



STATE OF MICHIGAN

DEPARTMENT OF HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

MAURA D. CORRIGAN
DIRECTOR

September 22, 2011

The Honorable Bruce Caswell, Chair
Senate Appropriations Subcommittee on DHS
Michigan State Senate
Lansing, Michigan 48933

The Honorable David Agema, Chair
House Appropriations Subcommittee on DHS
Michigan House of Representatives
Lansing, Michigan 48933

Dear Senator Caswell and Representative Agema:

Section 273(2) of 2010 Public Act No. 190 (Enrolled House Bill No. 5882) requires the Department of Human Services to provide a cumulative list of all policy changes in child welfare services, child support, work first, work requirements, adult and child safety, local staff program responsibilities, and day care, and the most recent regulatory plan submitted to the state office of administrative hearings and rules.

All policy changes made during the period of October 1, 2009 through September 30, 2010 can be found on the DHS Public website (http://www.michigan.gov/dhs/0,4562,7-124-5458_7695_8368---,00.html).

Each specific policy change made in child welfare services, child support, work first, work requirements, adult and child safety, local staff program responsibilities, and day care during FY 2010 can be found in the boilerplate reports for Section 273(1).

The DHS regulatory plan is attached.

If you have any questions about the attached material, please contact me at (517) 373-7787.

Sincerely,

A handwritten signature in black ink that reads 'Susan Kangas'.

Susan Kangas
Chief Financial Officer

cc: Senate and House Appropriations Subcommittees on DHS
Senate and House Fiscal Agencies
Senate and House Policy Offices
State Budget Director

**Department of Human Services
Annual Regulatory Plan (July 1, 2011 – June 30, 2012)**

**Bureau or Office Name: Family Independence Services Administration
Section: Office of Early Education and Care**

<p>Rule(s) to be processed between July 1, 2011 and June 30, 2012. [Give brief description.]</p>	<p>2005-078-HS Child Development and Care Program.</p> <p>These rules govern the administration of the Child Development and Care program.</p> <p>The proposed and amended rules will impose standardized disqualifications in the child care program for the provider and the client found to be non-compliant or in violation with the child care regulations.</p> <p>These rules are in process. They were submitted to JCAR on 6/7/11.</p>
<p>Please include rules that are obsolete or superseded and can be rescinded between July 1, 2011 and June 30, 2012. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.</p>	<p>R400.5003, R400.5007, R400.5010, R400.5012, and R400.5015</p> <p>Rules would be rescinded as unnecessary with changes currently being proposed.</p>
<p>Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.</p>	<p>The policy office has exercised all of its mandatory/statutory rulemaking authority.</p>
<p>Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.</p>	<p>There are no rules that are problematic to the industry.</p>

**Department of Human Services
Annual Regulatory Plan (July 1, 2011 – June 30, 2012)**

Office or Division: Bureau of Children and Adult Licensing
Section: Child Care Licensing Division

<p>Rule(s) to be processed between July 1, 2011 and June 30, 2012. [Give brief description.]</p>	<p>2010-045 HS “Licensing Rules for Child Care Centers”</p> <ul style="list-style-type: none"> • R 400.5101 – R 400.5940 <p>The current rules will be revised to combine infant/toddler-specific (R 400.5201a – R 400.5209) and school-age-specific (R 400.5301 – R 400.5307) rules into the general provisions. This will result in reducing confusion as to the regulations all licensees must comply with. Standards for health inspections and playground inspections will be updated, as will staff training and qualification requirements. The revisions will provide clarification for when a program director may be counted in child/adult ratios, clarifying licensee responsibilities for certain postings, and adding requirements for hand-washing for children and caregivers before eating and after toileting.</p>
<p>Please include rules that are obsolete or superseded and can be rescinded between July 1, 2011 and June 30, 2012. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.</p>	<p>Reorganization of the entire rule set for greater clarity and ease of use. Such a reorganization will result in re-codifying existing rules and replacing them with new rule numbers so that each rule falls within a more logical and sequential order.</p> <p>All the rules in this set are related to ensuring the health and safety of children cared for in these facilities.</p>
<p>Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.</p>	<p>The department has exercised all of its mandatory/statutory rulemaking authority.</p>
<p>Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.</p>	<p>A rules workgroup will be formed composed of child care center operators and other interested individuals from the community to review the proposed modifications to the rule set. Problematic rules will be addressed by this consumer workgroup.</p>

**Department of Human Services
Annual Regulatory Plan (July 1, 2011 – June 30, 2012)**

Office or Division: Bureau of Children and Adult Licensing
Section: Child Welfare Licensing

<p>Rule(s) to be processed between July 1, 2011 and June 30, 2012. [Give brief description.]</p>	<p>2006-047 HS “Licensing rules for Child Caring Institutions”</p> <ul style="list-style-type: none"> • R400.4101 – R400.4666 Amend rules to reflect current practices and child welfare “consent decree”. Current rules will include additions and allow for renumbering of rule set. <p>2008-054 HS “Child Placing Agencies”</p> <ul style="list-style-type: none"> • R400.12010 – R400.12713 Amend rules to reflect current practices and child welfare “consent decree”. Current rules will include additions and allow for renumbering of rule set.
<p>Please include rules that are obsolete or superseded and can be rescinded between July 1, 2011 and June 30, 2012. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.</p>	<p>2006-047 HS “Licensing Rules for Child Caring Institutions”</p> <ul style="list-style-type: none"> • R400.4101 – R400.4666 Current rules would be rescinded to reflect deletions and allow for the re-numbering of the rule set. <p>2008-054 HS “Child Placing Agencies”</p> <ul style="list-style-type: none"> • R400.12010 – R400.12713 Current rules would be rescinded to reflect deletions and allow for the re-numbering of the rule set.
<p>Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.</p>	<p>The department has exercised all of its mandatory/statutory rulemaking authority.</p>
<p>Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.</p>	<p>A rules workgroup with membership from licensed providers, child advocates, department of human services staff, trade associations and other interested individuals from the community completed a review of this rule set in 2008. Draft rules were approved by ORR (now known as ORR). Public hearings are anticipated for 2011.</p>

**Department of Human Services
Annual Regulatory Plan (July 1, 2011 – June 30, 2012)**

**Office or Division: Bureau of Children and Adult Licensing
Section: Child Welfare Licensing**

<p>Rule(s) to be processed between July 1, 2011 and June 30, 2012. [Give brief description.]</p>	<p>2008-055 HS – “Licensing rules for Foster Homes and Foster Family Group Homes”</p> <p>R 400.9101 - 9506 The entire set of rules needs to be brought up to date with current standards of practice and child welfare “consent decree”.</p>
<p>Please include rules that are obsolete or superseded and can be rescinded between July 1, 2011 and June 30, 2012. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.</p>	<p>R 400.9101 - 9506</p> <p>Current rules would be rescinded to reflect deletions and allow for the re-numbering of the rule set.</p>
<p>Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.</p>	<p>The department has exercised all of its mandatory/statutory rulemaking authority.</p>
<p>Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.</p>	<p>A committee of stakeholders including state agencies, advocacy groups and licensed child placing agencies drafted revisions to this rule set. Public hearings will be scheduled for 2011. A draft rule set is currently with ORR.</p>

**Department of Human Services
Annual Regulatory Plan (July 1, 2011 – June 30, 2012)**

Bureau or Office Name: Children's Services Administration
Section: State Juvenile Wards

<p>Rule(s) to be processed between July 1, 2011 and June 30, 2012. [Give brief description.]</p>	<p>R 400.321 through R 400.371 State Juvenile Wards Rules for State Juvenile Wards are obsolete and need to be rescinded.</p>
<p>Please include rules that are obsolete or superseded and can be rescinded between July 1, 2011 and June 30, 2012. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.</p>	<p>R 400.321 through R 400.371 Entire rule set is obsolete. These rules are supported by 1925 PA185 which has long been rescinded by 1974 PA150; Youth Rehabilitation Services Act.</p>
<p>Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.</p>	<p>No – Policy for State Juvenile Wards is established by the Youth Rehabilitation Services Act, M.C.L. 803.301 to 803.309.</p>
<p>Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.</p>	<p>N/A - Rules are obsolete</p>