

**Michigan Office of Administrative Hearings and Rules**  
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE  
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

**1. Agency Information**

**Agency name:**

Licensing and Regulatory Affairs

**Division/Bureau/Office:**

Bureau of Community and Health Systems

**Name of person completing this form:**

Tammy Bagby

**Phone number of person completing this form:**

517-243-9351

**E-mail of person completing this form:**

BagbyT@michigan.gov

**Name of Department Regulatory Affairs Officer reviewing this form:**

Elizabeth Arasim

**2. Rule Set Information**

**MOAHR assigned rule set number:**

2023-71 LR

**Title of proposed rule set:**

Licensing Adult Foster Care Facilities

**3. Purpose for the proposed rules and background:**

There are six rule sets for licensing adult foster care facilities. Although most of them have undergone periodic review and revision, it has been too long since a comprehensive review and revision was done to ensure they comport with current practice standards, to harmonize them with current law and regulations, and to reflect the current organization of state licensing functions. There is a significant amount of duplication between rule sets. The purpose of promulgating a single new rule set for adult foster care facilities is to better protect the health, safety, and welfare of individuals receiving care and services. The new rule set will: Focus on core principles and standards of adult foster care licensing; fulfill statutory requirements; comport with current practice standards; and be free of redundant, obsolete, or unnecessary language. The new rule set will replace the following six rule sets, which will be rescinded:

1. Adult Foster Care Family Homes – R. 400.1401 – 400.1442

2. Adult Foster Care Congregate Facilities (21 or more) – R. 400.2401 – 400.2475

3. Adult Foster Care Large Group Homes (13-20)- R. 400.15101 – 400.15411

4. Adult Foster Care Small Group Homes (12 or less) – R. 400.14101 – 400.14601

5. Certification of Specialized Programs – R. 330.180 – 330.1809

6. Fire Safety Rules for Adult Foster Care Family and Small Group Homes (6 or less)– R. 400.2201 – 400.2376

**4. Summary of proposed rules:**

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This new single set of administrative rules, Licensing Adult Foster Care Facilities, replaces six individual rule sets for the licensing of adult foster care (AFC) facilities. The proposed rules set comports with today’s practice standards, eliminates outdated rules, creates uniformed standards for all licensed providers, as well as specific standards for various Adult Foster Care provider types when applicable and maintains a safe environment to protect the health safety and welfare of the residents residing in these facilities.

**5. List names of newspapers in which the notice of public hearing was published and publication dates:**

- 6/12/25 Marquette Mining Journal
- 6/17/25 Grand Rapids Press
- 6/19/25 Flint Journal

**6. Date of publication of rules and notice of public hearing in Michigan Register:**

7/1/2025

**7. Date, time, and location of public hearing:**

7/8/2025 01:00 PM at G. Mennen Williams Building , 1st Floor Auditorium, 525 W. Ottawa Street Lansing, MI 48933

**8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:**

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1498>

**9. List of the name and title of agency representative(s) who attended the public hearing:**

Jay Calewarts, Division Director, Adult Foster Care Licensing, Bureau of Community and Health Systems

Tammy Bagby, Manager, Bureau of Community and Health Systems, LARA

**10. Persons submitting comments of support:**

No comments of support submitted.

**11. Persons submitting comments of opposition:**

No comments of opposition submitted.

**12. Persons submitting other comments:**

No other comments submitted.

**13. Identify any changes made to the proposed rules based on comments received during the public comment period:**

	<b>Name &amp; Organization</b>	<b>Comments made at public hearing</b>	<b>Written Comments</b>	<b>Agency Rationale for Rule Change and Description of Change(s) Made</b>	<b>Rule number &amp; citation changed</b>
1					

**14.Date report completed:**

9/2/2025