

**ADULT FOSTER CARE LICENSING ADVISORY COUNCIL
MEETING MINUTES**

June 6, 2018
Ottawa Building
611 W. Ottawa Street
Upper Level Conference Room 6
Lansing, MI 48933

1. **Meeting Called to Order:** Kathy Lentz, Vice Chair Person.
2. **Roll Call:** Roll call of council members completed, showing a quorum.
 - a. **Members Present:** Jessica Kross, Kathy Lentz, Cheryl Loveday, Laura Funsch, Thomas J. Renwick, Jennifer Warnos and Salli Christenson.
 - b. **Members Absent:** Bishop Ira Combs, Bob Davis, Danis Russell and Deb Mock.
 - c. **Adult Foster Care/Home for the Aged Licensing Staff Present:** Jay Calewarts, Director, AFC/HFA Licensing Division, Dawn Timm, AFC Area Manager, Steve Gobbo, BCHS Deputy Director and Sally Wilson, Secretary.
3. **Approval of Agenda:** Kathy Lentz brought forth a motion to add a brief discussion on the Licensing Act and the new language that Kathy, Deb and Jessica worked on for a different level of Adult Foster Care, Salli Christenson moved, Jessica Kross supported, Agenda approved per common consensus with additional Agenda item.
4. **Approval of Minutes:** Salli Christenson moved for acceptance of the Minutes as written; Jessica Kross supported, Minutes approved per common consensus.
5. **Public Comments:** N/A
6. **Council Business:**
 - A. **Administrative Rules Review:** Two years ago, we met and made recommended updates to the Administrative Rules, Kathy just wanted to know where we are with this because it has not moved forward.

Currently we are still working on the Special Certification Rules. We will be picking up the Administrative Rules after we finish up the section for Special Certification Rules. The council would like for the minutes to reflect that we need to continue working on this section.
 - B. **Amendment to Proposal for By-Laws:** The Amendment to Proposal to By-Laws was presented to the Council prior to the meeting. Bob Davis, Council

member disagreed with the language within the draft and wrote up a rebuttal that was provided to Council Members to discuss.

As a result of the rebuttal, there will be edits made and a new re-write prepared. This will be on the Agenda for the next Council Meeting. Sally Christenson volunteered to do the re-write of the Amendment to Proposal for By-Laws. This will be due to the Council members prior to the next Council meeting.

Council members suggested to clarify that the edit “make their response limited to Public Comment.” Ultimately, they would like to give a written response to the Public, if asked a detailed question and if capable, give an oral response at the time of the meeting but follow up with a formal written response.

Suggestion from Deputy Director for the Open Meetings Act, we might be able to add in the questions from the Public as Agenda Items after the Public Comment is closed to discuss. If Council members aren't familiar with the Open Meetings Act, he would recommend some sort of orientation. If the Public is asking for specific numbers and/or information we may refer them to the Freedom of Information Act or our website if applicable.

This topic is to be added to Agenda for the August Council Meeting

C. HB 5505, HB 5506 & SB 745: Currently these bills are stalled until the legislature gets back from Summer break.

HB 5505 & 5506: These bills were backed by the department. Substitute bills are likely to be introduced which would drop the exemption language where you wouldn't have to file an exemption similar to the HFA language. These substitutes will likely be introduced once they get a hearing in the fall after summer break.

SB 745: Focuses on the CMH issue where it would allow for a license to not be needed when they have 6 or less CMH Recipients. You do not need to apply for an exemption under this Bill. They will likely introduce a substitute which would change this number from 6 residents to 4 residents.

SB 962: This Bill was the one for dual licensure where you could be licensed for Crisis Residential and SUD licensure within AFC. This has been voted out of committee, but there are only about 15 facilities that would qualify for this type of facility.

Tom Renwick mentioned that there might be more of those types of facilities coming, Tom will include Jay in this communication when DHHS communicates this externally.

- D. Special Certification Rules:** Division Director, Jay Calewarts sent a copy of the most recent draft of the Special Certification Rules to the Council Members for review.

Tom Renwick had some questions/concerns on the terminology in Rule 1811(3) and 1812. This should be reworded to read more clearly. It should be reworded in 1812(4) as well. Jay will work on an updated version of this.

Jay's next plan is to send the revised draft to the various trade associations and get this through for Public Comment then officially submit them for the Rule Making process.

If you come up with something in the next two weeks, please send it to Jay before he forwards this on to the associations.

- E. Revision of policies/procedures with emphasis on person-centeredness:** Salli Christenson asked that this topic be placed on the Agenda. She was wondering if we could work on adding to our workgroup to change the language in our Policies and Procedures to reflect more "person-centeredness language." A lot of the language in the current rules/policies is outdated and needs to be updated to reflect more "person-centered language."

This is on our "to-do list" we are currently working on updating the Administrative Rules and intend on updating the language to reflect "person-centeredness."

- F. Brief Discussion on Licensing Act and New Level of Adult Foster Care:** The Council has discussed a new level of Adult Foster Care that caters to a more intensive set of rules for a specific population with higher needs. The Council wants to create a more intensive level of Administrative Rules for this. It is not in the licensing act. Kathy, Jessica and Deb came up with some language for the rules. Deb or Kathy are going to look for a legislative sponsor outside of the Council for this as it cannot come from the Department or even the Advisory Council. It isn't under the jurisdiction of the Advisory Council but would need to be brought forth through another association.

Tom Renwick brought up funding mechanisms for this. This type of administrative set would need funding. They would not qualify for HCBS so they would need to go for the Medicaid route and if that, they would need to go for institutional to receive Medicaid funding. Without a funding path it makes no sense to move forward.

Jessica, Deb and Kathy would like to re-group and possibly talk to Tom about filling the gap in the continuum to see if there is any part of funding this rule set can fall under.

7. Division/Bureau Updates:

- **Bureau Statistics:** Jay Calewarts provided a copy of the AFC quarterly statistics that was reviewed by the Council members.

Kathy Lentz invited Steve Gobbo to do a review of the Open Meetings Act in front of the AFC Advisory Council to get everyone familiar with the Act. Steve accepted if his calendar is free, if not he will send a summary of it to the Council.

- 8. ADJOURNMENT:** Salli Christenson Moved for Adjournment of the meeting, it was supported by Cheryl Loveday, common consent, meeting adjourned per common consensus.

The next meeting will be scheduled for August 8, 2018 at 10:00am; Upper Level (UL) Conference Room 4; 611 W. Ottawa Street, Lansing, MI 48933.