



Assisted Living Issues Document

Forces Driving Defining and/or Regulating Assisted Living Settings:

- Local governments enacting ordinances to regulate who is responsible for resident lift assistance
 - Fines for using municipal resources based on the setting and available resources
 - Growing concern with fire departments on some exempt HFA physical plants
 - HCAM met with Michigan Municipal League (MML) on this issue
- 2023 OAG report titled “Licensing and Inspections of Homes for the Aged”
 - Findings include “HFA exemption statute may need to be clarified and/or strengthened”
 - “BCHS determined it had authority to investigate only 3 (0.8%) of the 389 complaints related to exempt HFAs received from October 1, 2018 through June 30, 2022. For comparison purposes, BCHS investigate 1,711 (84.2%) of the 2,032 complaints it received during the same time period for licensed HFAs. Increasing the level of responsibility in relation to approving exempt status and investigating complaints could help reduce the risk of potential neglect, abuse, and exploitation for a vulnerable and expanding segment of Michigan’s population.”
- Attorney General (AG) Elder Abuse Task Force (EATF)
 - Looking at non licensed settings and how oversight can be provided
- HB 4841
 - Increasing regulations on Adult Foster Care (AFC) communities
- National Attention
 - Heightened scrutiny from national media outlets - The Washington Post
 - Congressional oversight hearings
 - Senate Special Committee on Aging
- Member concerns
- Interest from Licensing and Regulatory Affairs (LARA)

Paths to Address Concerns/Potential Policy Changes:

- Enactment of HB 4841
- Legislation to address exempt HFAs
- Legislation to define “Assisted Living”
- Review other state Assisted Living definitions
- Define and combine into one act