

Administrative Rule Analysis



CHILD PLACING INSTITUTIONS

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Rule Set No.: 2020-002 HS
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Analysis available at
<http://www.legislature.mi.gov>

Department: Health and Human Services
Agency: Children's Services Agency
Enabling Statute: Child Care Licensing Act, 1973 PA 116, MCLs 722.112, 722.115, 722.120, and 722.124.

Analysis Complete to: 07/25/2023

BACKGROUND AND SUMMARY OF PROPOSED RULES

Rule Set 2020-2 HS would make amendments, rescissions, and additions to rules regarding child caring institutions which are regulated in the Michigan Department of Health and Human Services (DHHS). Specific changes accomplished by the rule set would include the following:

- Revision of definitions of foster care, foster child, and foster parent.
- Inclusion of rules and definitions regarding treatment of LGBTQ youth and gender expression.
- Revision of rules regarding behavior support to include life-saving intervention language. Prohibits use of any form of restraint.
- Revision of rules regarding required training for foster parents to include information on human trafficking, racism, SOGIE youth and trauma informed training. Includes guidelines for training on firearm safety and storage.
- Revision of rules regarding records check procedures to include criminal history, child protective services check, tribal social services check, and establishment of "good moral character".
- Revision of rules regarding the requirements of child placing agencies including specific language on acceptance of a child's race, gender identity and religious expression.
- Revision of rules regarding placing a child in a foster home certified by another agency to include specific language about after-hours emergency placements and foster homes licensed by tribes.
- Prohibits any individual listed on central registry serving as a volunteer or contractor from being left alone with a child.
- Includes rules regarding the transfer of enrollment or licenses between child placing agencies.

FISCAL IMPACT OF PROPOSED RULES

2020-2 HS may increase expenditures for DHHS by an indeterminate but likely moderate amount. The fiscal impact of 2020-2 HS would be dependent upon the cost of hiring additional staff needed to care for youth in child placing agencies. Any additional costs of 2020-2 HS would be dependent upon programming and contract costs, as well as changes in state and federal reimbursement rates. The fiscal impact of 2020-2 HS on local units of government would be dependent on any changes in state and federal reimbursement rates along with the cost of hiring additional staff for child placing agencies run by the county.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.