

SENATE BILL NO. 217

INTRODUCED BY NORMAN

(BY REQUEST, DEPARTMENT OF SOCIAL & REHABILITATION SERVICES)

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO LICENSE AND SUPERVISE ADULT FOSTER FAMILY CARE HOMES FOR THREE OR FEWER AGED PERSONS OR DISABLED ADULTS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Short title. This act may be cited as the "Adult Foster Family Care Act".

Section 2. Definitions. As used in this act:

(1) "Department" means the department of social and rehabilitation services.

(2) "Adult foster family care homes" means private homes owned by one or more persons over the age of eighteen (18) which offer light personal care or custodial care to aged persons or disabled adults who are not related to the owner by blood or marriage.

(3) "Aged person" means a person defined by the department as aged.

(4) "Disabled adult" means a person over the age of eighteen (18) defined by the department as disabled.

(5) "Light personal care" means assisting the aged

person or disabled adult in accomplishing such personal hygiene tasks as bathing, dressing, hair grooming, and supervision of prescriptive medicine administration but not administration of prescriptive medications.

(6) "Custodial care" means providing a sheltered family type setting for an aged person or disabled adult so as to provide for their basic needs of food, shelter and having a specific person available to help them meet their basic needs.

(7) "Skilled nursing care" means twenty-four (24) hour care supervised by a registered nurse or a licensed practical nurse under orders of an attending physician.

Section 3. In order to ensure the proper care of aged persons or disabled adults in foster family care homes the legislature authorizes the department to obtain, license, and supervise adult foster family care homes for three (3) or fewer aged persons or disabled adults in need of such care.

Section 4. The department is authorized by this act to establish standards by which private residences may be licensed as adult foster family care homes. These standards shall be subject to the advice and recommendations of the department of health and environmental sciences, in relation to fire and safety requirements.

Section 5. The type of care offered by adult foster

1 family care homes for the purposes of this act is light
2 personal care or custodial care and does not include skilled
3 nursing care.

4 Section 6. This act will become effective October 1,
5 1975. Enactment with this effective date will serve to
6 implement provisions stipulated in the federal government's
7 "Title XX Social Service Amendments of 1974".

-End-

Approved by Committee
on Public Health, Welfare
& Safety

1 SENATE BILL NO. 217

2 INTRODUCED BY NORMAN

3 (BY REQUEST, DEPARTMENT OF SOCIAL & REHABILITATION SERVICES)

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
6 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO LICENSE
7 AND SUPERVISE ADULT FOSTER FAMILY CARE HOMES FOR THREE OR
8 FEWER AGED PERSONS OR DISABLED ADULTS; AND PROVIDE A DELAYED
9 EFFECTIVE DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Short title. This act may be cited as the
13 "Adult Foster Family Care Act".

14 Section 2. Definitions. As used in this act:

15 (1) "Department" means the department of social and
16 rehabilitation services.

17 (2) "Adult foster family care homes" means private
18 homes owned by one or more persons over the age of eighteen
19 (18) which offer light personal care or custodial care to
20 aged persons or disabled adults who are not related to the
21 owner by blood or marriage.

22 (3) "Aged person" means a person defined by the
23 department as aged.

24 (4) "Disabled adult" means a person over the age of
25 eighteen (18) defined by the department as disabled.

1 (5) "Light personal care" means assisting the aged
2 person or disabled adult in accomplishing such personal
3 hygiene tasks as bathing, dressing, hair grooming, and
4 supervision of prescriptive medicine administration but not
5 administration of prescriptive medications.

6 (6) "Custodial care" means providing a sheltered
7 family type setting for an aged person or disabled adult so
8 as to provide for their basic needs of food, shelter and
9 having a specific person available to help them meet their
10 basic needs.

11 (7) "Skilled nursing care" means twenty-four (24) hour
12 care supervised by a registered nurse or a licensed
13 practical nurse under orders of an attending physician.

14 Section 3. PURPOSE. In order to ensure the proper
15 care of aged persons or disabled adults in foster family
16 care homes AND TO IMPLEMENT PROVISIONS OF FEDERAL LAW IN
17 TITLE XX, SOCIAL SERVICE AMENDMENTS OF 1974, the-legislature
18 authorizes the department to MAY obtain, license, and
19 supervise adult foster family care homes for three (3) or
20 fewer aged persons or disabled adults in need of such care.

21 Section 4. STANDARDS. The department ~~is-authorized-by~~
22 ~~this--act--to~~ MAY establish standards by which private
23 residences may be licensed as adult foster family care
24 homes. These standards shall be subject to the advice and
25 recommendations of the department of health and

1 environmental sciences, in relation to fire and safety
2 requirements.

3 Section 5. LIMITATION ON CARE OFFERED. The type of
4 care offered by adult foster family care homes for the
5 purposes of this act is light personal care or custodial
6 care and does not include skilled nursing care.

7 Section 6. ~~This--act--will--become--effective--October--1,~~
8 ~~1975.--Enactment--with--this--effective--date--will--serve--to~~
9 ~~implement--provisions--stipulated--in--the--federal--government's~~
10 ~~"Title--XX--Social--Service--Amendments--of--1974",~~ EFFECTIVE
11 DATE. THIS ACT IS EFFECTIVE OCTOBER 1, 1975.

-End-

1 SENATE BILL NO. 217

2 INTRODUCED BY NORMAN

3 (BY REQUEST, DEPARTMENT OF SOCIAL & REHABILITATION SERVICES)

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
6 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO LICENSE
7 AND SUPERVISE ADULT FOSTER FAMILY CARE HOMES FOR THREE OR
8 FEWER AGED PERSONS OR DISABLED ADULTS; AND PROVIDE A DELAYED
9 EFFECTIVE DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Short title. This act may be cited as the
13 "Adult Foster Family Care Act".

14 Section 2. Definitions. As used in this act:

15 (1) "Department" means the department of social and
16 rehabilitation services.

17 (2) "Adult foster family care homes" means private
18 homes owned by one or more persons over the age of eighteen
19 (18) which offer light personal care or custodial care to
20 aged persons or disabled adults who are not related to the
21 owner by blood or marriage.

22 (3) "Aged person" means a person defined by the
23 department as aged.

24 (4) "Disabled adult" means a person over the age of
25 eighteen (18) defined by the department as disabled.

1 (5) "Light personal care" means assisting the aged
2 person or disabled adult in accomplishing such personal
3 hygiene tasks as bathing, dressing, hair grooming, and
4 supervision of prescriptive medicine administration but not
5 administration of prescriptive medications.

6 (6) "Custodial care" means providing a sheltered
7 family type setting for an aged person or disabled adult so
8 as to provide for their basic needs of food, shelter and
9 having a specific person available to help them meet their
10 basic needs.

11 (7) "Skilled nursing care" means twenty-four (24) hour
12 care supervised by a registered nurse or a licensed
13 practical nurse under orders of an attending physician.

14 Section 3. PURPOSE. In order to ensure the proper
15 care of aged persons or disabled adults in foster family
16 care homes AND TO IMPLEMENT PROVISIONS OF FEDERAL LAW IN
17 TITLE XX, SOCIAL SERVICE AMENDMENTS OF 1974, ~~the-legislature~~
18 ~~authorizes~~ the department to MAY obtain, license, and
19 supervise adult foster family care homes for three (3) or
20 fewer aged persons or disabled adults in need of such care.

21 Section 4. STANDARDS. The department ~~is-authorized-by~~
22 ~~this-act-to~~ MAY establish standards by which private
23 residences may be licensed as adult foster family care
24 homes. These standards shall be subject to the advice and
25 recommendations of the department of health and

1 environmental sciences, in relation to fire and safety
2 requirements.

3 Section 5. LIMITATION ON CARE OFFERED. The type of
4 care offered by adult foster family care homes for the
5 purposes of this act is light personal care or custodial
6 care and does not include skilled nursing care.

7 Section 6. ~~This--act--will--become--effective--October--1--~~
8 ~~1975.--Enactment--with--this--effective--date--will--serve--to~~
9 ~~implement--provisions--stipulated--in--the--federal--government's~~
10 ~~"Title--XX--Social--Service--Amendments--of--1974",~~ EFFECTIVE
11 DATE. THIS ACT IS EFFECTIVE OCTOBER 1, 1975.

-End-

HOUSE OF REPRESENTATIVES

Date: March 17, 1975

HOUSE COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY AMENDMENTS TO SB 217

1. Amend the title, page 1, line 8.

Following: "ADULTS;"

Insert: "AMENDING SECTION 11-2702.1, R.C.M. 1947, TO ADD SUCH HOMES TO THE DEFINITION OF A COMMUNITY RESIDENTIAL FACILITY;"

2. Amend page 2, section 4, line 24.

Following: "shall"

Insert: "provide for the safety and comfort of the residents, and shall"

3. Amend page 3, following line 6.

Insert: a new section 6 as follows and renumber the subsequent section:

"Section 6. Section 11-2702.1, R.C.M. 1947, is amended to read as follows:

"11-2702.1 Community residential facility--defined. "Community residential facility" means (1) a group, foster, or other home specifically provided as a place of residence for developmentally disabled or handicapped persons who do not require nursing care, or (2) a district youth guidance home established pursuant to section 10-1103, or (3) a halfway house operated in accordance with regulations of the department of health and environmental sciences for the rehabilitation of alcoholics or drug dependent persons, or (4) a licensed adult foster family care home."

SENATE BILL NO. 217

INTRODUCED BY NORMAN

(BY REQUEST, DEPARTMENT OF SOCIAL & REHABILITATION SERVICES)

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO LICENSE AND SUPERVISE ADULT FOSTER FAMILY CARE HOMES FOR THREE OR FEWER AGED PERSONS OR DISABLED ADULTS; AMENDING SECTION 11-2702.1, R.C.M. 1947, TO ADD SUCH HOMES TO THE DEFINITION OF A COMMUNITY RESIDENTIAL FACILITY; AND PROVIDE A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Short title. This act may be cited as the "Adult Foster Family Care Act".

Section 2. Definitions. As used in this act:

(1) "Department" means the department of social and rehabilitation services.

(2) "Adult foster family care homes" means private homes owned by one or more persons over the age of eighteen (18) which offer light personal care or custodial care to aged persons or disabled adults who are not related to the owner by blood or marriage.

(3) "Aged person" means a person defined by the department as aged.

(4) "Disabled adult" means a person over the age of eighteen (18) defined by the department as disabled.

(5) "Light personal care" means assisting the aged person or disabled adult in accomplishing such personal hygiene tasks as bathing, dressing, hair grooming, and supervision of prescriptive medicine administration but not administration of prescriptive medications.

(6) "Custodial care" means providing a sheltered family type setting for an aged person or disabled adult so as to provide for their basic needs of food, shelter and having a specific person available to help them meet their basic needs.

(7) "Skilled nursing care" means twenty-four (24) hour care supervised by a registered nurse or a licensed practical nurse under orders of an attending physician.

Section 3. PURPOSE. In order to ensure the proper care of aged persons or disabled adults in foster family care homes AND TO IMPLEMENT PROVISIONS OF FEDERAL LAW IN TITLE XX, SOCIAL SERVICE AMENDMENTS OF 1974, the legislature authorizes the department to MAY obtain, license, and supervise adult foster family care homes for three (3) or fewer aged persons or disabled adults in need of such care.

Section 4. STANDARDS. The department is-authorized-by this-act-to MAY establish standards by which private residences may be licensed as adult foster family care

1 homes. These standards shall PROVIDE FOR THE SAFETY AND
 2 COMFORT OF THE RESIDENTS, AND SHALL be subject to the advice
 3 and recommendations of the department of health and
 4 environmental sciences, in relation to fire and safety
 5 requirements.

6 Section 5. LIMITATION ON CARE OFFERED. The type of
 7 care offered by adult foster family care homes for the
 8 purposes of this act is light personal care or custodial
 9 care and does not include skilled nursing care.

10 SECTION 6. SECTION 11-2702.1, R.C.M. 1947, IS AMENDED
 11 TO READ AS FOLLOWS:

12 "11-2702.1. Community residential facility -- defined.
 13 "Community residential facility" means (1) a group, foster,
 14 or other home specifically provided as a place of residence
 15 for developmentally disabled or handicapped persons who do
 16 not require nursing care, or (2) a district youth guidance
 17 home established pursuant to section 10-1103, or (3) a
 18 halfway house operated in accordance with regulations of the
 19 department of health and environmental sciences for the
 20 rehabilitation of alcoholics or drug dependent persons, or
 21 (4) a licensed adult foster family care home."

22 Section 7. ~~This act will become effective--October--17~~
 23 ~~1975.--Enactment--with--this--effective--date--will--serve--to~~
 24 ~~implement--provisions--stipulated--in--the--federal--government's~~
 25 ~~"Title--XX--Social--Service--Amendments--of--1974"~~, EFFECTIVE

1 DATE. THIS ACT IS EFFECTIVE OCTOBER 1, 1975.

-End-