



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5184 (Substitute H-2 as reported without amendment)
Sponsor: Representative Gary Woronchak
House Committee: Senior Health, Security, and Retirement
Senate Committee: Health Policy

CONTENT

The bill would amend the Adult Foster Care Facility Licensing Act to do the following:

- Prohibit an adult foster care facility from employing or independently contracting with an individual who would be providing direct services regularly to residents if he or she had been convicted of a felony within the previous 15 years; a misdemeanor against a vulnerable adult within the previous 10 years; or an offense evidencing lack of good moral character under the Michigan Administrative Code (e.g., fraud, bribery, homicide, assault and battery, robbery, criminal sexual conduct, or a narcotics offense).
- Require criminal history checks on applicants for employment with adult foster care facilities if they would provide direct services to residents.
- Allow an adult foster care facility to employ a person conditionally if he or she signed a statement regarding his or her criminal history; and require the Family Independence Agency (FIA) to develop and distribute a model form for the statement.
- Increase from five years to 10 years the length of time for which the FIA may not issue a license to or renew the license of a person who has been convicted of a specific misdemeanor (involving a vulnerable adult or a resident); or an applicant whom the FIA determines has a relationship with a former licensee whose license has been suspended, revoked, or nonrenewed for a specified misdemeanor.
- Allow a licensee to receive a minor child placed in foster care under Michigan laws after it had applied for a license for a foster family home or a foster family group home, at the discretion of the FIA Director or his or her designee.

MCL 400.713 et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have an indeterminate impact on the Family Independence Agency. The development and distribution, at no charge, of a model form for a potential employee's written declaration could result in some administrative cost to the State.

The bill would require that certain criminal history background checks and fingerprint background checks be made through the Department of State Police. The cost to the Department for these background checks is \$10 and \$54, respectively, and would have to be paid by facilities as provided under the bill.

Date Completed: 3-17-04

Fiscal Analyst: Constance Cole
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