

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	7 - 0 - 0
Yeas:	Cowan, Gelser, Gilliam, Kotek, Maurer, Olson, Tomei
Nays:	0
Exc.:	0
Prepared By:	Andy Smith, Administrator
Meeting Dates:	3/5

WHAT THE MEASURE DOES: Directs the Department of Human Services (DHS) to adopt rules to grant exceptions to requirements that all licensed adult foster homes have a live in provider or substitute caregiver and that provider or caregiver be on duty 24 hours per day. Enables residents of adult foster care facilities to be home alone for periods of time without direct supervision. Requires DHS to adopt standards that safeguard health and safety of residents and that ensure the uninterrupted receipt of services to clients.

ISSUES DISCUSSED:

- Importance of DHS to properly certify which individuals can safely be home alone
- Effects on seniors and people with disabilities
- Need for changes since 2001 legislation

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: In 1991, a provision commonly referred to as the “home alone” provision was added to an adult foster home statute. Under this language, DHS had authority to grant exceptions allowing adult foster care residents to be home alone without 24 hour supervision.

In 2001, the Legislature enacted HB 2294, which reorganized and renamed DHS divisions. Subsequently, an Attorney General opinion interpreting these changes determined that that the home alone provision was no longer valid under HB 2294.

SB 42 reinstates the “home alone” provision for adult foster care homes.