

ADULT FOSTER CARE LICENSING ADVISORY COUNCIL

MEETING MINUTES

November 14, 2012

MEMBERS PRESENT: Salli Christenson, Cynthia Farrell, Linda Lawther, Kathleen Murphy, Justine Rowley, Ira Combs and Lauren Swanson

Guests: Tari Munlz, Mary Holton (BCAL/AFC), and Candace Pilarski

MEMBERS ABSENT: Jenny Cook, John Kerr

ADULT FOSTER CARE/HOME FOR THE AGED LICENSING STAFF

Luttrell D. Levingston, Director, AFC/HFA Licensing Division

Erika Ferrell, Adult Foster Care Licensing Consultant

Mahtina Rubritius, Adult Foster Care Licensing Consultant

Kristine Manion, Secretary

Linda Lawther, Chairperson, called the meeting to order. Roll call of members showed a quorum was present.

Approval of Agenda

Linda Lawther suggested that the meeting agenda be amended to include time at the end of this meeting for Lauren Swanson to give her farewell remarks as Lauren is departing from the Council. Salli Christenson made the motion to modify and approve the agenda. Justine Rowley seconded the motion. All were in favor. The amended Agenda was approved and is attached hereto.

Approval of Minutes – August 15, 2012

Lauren made a motion to approve the minutes as written. Salli seconded the motion. All were in favor. Minutes approved.

Public Comment- Ronald Sesvold of Bay City, MI

Mr. Sesvold would like to be provided with statutes concerning his issue: are convicted sex offenders and kleptomaniacs allowed to be in adult foster care homes which are located in neighborhoods? Mr. Sesvold is not an AFC provider. He resides in a neighborhood which has an AFC home within it. At this time Mr. Sesvold has not filed a complaint with BCAL and Luttrell indicates that there is currently no evidence to support a complaint.

Luttrell provided Mr. Sesvold, at this meeting, with a copy of a letter that BCAL provides to cities about zoning requirements, Federal law and the limitations that cities have that limit their ability to prevent people from moving into neighborhoods. Luttrell explained that DHS doesn't have the discretion to prohibit homes, if there are 6 beds or fewer, from being licensed in any community and that individuals have the right to live in neighborhoods with homelike settings.

A Motion was made by Kathleen Murphy to provide Mr. Sesvold with the statutes information, both State and Federal, which Mr. Sesvold is seeking. The Motion was amended by Linda Lawther who requests that this information also be accompanied by a letter from the Council. All were in favor.

Presentation (PowerPoint) of Brian Byelich of the MI BUREAU OF FIRE SERVICES as to how the new fire inspection rules are implemented. The new rules took effect on July 11, 2012. A copy of Mr. Byelich's PowerPoint presentation is being provided to all Council members as soon as practicable following this meeting.

Division/Bureau Updates- Luttrell Levingston

- Kristine Manion, Luttrell's secretary, was introduced to the Council as the newest addition to AFC staff, joining BCAL in September, 2012.
- Mary Holton, who is a guest at this meeting, has a new position with AFC as an Area Manager and is also leading AFC's quality assurance efforts which began one year ago. Mary's Quality Assurance group has, for the first time ever, added 3 providers to the group.
- Luttrell, regarding the work of the Quality Assurance group, stated that it is believed that physical plant issues will be the issues that cause the greatest inconsistency among homes as opposed to quality of care issues.

Legislative Issues- Mahtina Rubritius (The report is attached hereto.)

Notes on the Legislative Bills:

- **Bill 5090** is still in Committee. The Bill addresses the Issue of the destruction of unused medications. AFCs will be able to participate in a program for the donation of such medications.
- **Bill 974-** Amends Michigan's medical marijuana. A question was asked as to whether the use of this drug in an AFC home, a public place, is permissible. A distinct answer is not known at this time but it is believed that if an AFC provider decides that medical marijuana cannot be used on the premises, then this drug cannot be used.

Interview and Observation Renewal Inspections - Luttrell Levingston

Statewide implementation of Interview and Observation Renewal Inspections took place on October 1, 2012. BCAL expects 100% compliance with the rules. The new inspection model provides BCAL's licensing staff with key indicators that they are to focus upon when performing inspections. The key indicators are driven both by rules that are most frequently cited and other factors that would show what is going well within a home.

The Interview and Observation Renewal Inspections process was piloted for AFCs in Oakland, Macomb and Genesee counties first, and then went into statewide implementation on October 1, 2012.

A goal after this process has been in place for at least six months is that BCAL will perform a comprehensive survey of its frontline staff to discover what staff's comfort level has been regarding this new approach. Based on this information, some alterations to the plan may occur. To date Luttrell has not received any feedback from staff on this process and deferred to Mary Holton share any feedback she may have received from staff. Mary indicated that she has received feedback from her Genesee county staff wherein Genesee Co. DHS is giving staff the option of shadowing another worker in order to better learn this technique and this option appears to be having positive impact on staff.

AFC did training road shows since the last Council meeting in August, 2012, in Grand Rapids and Detroit and had, in each group, consultants who've been performing this type of renewal inspection for the last year. The feedback received from the consultants is that the general perception is that this new process is a positive one and is liked.

Bureau Statistics- Erika Ferrell/Luttrell Levingston

There will need to be some adjustments made to Erika's report. Erika's been working on a trade report looking at BCAL rules and how the violations of these rules might be shifting over the course of the last few years. Erika wants to revise and update this report. Luttrell is hoping for an annual update in the future regarding BCAL rules and how rule violations shift as time goes on.

- Kathleen Murphy would like a legend for the various rules so they can be identified by the Council members, who are not all that familiar with the rule number and what rule it is.
- Linda Lawther asked Erika what it was Erika wishes to change in her report and Erika indicated it was the legend and some of the statistics. Luttrell indicated again that the Bureau Statistics report will be delivered to the Council members before the next Council meeting in February, 2013 and intends to place discussion of this report on the February meeting agenda.
- Linda Lawther stated that she felt an annual report of this type would be excellent and that the Council would like to receive the report annually, comparing the statistics from year to year.

Council Meeting dates in 2013 shall take place as follows:

1. Wednesday, February 13, 2013
2. Wednesday, May 15, 2013
3. Wednesday, August 14, 2013
4. Wednesday, November 13, 2013

May 8, 2013 is the date of Kathleen's MALA conference. May 8th would have been the date the Council would meet but because of this, the date is changed to May 15, 2013.

Farewell remarks of Lauren Swanson—*added to Agenda at the meeting*

Farewell speech of Lauren Swanson, who is coming to the end of her term on the Council on January 1, 2013. Linda Lawther said that Lauren has been an outstanding member of the Council. Some of Lauren's memories:

- 1988 to 1994 the Council worked on the AFC small group home rules, which won a national award coming in 3rd place of the 16 States who were involved. Consultants were added to the group working on the rules, which added the perspective from people working directly in the field. The lesson learned is that one needs a strong comprehensive group to come up with a really good product.
- The 2008 background check plan, with several organizations behind the effort, had an excellent end result. Michigan's background check plan, as it is implemented today, is considered the best background check system in the nation. At the time of formulating the plan, the work group figured out how to fund this plan, which was a huge plus. The plan, today, now includes fingerprinting. a similar program is coming to the Federal government in 2014 via the FBI wherein, in the future, Michigan will have access to check fingerprints in the records of the surrounding states
- Lauren suggested that Todd Walters of Williamston, who has recently opened an AFC home, be considered to come and speak to the Council in the future. Mr. Walters' AFC is based on the "Eden Principles" which are about the individual, is person centered and focuses on the services for the individual, personally. Mr. Walters used to work with Burcham Hills, bringing the "Eden Principles" to that facility.
- Lauren introduced Tari Muniz to the Council, who is Lauren's successor.

Adjournment: Linda Lawther adjourned the meeting.

The next AFC Licensing Advisory Council meeting is February 13, 2013, 10 a.m., 7109 West Saginaw, Conference room 2-1. If you're unable to attend, please notify Kristine Manion and Council Chairperson, Linda Lawther.

Meeting Minutes amended 2/13/2014; approved by the Council.