

CHILD CARE LICENSING ACT AMENDMENTS

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Senate Bills 241-243

Sponsor: Sen. Gilda Z. Jacobs

House Committee: Families and Children's Services

Senate Committee: Families and Human Services

Complete to 11-27-07

A SUMMARY OF SENATE BILLS 241-243 AS PASSED BY THE SENATE ON 9-11-07

Senate Bill 241 would amend the Child Care Licensing Act (MCL 722.11, et al.) to do all of the following:

** Define the term "children's therapeutic group home," put in statute requirements for operating such homes, and prohibit certain restraints or seclusion otherwise permitted under licensing rules from being used in such a home.

(This kind of group home would be a child care facility receiving up to six minor children diagnosed with a developmental disability or a serious emotional disturbance and would have to (1) provide care, maintenance, and supervision, usually on a 24-hour basis; (2) comply with the rules for residential treatment institutions, except that behavior management rooms, personal restraint, mechanical restraint, or seclusion allowed under certain circumstances under licensing rules would be prohibited; (3) is not a private home; and (4) is not located on a campus with other licensed facilities.)

** Require each individual over the age of 18 residing in a family day care home or group day care home to undergo a criminal history check with the Department of State Police, rather than a check using the State Police's Internet Criminal History Access Tool (ICHAT), as currently required.

** Set a beginning date of October 1, 2007, for requirements that a renewal certificate of registration be issued within six months of application.

** Include in the definition of "children's camp" an outdoor campsite located where the children's camp is operated.

** Replace references to "group day care home" or "family day care home" with "group child care home" or "family child care home."

** Add a definition of "legal custodian" (meaning an individual at least 18 years of age in whose care a minor child remains or is placed by a court after a finding under a section of the Probate Code related to children abused by persons residing in their homes). The term is used in the bill in addition to "parent" and "legal guardian."

** Redefine "related" to refer to a parent, grandparent, brother, sister, stepparent, stepsister, stepbrother, uncle, aunt, cousin, great aunt, great uncle, or stepgrandparent related by marriage, blood, or adoption.

** Revise the definitions of "foster family home" and "foster family group home."

Senate Bill 242 would amend the Michigan Zoning Enabling Act to refer to a "family child care home" and a "group child care home," rather than a family day care home and a group day care home. Senate Bill 243 would amend the Code of Criminal Procedure to replace references in the sentencing guidelines to family day care homes and group day care homes with "family child care homes" and "group child care homes." Senate Bills 242 and 243 are tie-barred to Senate Bill 241 which means neither of them could take effect unless Senate Bill 241 is enacted.

FISCAL IMPACT:

Senate Bill 241 would have no net impact on state costs. However, the bill could assist children's therapeutic group homes in achieving Medicaid eligibility for services. This could increase federal support for these services and reduce state General Fund-supported costs.

Senate Bills 242 and 243 would have no fiscal impact.

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