7 dollar amount of resident funds the licensee can
8 hold for a resident up to \$400, and the amount the
9 resident shall have immediate access to to \$40;
10 changes when an item is considered a resident
11 valuable from a \$25 value to \$100 value; changes
12 notification to the Department of Property Damage
13 from a dollar amount to only instances where
14 residents are displaced or services are disrupted.

15 It allows the department to issue special
16 licenses during a fire or other natural disaster
17 for temporary relocation of residents. It allows
18 minor 16 and 17-year-olds to be considered direct
19 care staff with training, and can perform most
20 duties except for medication administration and
21 transportation of the resident. Allows for the
22 annual reviews of resident care agreements not to
23 be signed by all parties if no changes were made
24 and the licensee documents that all parties were
25 notified. Allows the licensee to use a non-

1 department form for resident funds and valuables if
2 their version includes all the information the
3 department form currently has on it.

4 There's updating to the nutrition
5 guidelines. Allowing use for space heaters that
6 are Underwriter Laboratory-approved and other
7 criteria is met. It sets clear standards for
8 facility cooling requirements, and expands
9 opportunities for other healthcare -- health
10 professionals to provide critical care and
11 oversight within the scope of the professional's
12 practice instead of only requiring physicians like
13 the current rules specify.

14 With that, I'm going to turn it back to
15 Tammy.

16 MS. BAGBY: We will now begin the public
17 comment time frame. If you are handing in a
18 written comment, feel free to summarize and add to
19 your comments. You do not need to read them all,
20 as they will become official part of our record.
21 Reminder that the comments must pertain to the
22 proposed rules. I currently have no cards for
23 testimony. Do we have anybody that would like to
24 speak?

25 Seeing that we have nobody that would like

1 to testify, I would like to thank everybody for
2 attending today, and we will adjourn at 1:18.
3 Thank you.

4 THE RECORDER: Okay. Off the record at
5 1:19 p.m.

6 (Hearing concluded at 1:19 p.m.)
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CERTIFICATE

I, Rachelle Roberts, a Certified Electronic Recorder and Notary Public within and for the State of Michigan do hereby certify that on July 8, 2025 before Tammy Bagby, Manager for the Bureau of Community and Health Systems in the Department of Licensing and Regulatory Affairs, State of Michigan, I digitally reported the proceedings had and the evidence given, together with the objections of counsel and the rulings of the Court thereto, and that said testimony was accurately captured with annotations by me during the proceedings, taken at said time and place.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am not interested in the outcome of this matter, financial or otherwise.

IN WITNESS THEREOF, I have hereunto set my hand this 15th day of July 2025.



Rachelle Roberts, CER 9585
Notary Public, State of Michigan
County of Montcalm
My commission expires: April 29, 2027