

House Research Act Summary

CHAPTER: 327

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TOPIC: Human Services Licensing

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Overview

This act makes technical and substantive changes to laws relating to DHS licensing.

Section

- 1 **Exclusion from licensure.** Technical correction.
- 2 **Excluded housing with services programs; right to seek licensure.** Permits certain adult foster care providers who are not required to be licensed by DHS to seek licensure anyway. The law exempting them from licensure was originally adopted to avoid dual DHS and MDH licensure. However, in order to avoid a decrease in certain funding, the providers are required to maintain a DHS license. This permits them to do so.
- 3 **Background study of the applicant; definitions.** Provides that tribal organizations performing licensing functions (such as licensing foster parents) have the same access to criminal history data as counties.
- 4 **Reconsideration of disqualification.** Adds gross misdemeanor offenses related to prostitution to the list of crimes requiring at least a ten year disqualification for family day care or foster care licenses. Provides that a gross misdemeanor offense related to neglect or endangerment of a child also requires at least a ten year disqualification. Provides that a felony level offense for either crime requires a lifetime disqualification. The changes in this section and section 5 are needed to comply with federal requirements.
- 5 **Disqualification.** Adds felony child endangerment or neglect and felony prostitution to the list of offenses requiring lifetime disqualification from positions allowing direct patient contact at facilities for which DHS conducts background checks. Removes those offenses from the 15 year disqualification list.
- 6 **Instruction to revisor.** Technical instruction to the revisor.
- 7 **Effective date.** Provides an immediate effective date.

