

**ADULT FOSTER CARE FACILITY LICENSING ACT (EXCERPT)**  
**Act 218 of 1979**

**400.726a Resident enrolled in licensed hospice program or co-occurring enhanced crisis residential program; exception to continuous nursing care requirement for purposes of MCL 400.703(4); do-not-resuscitate order or POST form included in assessment plan; protection to resident.**

Sec. 26a.

(1) A resident of an adult foster care facility who is enrolled in a licensed hospice program is not considered to require continuous nursing care for the purpose of section 3(4).

(2) A resident of an adult foster care facility, which facility is also licensed as a substance use disorder program and is approved as a co-occurring enhanced crisis residential program, is not considered to require continuous nursing care for the purpose of section 3(4).

(3) A licensee providing foster care to a resident who is enrolled in a licensed hospice program and whose assessment plan includes a do-not-resuscitate order or a validly executed POST form under part 56B of the public health code, 1978 PA 368, MCL 333.5671 to 333.5685, is considered to be providing protection to the resident for purposes of section 6(5) and the rules promulgated under this act if, in the event the resident suffers cessation of both spontaneous respiration and circulation, the licensee contacts the licensed hospice program.

**History:** Add. 1996, Act 194, Eff. Aug. 1, 1996 ;-- Am. 2017, Act 156, Eff. Feb. 6, 2018 ;-- Am. 2018, Act 388, Eff. Mar. 19, 2019

**Compiler's Notes:** For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the bureau of family services from the department of consumer and industry services to the family independence agency by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of adult foster care licensing advisory council to the family independence agency by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties pertaining to adult foster care, adult foster care facility, adult foster care camp, adult camp, adult foster care family home, and adult foster care group home licensing and regulation from department of human services to department of licensing and regulatory affairs, see E.R.O. No. 2015-1, compiled at MCL 400.227. For transfer of powers and duties pertaining to children's camp, child care center, day care center, family day care home, and group day care home licensing and regulation from department of human services to department of licensing and regulatory affairs, see E.R.O. No. 2015-1, compiled at MCL 400.227.