

III. Enforcement Procedures for Facilities for Supplemental Security Income Recipients

1. Enforcement Procedures for Adult Care Homes with 7 or more beds, and Family Care Homes.

The purpose of the licensure of adult care homes is to guarantee that minimum rules are met in order to provide residents the services and protection needed for their individual health and safety. Compliance is monitored through annual inspections, complaint investigations and routine monitoring. The homes must maintain compliance on a continuous basis. When a home is found to be out of compliance with the governing rules, a continuum of negative actions may be applied singly or in combination as provided by relevant legislation. The negative actions which may be applied are:

- 1) Imposition of Administrative Penalties,
- 2) Suspension of New Admissions,
- 3) Licensure Downgrade to a Provisional License,
- 4) Licensure Revocation, and
- 5) Summary Suspension of Licensure.

2, 4, & 5 Enforcement Procedures for Specialized Community Residential Centers for Individuals with Developmental Disabilities, Residential Treatment Programs for the Emotionally Disturbed (excluding state institutions), and Supervised Living for Individuals of All Disability Groups

The Department of Health and Human Services Division of Health Service Regulation inspects all residential facilities on an annual basis, and conducts complaint investigations and follow up surveys as it deems necessary to determine compliance with quality of care and physical plant rules and regulations. If a facility is found to be out of compliance with governing rules, the Division may impose one or more of the following licensing actions:

- 1) Imposition of Administrative Penalties
- 2) Suspension of Admission
- 3) Licensure Revocation
- 4) Summary Suspension of Licensure
- 5) Provisional License issuance.

3. Enforcement Procedures for Non-Medical Facilities that Provide Full-Time Care to Dependent, Neglected, Abandoned, Destitute, Orphaned, or Delinquent Children

The categories of residential child care programs covered by the standards and enforcement procedures in this section include: 1) foster homes, 2) group homes, and 3) child caring institutions. The Department of Health and Human Services, Division of Social Services issues licenses for these facilities and requires licenses to be renewed biennially for foster homes, group homes and child caring institutions. At the time a license is requested a study is done on the home/institution to assure compliance with the minimum standards. If the standards are not met a license is not issued. If at anytime during a licensure period a facility fails to continue complying with licensing standards the Division of Social Services may impose one or more of the following negative licensing actions:

- 1) Provisional License Issuance
- 2) Licensure Revocation
- 3) Summary Suspension of Licensure.