



STATE OF MICHIGAN
**Department of
Human
Services**

Memo

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Bureau of Children and Adult Licensing

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To: Directors
Child Caring Institutions
From: James B. Gale, Director

Date: 9/16/09

James B. Gale

Bureau of Children and Adult Licensing
Subject: CHILD CARING INSTITUTION LETTER 2009-01

Section XII E of the *Dwayne B. v. Granholm et al* settlement agreement requires DHS to make an annual unannounced onsite inspection of all residential facilities to ensure the safety and well-being of residents beginning October 1, 2009. BCAL has a statutory responsibility to complete an onsite inspection of all residential facilities on an annual basis. (MCL 722.118a(1)) In order to comply with the terms of the settlement agreement, beginning October 1, 2009, all BCAL renewal and interim inspections will be unannounced.

Agencies will continue to receive renewal information by mail 90 days prior to the expiration of the license. The child welfare licensing consultant is required to assess compliance with all child caring institution licensing rules and applicable sections of 1973 PA 116 prior to renewing a license. A new fire inspection report and a new environmental health inspection report are required. The licensing consultant will read 100% of personnel records for personnel who were hired since the last regular onsite review. A sample of personnel records and other records will be selected for review. The consultant will complete a walk through and inspection of the entire facility to assess the safety and well-being of residents. The renewal report that is issued after the onsite inspection will be in the same format as the current renewal reports.

Regular licenses are effective for two calendar years unless modified to provisional status. An interim inspection is due two months prior to through two months after the mid-point of a license. For example, if a license is effective 9/15/2009 through 9/14/2011, the interim inspection is due between 7/15/2010 and 11/14/2010. The licensing consultant will read 100% of personnel records for personnel who were hired since the last regular onsite review. The consultant will complete a walk through and inspection of the entire facility to assess the safety and well-being of residents. Generally, the consultant will focus the review on rules where there was a citation during the most recent renewal or intervening special investigations. The interim report is being modified and will more closely match a renewal report including the "Identifying

Information” and “Methods of Inspection” pages in addition to any findings from the onsite inspection.

Section V D of the same settlement agreement requires a transition of the investigation of CPS complaints beginning October 1, 2009. Effective on that date, allegations of child abuse or neglect in residential settings should not be called in to your BCAL licensing consultant. In Wayne County, the allegations should be called in to 1-800-716-2234. For other counties, the allegations should be called in to 1-800-942-4357. This will allow the department to collect data on reporting of child abuse and begin the transition of investigative responsibilities. Reporting possible rule violations or required incident notifications must continue to be made to the assigned child welfare licensing consultant.

We recognize that there will be a period of time for facilities to adjust to routine inspections being unannounced and the transition of investigations of possible child abuse and neglect to non-BCAL staff. Please work with your assigned child welfare consultant as we change to this new way of doing business.