



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING



ISMAEL AHMED
DIRECTOR

June 30, 2009

The Honorable Bill Hardiman, Chair
Senate Appropriations Subcommittee on DHS
Michigan State Senate
Lansing, MI 48933

The Honorable Dudley Spade, Chair
House Appropriations Subcommittee on DHS
Michigan House of Representatives
Lansing, MI 48933

Dear Senator Hardiman and Representative Spade:

Section 273(3) of 2008 Public Act No. 248 (Enrolled House Bill No. 5814) requires the Department of Human Services to report the annual regulatory plan submitted to the State Office of Administrative Hearings and Rules pursuant to section 53 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.253. Our report is attached.

If you have any questions about the attached material, please contact Luttrell Levingston, regulatory affairs officer for DHS at 373-2082.

Sincerely,

Ismael Ahmed

Attachments

cc: Senate and House Appropriations Subcommittees on DHS
Senate and House Fiscal Agencies
Senate and House Policy Offices
State Budget Director

Department of Human Services Annual Regulatory Plan for 7/01/09 to 6/30/10

Department: Department of Human Services
Bureau of Office Name: Children's Trust Fund

<p>Rule(s) to be processed between July 1, 2009 and June 30, 2010</p>	<p>2007-025HS "Children's Trust Fund Grant Program" Rule 722.751 – 722.756 rules promulgated in reference to PA 250 Section 722.611 of the Michigan Compiled Laws. The Child Abuse and Neglect Prevention Act 250 of 1982 established the state child abuse and neglect prevention board.</p> <p>Rule 722.751 amended to define terms used in Rules 722.752-722.756. Rule 722.752 – 722.753 Establish council responsibilities and Children's Trust Fund Board responsibilities. Rule 722.754- 722.755 establish parameters for council funding and grants for prevention services. Rule 722.756 establishes purposes for Board meetings and dictates Board meetings must be conducted according to the open meetings act.</p>
<p>Rule(s) to be rescinded between July 1, 2009 and June 30, 2010</p>	<p>The Children's Trust Fund has not identified any rules to be rescinded during the year.</p>
<p>Has department failed to exercise any mandatory/statutory rulemaking authority? Explain</p>	<p>The Children's Trust Fund has not failed to exercise any mandatory/statutory rulemaking authority.</p>

Department: Department of Human Services
 Bureau of Office Name: Adult & Family Services
 Section: Office of Program Policy/Cash and Employment and Training
 Section: Child Development and Care Program

Rule(s) to be processed between July 1, 2009 and June 30, 2010	SOAHR 2005-078 HS *[R400.5001-R400.5015) Child Day Care Program The proposed rules will define the administrative process to enable DHS to impose penalties and disqualifications on child care providers or clients receiving child care funds through program non-compliance or fraud. These rules stipulate requirements for child care providers and child care subsidy recipients.
Rule(s) to be rescinded between July 1, 2009 and June 30, 2010	The Office has not identified any rules to be rescinded.
Has department failed to exercise any mandatory/statutory rulemaking authority? Explain	The Office has exercised all of its statutory rulemaking authority.

Department: Department of Human Services
 Bureau of Office Name: Bureau of Children and Adult Licensing
 Section: Child Welfare Licensing Division

<p>Rule(s) to be processed between July 1, 2009 and June 30, 2010</p>	<p>2006-047 HS “Licensing Rules for Child Caring Institutions” [R400.4101 – R400.4666] Anticipate public hearings to occur in fall of 2009.</p> <p>2008-055HS “Foster Family Homes and Foster Family Group Homes” [R400.9101 – R400.9506] Amend rules to reflect current practices. Anticipate public hearings in summer 2010.</p> <p>2008-054HS “Child Placing Agencies” [R400.12010 – R400.12713] Amend rules to reflect current practices. Anticipate public hearings in summer 2010.</p>
<p>Rule(s) to be rescinded between July 1, 2009 and June 30, 2010</p>	<p>2006-047 HS “Licensing Rules for Child Caring Institutions” [R400.4101 – R400.4666] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2008-055HS “Foster Family Homes and Foster Family Group Homes” [R400.9101 – R400.9506] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2008-054HS “Child Placing Agencies” [R400.12010 – R400.12713] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p>
<p>Has department failed to exercise any mandatory/statutory rulemaking authority? Explain</p>	<p>The office has exercised all of its statutory rulemaking authority.</p>

Department:
Bureau or Office Name:
Section:

**Department of Human Services
Bureau of Children and Adult Licensing
Adult Foster Care/Homes for the Aged Licensing
Division**

<p>Rule(s) to be processed between July 1, 2009 and June 30, 2010. [Give brief description.]</p>	<p>2005-068 HS “Homes for the Aged” [R325.1901 – R325.1981] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005-068 HS “Homes for the Aged [R325.1915(5)] – delete the <i>first</i> reference to MCL 333.20168, and replace with MCL 333.20162. The <i>first</i> reference to 20168 is in error. The second reference to MCL 333.20168 in the same subrule is correct.</p> <p>2005-062 HS “Certification of Specialized Programs Offered in Adult Foster Care Home to Clients with Mental Illness or Developmental Disability” [R330.1801-R330.1809] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005-064 HS “Adult Foster Care Family Homes Licensing Rules” [R400.1401-R400.1443] These rules would be updated to reflect the care needs of the current population being served, and the usage of terms, correct naming of the department and statutory references.</p> <p>2005- 067a HS “Adult Foster Care Congregate Facilities (21 or more) Licensing Rules” [R400.2101-R400.2122 & R400.2401-R400.2475] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005-069 HS “Fire Safety Rules for Adult Foster Care Family and Small Group Homes (6 or less)” [R400.2201 – 400.2261] Homes licensed on or before March 27, 1980. These rules would be re-numbered to be sequential to rules for adult foster care homes licensed for 6 or less.</p> <p>2005-066 HS “Adult Foster Care Small Group Homes (12 or less) Licensing Rules” [R400.14101-R400.14601] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p> <p>2005- 065 HS “Adult Foster Care Large Group Homes (13-20) Licensing Rules” [R400.15101-R400.15411] These rules would be amended to update usage of terms, correct naming of the department and statutory references.</p>
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<p>Rules to be rescinded between July 1, 2009 and June 30, 2010 [Give brief description]</p>	<p>2005-068 HS “Homes for the Aged” [R325.1901 – R325.1981] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005-068 HS “Homes for the Aged” [R325.1915(5)] – current rule to be rescinded to reflect error in rule reference.</p> <p>2005-062 HS “Certification of Specialized Programs Offered in Adult Foster Care Home to Clients with Mental Illness or Developmental Disability” [R330.1801-R330.1809] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005-064 HS “Adult Foster Care Family Homes Licensing Rules” [R400.1401-R400.1443] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005- 067a & 2005-067b HS “Adult Foster Care Congregate Facilities (21 or more) Licensing Rules” [R400.2101-R400.2122 & R400.2401-R400.2475] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005-069 HS “Fire Safety Rules for Adult Foster Care Family and Small Group Homes (6 or less)” [R400.2201 – 400.2261] Homes licensed on or before March 27, 1980. Current rules would be rescinded to reflect re-numbering of this rule set.</p> <p>2005-066 HS “Adult Foster Care Small Group Homes (12 or less) Licensing Rules” [R400.14101-R400.14601] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p> <p>2005- 065 HS “Adult Foster Care Large Group Homes (13-20) Licensing Rules” [R400.15101-R400.15411] Current rules would be rescinded to reflect deletions, and additions, and allow for the re-numbering of the rule set.</p>
<p>Has the department failed to exercise any mandatory/statutory rulemaking authority? Explain.</p>	<p>The office has exercised all of its statutory rulemaking authority.</p>