

Legislative Analysis



REVISE CRIMINAL BACKGROUND CHECK REQUIREMENTS FOR ADULT FOSTER CARE FACILITIES

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House Bill 5894

Sponsor: Rep. Shanelle Jackson

Committee: Families and Children's Services

Complete to 3-18-08

A SUMMARY OF HOUSE BILL 5894 AS INTRODUCED 3-13-08

The bill would amend the Adult Foster Care Facility Licensing Act (MCL 400.734b) to delay by one year the requirement that certain employees of adult foster care facilities provide the State Police with a set of fingerprints for a background check.

A package of bills enacted in 2006 requires, among other things, that applicants for employment in a variety of health care facilities, including adult foster care facilities, nursing homes, hospices, home health agencies, and hospitals, undergo criminal history checks before being employed. Public Act 29 of 2006 (Senate Bill 622) put these requirements in place in the Adult Foster Care Facility Licensing Act for adult foster care facilities.

Public Act 29 exempted individuals employed by or under contract to an adult foster care facility as of the effective date of the act, which was April 1, 2006. However, it required an exempt individual to provide the Department of State Police a set of fingerprints for background check purposes within 24 months. House Bill 5894 would amend this provision and require an exempt individual to provide the fingerprints beginning April 1, 2009 (a delay of one year).

The bill also makes a number of technical amendments to update the act.

(Senate Bill 1161, currently on the Senate floor, would amend the Public Health Code in the same way House Bill 5894 proposes to amend the Adult Foster Care Facility Licensing Act, delaying the fingerprint requirement for one year.)

FISCAL IMPACT:

The bill would not appear to have a significant fiscal impact on the state or local units of government.

Legislative Analyst: E. Best

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