

House Research Act Summary

CHAPTER: 4

SESSION: 2001 Regular Session

TOPIC: Adult Foster Care and Family Adult Day Care License Capacity

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Overview

This act modifies the adult foster care license capacity requirements by lowering the age requirement for persons in care from age 60 or over to age 55 or over, and establishes the conditions under which the commissioner of human services may grant variances to adult foster care license capacity requirements to allow a provider to serve an individual under age 55. The act also modifies the adult foster care licensing requirements by lowering the age requirement for adults in day care from age 60 or over to age 55 or over, and establishes the conditions under which the commissioner may grant variances to the license capacity requirements to allow a provider to serve up to seven individuals in family adult day care.

- 1 **Adult foster care license capacity.** Amends § 245A.11, subd. 2a. Modifies adult foster care license capacity requirements that permit a provider to care for five persons by lowering the age limit of persons in care from age 60 or over to age 55 or over. Allows the commissioner to grant variances to adult foster care providers to admit an individual under the age of 55. Provides that the commissioner may grant a variance if the variance complies with section 245A.04, subdivision 9 (which establishes general criteria that must be met for the commissioner to grant variances to licensed programs), and the county in which the foster care provider is located recommends approval of the variance.
- 2 **Adult foster care; family adult day care.** Amends § 245A.11, subd. 2b. Modifies adult foster care licensing requirements that permit an adult foster care provider to also provide family adult day care by lowering the age limit of persons in day care from age 60 or over to age 55 or over. Allows the commissioner to grant variances to providers to admit up to seven individuals for day care services. Provides that the commissioner may grant a variance if: (1) the variance complies with section 245A.09, subdivision 9; (2) a second caregiver is present whenever six or more clients are being served; and (3) the county in which the provider is located recommends approval of the variance.

3 **Effective date.** Makes sections 1 and 2 effective the day following final enactment.