

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Community and Health Systems

Name of person completing this form:

Tammy Bagby

Phone number of person completing this form:

517-243-9351

E-mail of person completing this form:

BagbyT@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2022-46 LR

Title of proposed rule set:

Adult Foster Care Congregate Facilities Licensing Rules

3. Purpose for the proposed rules and background:

The Adult Foster Care Congregate Facilities administrative rules provide for the licensing regulation of adult foster care congregated facilities, including establishing incident and accident reporting and corrective action procedures.

The proposed changes are to provide regulatory relief and simplification to licensees while still ensuring the health, safety, and welfare of residents.

The specific rules proposed for revision are:

R 400.2404 Illness and accidents

R 400.2404a Incident notification, incident records (New)

R 400.2454 Accident records and incident reports

4. Summary of proposed rules:

The proposed rules establish requirements for state licensed adult foster care congregated facilities homes to record, track, and respond to incidents where a resident is harmed. These documents must be available to the department upon request during routine inspections or complaint investigations.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

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1/31/2023 Flint Journal
2/02/2023 Grand Rapids Press
2/02/2023 Marquette Mining Journal

6. Date of publication of rules and notice of public hearing in Michigan Register:

2/15/2023

7. Date, time, and location of public hearing:

2/23/2023 10:00 AM at Williams Building, 1st Floor Auditorium , 525 West Ottawa Street, Lansing, MI 48933

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1405>

9. List of the name and title of agency representative(s) who attended the public hearing:

Larry Horvath, Director of the Bureau of Community and Health Systems
Jay Calewarts, Director of the Director of the Adult Foster Care and Camps Division

10. Persons submitting comments of support:

Dalton Herbel, LeadingAge MI

11. Persons submitting comments of opposition:

No comments of opposition submitted

12. Persons submitting other comments:

Michelle Roberts, Disability Rights Michigan

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1					

14. Date report completed:

4/21/2023