



HOUSE BILL No. 5473

December 12, 1995, Introduced by Reps. DeHart, Bush, Goschka, Prusi, Tesanovich, Hood, Kelly, Brater and DeMars and referred to the Committee on Health Policy.

A bill to amend Act No. 218 of the Public Acts of 1979, entitled as amended "Adult foster care facility licensing act," as amended, being sections 400.701 to 400.737 of the Michigan Compiled Laws, by adding section 34.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 218 of the Public Acts of 1979, as
2 amended, being sections 400.701 to 400.737 of the Michigan
3 Compiled Laws, is amended by adding section 34 to read as
4 follows:

5 SEC. 34. (1) A LICENSEE SHALL NOT EMPLOY AN INDIVIDUAL OR
6 UTILIZE AN INDIVIDUAL AS A VOLUNTEER IN AN ADULT FOSTER CARE
7 FACILITY UNLESS THE INDIVIDUAL PROVIDES THE LICENSEE WITH A
8 DOCUMENT FROM THE SHERIFF OF THE COUNTY IN WHICH THE LICENSED
9 FACILITY IS LOCATED OR FROM THE STATE POLICE STATING THAT THE

1 APPLICANT HAS NOT BEEN CONVICTED IN THIS STATE OR IN ANOTHER
2 STATE OF A FELONY OR AN ATTEMPT OR CONSPIRACY TO COMMIT A
3 FELONY.

4 (2) A LICENSEE SHALL ADVISE ANY INDIVIDUAL WHO APPLIES FOR
5 EMPLOYMENT OR A VOLUNTEER POSITION WITH THE LICENSEE THAT IN
6 ORDER TO OBTAIN EMPLOYMENT OR VOLUNTEER AT THE ADULT FOSTER CARE
7 FACILITY, THE INDIVIDUAL MUST DO ALL OF THE FOLLOWING:

8 (A) APPEAR BEFORE THE SHERIFF OF THE COUNTY IN WHICH THE
9 LICENSED FACILITY IS LOCATED OR THE STATE POLICE AND BE
10 FINGERPRINTED.

11 (B) REQUEST THE SHERIFF OR THE STATE POLICE TO DETERMINE
12 THROUGH THE USE OF THE LAW ENFORCEMENT INFORMATION NETWORK AND
13 OTHER RECORDS TO WHICH THE SHERIFF OR STATE POLICE HAS ACCESS
14 WHETHER THE INDIVIDUAL HAS BEEN CONVICTED OF A FELONY OR AN
15 ATTEMPT OR CONSPIRACY TO COMMIT A FELONY IN THIS STATE OR IN
16 ANOTHER STATE.

17 (C) IF THE RECORDS OF THE SHERIFF OR STATE POLICE SHOW THAT
18 THE INDIVIDUAL HAS NOT BEEN CONVICTED OF A FELONY OR AN ATTEMPT
19 OR CONSPIRACY TO COMMIT A FELONY IN THIS STATE OR IN ANOTHER
20 STATE, OBTAIN A STATEMENT TO THAT EFFECT FROM THE SHERIFF OR
21 STATE POLICE.

22 (D) SUBMIT THE STATEMENT DESCRIBED IN SUBDIVISION (C) TO THE
23 LICENSEE AS PART OF THE APPLICATION PROCESS.

24 (3) THE LICENSEE SHALL PROVIDE THE APPLICANT WITH INFORMA-
25 TION ON HOW AND WHERE TO OBTAIN THE INFORMATION REQUIRED BY THIS
26 SECTION ON A FORM PROVIDED BY THE DEPARTMENT.