

CHILD CARE ORGANIZATIONS (EXCERPT)
Act 116 of 1973

722.118b Regulation of foster family homes or foster family group homes; variance.

Sec. 8b.

(1) Upon the recommendation of a local foster care review board under section 7a of 1984 PA 422, MCL 722.137a, or of a child placing agency, the department may grant a variance to 1 or more licensing rules or statutes regulating foster family homes or foster family group homes for 1 or more of the following reasons:

- (a) To allow the child and 1 or more siblings to remain or be placed together.
- (b) To allow a child with an established meaningful relationship with the family to remain with the family.
- (c) To allow a family with special training or skills to provide care to a child who has a severe disability.

(2) If the department determines that the placement would be in the child's best interests and that the variance from the particular licensing rules or statutes would not jeopardize the health or safety of a child residing in the foster family home or foster family group home, the department may grant the variance.

- (3) The department's grant of a variance does not change a private home's licensure status.

History: Add. 1997, Act 165, Eff. Mar. 31, 1998 ;-- Am. 2017, Act 257, Eff. Mar. 28, 2018 ;-- Am. 2020, Act 7, Imd. Eff. Jan. 27, 2020

Compiler's Notes: For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties pertaining to children's camp, child care center, day care center, family day care home, and group day care home licensing and regulation from department of human services to department of licensing and regulatory affairs, see E.R.O. No. 2015-1, compiled at MCL 400.227. For transfer of powers and duties relative to the licensing and regulation of child caring institutions, child placing agencies, foster family homes, foster family group homes, and court-operated facilities from department of licensing and regulatory affairs to the department of health and human services, see E.R.O. No. 2018-6, compiled at MCL 722.110. For the transfer of all powers and duties related to the licensing and regulation of children's camps, child care centers, day care centers, family day care homes, and group day care homes from the department of licensing and regulatory affairs to MiLEAP, see E.R.O. No. 2023-2, compiled at MCL 388.1283.

Popular Name: Act 116

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