

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Rescind the Subsequent Referral to the Committee on Ways and Means
Vote:	8 - 0 - 0
Yeas:	Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei
Nays:	0
Exc.:	0
Prepared By:	Jennifer Kellar, Administrator
Meeting Dates:	2/9, 2/21

WHAT THE MEASURE DOES: Authorizes Director of Human Services to impose civil penalties on unlicensed individuals providing adult foster care. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Clarifies department's authority to issue financial sanctions on unlicensed adult foster homes
- Ambiguity of current statute
- Licensing ensures adult foster homes meet operational, facility and safety requirements; licensees and providers are qualified to provide care; and the home is regularly monitored for resident health and safety
- Examples of safety violations and non-compliance

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current statutory remedies for unlicensed adult foster homes do not include financial sanctions. Departmental options include law enforcement and/or judicial interventions to cease unlicensed operations. Other long term care settings have statutory financial sanctions. The Department of Human Services states that (?) existing language is ambiguous which could lead to the conclusion that financial sanctions may not be an option in ceasing unlicensed operations.