

**ADULT FOSTER CARE LICENSING ADVISORY COUNCIL
MEETING MINUTES
February 16, 2011**

MEMBERS PRESENT

James Cannon, Salli Christenson, Cynthia Farrell, Linda Lawther, Sandy Mabery, Kathleen Murphy, Brian Sabourin, Lauren Swanson

MEMBERS ABSENT

Andrew Farmer

ADULT FOSTER CARE/HOME FOR THE AGED LICENSING STAFF

Jim Gale, Bureau Director
Jim Sinnamon, Division Director
Erika Ferrell, Adult Foster Care Licensing Consultant
Mary Holton, Adult Foster Care Licensing Consultant
Marva Chambers, Secretary

VISITORS

Jenny Cook, Citizens for Better Care
Theresa Root, DHS-Adult Services

Roll Call of Council Members

Linda Lawther called the meeting to order at 10:00 a.m. Roll call of Council members showed that a quorum was present.

Approval of Agenda

New Agenda Items:
Under #4 – Election of Council Chair and Vice Chair
Under #8.– Mary Holton, Person Centered Planning
Under #10. Jim Gale, Bureau Update

Lauren Swanson made a motion to approve the agenda with the above additions. Sandy Mabery seconded the motion. The Council accepted these additions and approved the agenda.

Approval of Minutes – November 17, 2010

Lauren made a motion to approve the minutes as written. Sandy seconded the motion. Minutes approved.

Election of Council Chair and Vice Chair

Kathleen Murphy thanked Linda Lawther for serving as Council Chair and Brian Sabourin for serving as Council Vice Chair during the past year and nominated them to continue in that capacity. Lauren seconded the motion. All in favor. Linda and Brian accepted.

Introduction of New Member

Linda Lawther welcomed Salli Christenson, representing Michigan Disability Rights Coalition, to the Council. Members in turn introduced themselves to Salli. An updated Council roster was distributed to members and posted on the Bureau website.

Public Comment

Linda provided copies of a letter addressed to the Council from Kimberly Bailey with concerns regarding homeless mentally ill persons and adult foster care licensing policy.

Linda referred to Jim Sinnamon for his opinion. Jim said his approach would be to contact Ms. Bailey to see if she had general concerns or if they were with a specific facility. If it is a specific facility, a special investigation would be initiated. Jim said some of Ms. Bailey's concerns require rule changes and would be appropriate to review to address when rule changes are being reviewed.

After discussion, the Council asked Jim Sinnamon to draft a letter to Ms. Bailey from the Council. The Council requested a notation be made in the letter acknowledging that the Council reviewed her correspondence at their February 16th meeting. The letter would direct her to resources in regard to her concerns and advise that some of the things mentioned in her letter would require rule change and those would be looked at when there is rule change discussion.

Jim was asked to send the draft to the Council Chair and Vice Chair for review.

Lauren made a motion that correspondence be written as discussed. Kathleen seconded the motion. All were in favor.

Kathleen suggested that in addition to the letter an email should be sent immediately to Ms. Bailey confirming the Council's review of her correspondence at today's meeting and a response to her letter would be forthcoming to let her know her concerns were being taken seriously.

During the Council's discussion it was suggested that contact numbers for making a complaint regarding abuse and neglect of an adult be on BCAL's website.

Erika Ferrell said these contact numbers are available on the BCAL website (www.michigan.gov/afchfa) under "Complaints" but she could add them to the Residents Rights page on the BCAL website for better accessibility.

Division/Bureau Updates

BCAL Staff Update

Jim Sinnamon announced Luttrell Levingston, AFC/HFA Division Director's start date with the Bureau was delayed due to a death in the family.

Jim reported that approval to hire adult foster care consultants was received and interviews were conducted. A request to fill Area Manager positions has been made but approval has not been received. Vacant administrative support staff positions have not been approved for fill.

Listservs

Jim followed up with the Council's previous discussion of the use of Listservs as a means of communicating with licensees, advocates and the general public. Three Listservs links have been created (AFC Family, AFC Group and HFA) and used to send notice of a background check legislative change.

Background Check Legislation

New background check legislation requiring fingerprinting of licensees and licensee designees was passed with "immediate effect." There is a delay in implementing this new legislation until the Michigan State Police and Department of Technology, Management and Budget develop new procedures and policy to meet FBI specifications.

Beginning April 1, 2011 an adult foster care employee will be able to transfer from one facility another without requiring the new facility to conduct a new criminal history check. This requires Michigan State University and the Department of Community Health to make changes to the Michigan Workforce Background Check Website.

A copy of the letter mailed and sent by Listservs to license regarding the above amendments was provided to the Council. The new legislation is posted on BCAL's Website.

Bureau Website Update

Jim Sinnamon asked Erika Ferrell to update the Council on draft changes being made to BCAL's website.

Erika said she has been working on changing BCAL's website to concur with the State of Michigan's website platform and making it inviting and more interactive.

Erika gave the Council a preview of the draft changes for their comment and review.

Linda said it would be advantageous for interested Council members to have the opportunity to meet with Erika and review the proposed website changes with internet access. (Meeting scheduled March 1, 2011, 10-12 p.m., 7109 W. Saginaw, Conference Room 2A).

FORI (Focused Onsite Renewal Inspection) Review Subcommittee Report

Linda said the FORI review is an active ongoing process and they are gathering information at this point. They will be meeting February 23rd for a Microsoft live

presentation with Wisconsin. The subcommittee previously met with Wisconsin via a telephone conference which was difficult.

Kathleen said the subcommittee is looking at the Bureau's FORI process which is voluntary to licensees who are in compliance. The subcommittee is looking at how to increase the use of the FORI renewal inspection without compromising the Bureau's ability to conduct a meaningful assessment and without putting vulnerable residents at risk.

Legislative Issues

Mary Holton reported that there has been no new legislative activity regarding adult foster care other than the background check legislation Jim reported earlier in the meeting

Person Centered Planning

Mary reported that she has attended a couple meetings of The Michigan Alliance for Person-Centered Care which is working with Pioneer Network to advocate for a culture of change in long term care and support services. She said the culture change is to provide a home like environment, encouraging choices for each individual and improving their quality of life.

Bureau Statistics – Jim Sinnamon

Jim reviewed the Council's previous decision that Bureau reports and statistics they had been receiving was not necessary and the Council would depend on the Bureau to review and report any issues to the Council. The Council agreed the Division Activity Report and Special Investigation Performance Activity Report would be of interest in a format that showed comparisons or trends.

This report was provided as requested and reviewed. The report showed enrollments have dropped over the last two years while originals issued and facilities closed and renewals issued did not show a significant up or down.

The Special Investigation Performance Activity report showed the program is stable.

Other

Letter from Council to New Legislators

At the November 17, 2010 meeting, the Council discussed preparing a letter for testimony to the House Appropriations Subcommittee and to send to new Legislators introducing the purpose of the Council and their concern that BCAL is not adequately staffed to conduct statutorily mandated activities.

Jim Gale told the Council that they were a powerful group in the community. He said it was his opinion with the condition of the budget that rather than stressing the Bureau's staff shortages it would be of more benefit to educate on the reason

adult foster care facilities are regulated; to keep vulnerable adults safe and the necessary steps of the licensing process.

After discussion, the Council agreed to prepare a letter for testimony to the House Appropriations Subcommittee on Human Services and to set up meetings with new legislators to introduce the Council and their support to the Bureau. The letter would cover the Bureau's priority of investigating complaints over the renewal inspections and the issuance of new licenses to protect vulnerable adults. The letter would express the Council's concern of staff shortages and the strategies BCAL and the Council are exploring to expedite the issuance of new licenses and renewals with the current staff.

Linda will send a draft of the letter to the Council for review and comment. She asked that every member respond with suggestions or approval of the letter.

Brian agreed to take the lead on setting up meeting with legislators when the letter has been prepared. (Brian, James Cannon, Sandy and Linda will meet with legislators).

Bureau of Fire Services Public Hearing

A public hearing will be held on Monday, March 14, 2011 to receive public comments on proposed changes to the Administrative Rules for Adult Foster Care Facilities.

Lauren, Sandy and Lacey Charboneau represented the Council at the proposed rule subcommittee meetings.

Kathleen she has received a number of questions from licensee on how the rules will affect them. Ron Farr, Fire Marshall has been asked to make a summary of rule changes. Also, there will be another hearing held in Wayne County.

Adjournment

The meeting was adjourned at 12:40 p.m.

NEXT MEETING: Wednesday, May 18, 2011, 10:00 a.m., 7109 W. Saginaw, Lansing, Conference Room 2-1

If you are unable to attend, please call Marva Chambers at 517-373-8580.