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Senate Bill 1102 (Substitute S-1 as reported)  
Sponsor: Senator Dennis Olshove  
Committee: Families and Human Services

## **CONTENT**

The bill would amend the Public Health Code to do the following in regard to homes for the aged:

- Require an applicant for a license who has direct access to residents or who has facility operational responsibilities, and an authorized representative of a home to consent to a criminal history check and a criminal records check.
- Require the Department of Human Services to request criminal history and criminal records checks.
- Require the Department of State Police to conduct criminal history checks.
- Require all owners, operators, and authorized representatives to comply with the criminal history and records check requirements within one year after the bill's effective date.
- Require the State Police to maintain fingerprints in a database that provided for automatic notification of subsequent criminal arrests.
- Prohibit a home's owner, operator, or authorized representative from being present in a home for the aged if he or she had been convicted of a vulnerable adult offense or a listed offense under Sex Offenders Registration Act.

MCL 333.20102 et al.

Legislative Analyst: Curtis Walker

## **FISCAL IMPACT**

The bill could lead to a mild increase in administrative cost to the Department of Human Services. This increase would be associated with processing increased requests for criminal history checks with the Department of State Police.

The bill would require the Department of State Police to perform criminal history and criminal records checks on all persons or partners in a partnership who were applicants with direct access to residents or had facility responsibilities, owners, operators, and authorized representatives of homes for the aged. The cost of \$49.25 per check could be charged to the applicant, licensee, or authorized representative of a home for the aged, but is currently paid through the Department of Community Health appropriation.

The FY 2010-11 executive recommendation for the Department of Community Health assumes savings of \$2.1 million Gross and \$1.7 million GF/GP through the transfer of financial responsibility for criminal history checks from the State to adult foster care facilities and homes for the aged. If enacted, this would influence the fiscal impact of Senate Bill 1102 (S-1).

Date Completed: 3-11-10

Fiscal Analyst: Bruce Baker  
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