

EFFECTIVE

March 1, 2020.

Subject(s)

1. References to ASCAP replaced with MiAIMS.
2. Legal citations updated.
3. Change in definition of family and small group homes.
4. Change in the number of congregate homes.
5. AFC Administrative Rule Variances.
6. County infirmaries in Michigan.
7. Change of age for HFA residents.
8. Age Waiver in HFAs.
9. HFA licensure exemption.
10. Revocation of HFA Licensure Exemption.
11. Impact on residents in HFA licensure exemption settings.
12. Facility license numbers.

**1) References to
ASCAP replaced
with MiAIMS****ASM 001**

MiAIMS replaces all references to ASCAP.

Reason: New computer system.

**2) Legal Citations
updated****ASM 050**

Updated legal citations in ASM 050 to reflect the correct section in the public act.

Reason: Update of Public Acts of 1979.

**3) Change in
definition of family
and small group
homes****ASM 050**

Effective March 28, 2019, the allowed capacity of a family and small group home has changed. Adult foster care family home means a private residence with the approved capacity to receive at least **three but not more than six adults** who shall be provided foster care.

Adult foster care small group home means an adult foster care facility with the approved capacity to receive at least **three but not more than 12 adults** who shall be provided foster care.

Reason: Update of Public Acts of 1979.

4) Change in the number of congregate homes

ASM 050

The number of congregate homes has decreased from 10 to nine. A list of the current congregate homes is available on the adult services home page.

Reason: Decrease in the number of congregate homes

5) AFC Administrative Rule Variances

ASM 050

Removed language which allowed for AFC administrative rule variances in congregate homes. Do not apply AFC rule variances in these settings. Removed two examples of rule variances.

Reason: Administrative rule variance change

6) Names of County Infirmaries in Michigan

ASM 050

LARA monitors rule compliance for county infirmaries. There are only two county infirmaries in Michigan; added the names and addresses of the facilities to the manual item.

Pinecrest Farms
413 N. Homer Road
Midland, Michigan

Fairview County Infirmary
3604 S. Custer Road
Monroe, Michigan

Reason: Information added to the manual item for worker convenience.

**7) Change of age
for HFA residents****ASM 050**

Homes for the aged are licensed facilities that provide room, board, and supervised personal care to individuals 55 years of age or older. The previous age limit was 60 years old.

Reason: Update of Public Acts of 1978.

**8) Age Waiver in
HFAs****ASM 050**

The Public Health Code allows for an age waiver for persons under 55 years of age if the individual, individual's guardian, or legal representative (if applicable), physician and designated representative from the facility all agree that the following conditions are met:

- The home for the aged can meet the individual's medical, social, and other needs as determined in the individual's plan of care.
- The individual will be compatible with the other residents of that home for the aged.
- The placement in the home for the aged is in the best interest of the individual.

The owner, operator and governing body of the HFA shall submit, with its request for a waiver, documentation to LARA that supports each of the points of interest listed above.

Reason: Changed language to reflect language in the statute.

**9) HFA Licensure
Exemption****ASM 050**

Section 21311a of the Public Health Code, 1978 PA 368, allows for exemption from licensure as a Home for the Aged under certain circumstances [MCL 333.21311a (1) and (2)].

Beginning March 28, 2019, an exemption from licensure as a home for the aged under this article shall be given to an existing facility or

a facility under construction if the requirements for subsection (3) are met and one of the following applies:

1. The person that offers board is not related to the person that provides room or supervised personal care, or both.
2. The person that provides supervised personal care, whether related to the person that provides room or board, or both, has had a supervised personal care arrangement in effect for at least 2 consecutive years before the date of the attestation and residents at the facility have the option to select any supervised personal care provider of their choice.
3. The person that provides room and the person that provides supervised personal care are related and the facility is registered as a continuing care community under the [Continuing Care Disclosure Act](#) and includes a licensed nursing home as part of the continuing care community.
4. The person that provides room and the person that provides supervised personal care are not related and residents at the facility have the option to select any supervised personal care from a person of their choice.

Click [here](#) to view an excerpt of the Public Health Code that references homes for the aged.

Reason: Update of Public Acts of 1978.

10) Revocation of HFA Licensure Exemption

ASM 050

An exemption granted under 333.21311a may be revoked if LARA determines one of the following:

- False or inaccurate information provided in the attestation was material to granting the exemption.
- The person receiving the exemption is found to be negligent, which negligence results in serious physical injury, death of a resident or serious mental anguish and there continues to be a risk to the health and safety of the residents in the facility.

- The person receiving the exemption does not cooperate in LARA's investigation to make a determination of subsection (3).

Adult Protective Services would be responsible for conducting investigations in these settings. APS would refer any incidents of death, serious mental anguish and/or serious physical injury to licensing. LARA will determine if there is continued risk to the health and safety of residents in the facility.

The Department of Licensing and Regulatory Affairs publishes a list of facilities exempt from the Homes for the Aged Licensure quarterly. The list can be found on the michigan.gov/lara website under [resources](#).

Reason: Update of Public Acts of 1978.

11) Impact on residents in HFA licensure exemption settings

ASM 050

Inform individuals who reside in a setting where HFA licensure is exempt of the following:

- The Medicaid personal care supplement cannot be approved for clients residing in an unlicensed setting.
- The Supplemental Security Income (SSI) rate in these settings is lower than if they were residing in a licensed setting.
- State Disability Assistance (SDA) will not cover room and board in an unlicensed setting.
- Home Help would be allowed in this unlicensed setting.
- Complaints investigated by LARA in a licensed setting would not be investigated in an unlicensed setting.

Example: If a resident is unhappy with the meals, LARA would not investigate as the facility is exempted from the HFA licensure.

Reason: Worker clarification.

**12) Facility license
numbers****ASM 050**

When a facility receives licensure, the applicant or licensee is assigned a license number. The first two letters of the license number identify the type of facility.

AF - Family Home (3-6 capacity).

AS - Small Group Home (3-6 capacity).

AM - Medium Group Home (7-12 capacity).

AL - Large Group Home (13-20 capacity).

AG - Congregate Home (20 or more).

AI - County Infirmary.

AH - Homes for the Aged (21 or more).

Reason: Information added to manual item for worker convenience.

**MANUAL
MAINTENANCE
INSTRUCTIONS**

Changed Items ...

[ASM 001](#)

[ASM 050](#)