HOUSE COMMITTEE OF REFERENCE REPORT

_____   April 17, 2018_____

Chairman of Committee   Date

Committee on <u>Public Health Care & Human Services</u>.

After consideration on the merits, the Committee recommends the following:

<u>HB18-1376</u>   be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation:

1   Amend printed bill, page 2, strike line 3 and substitute "(18.5), (18.6),
2   (18.7), (22.7), and (22.8) as follows:".

3   Page 2, after line 5 insert:
4   "(18.5) "HOST HOME" HAS THE SAME MEANING AS SET FORTH IN
5   SECTION 13-21-117.5 (2).
6   (18.6) "HOST HOME PROVIDER" MEANS AN INDIVIDUAL OR
7   INDIVIDUALS PROVIDING RESIDENTIAL SERVICES AND SUPPORTS, AS
8   DESCRIBED IN SECTION 25.5-10-206 (1)(e), IN HIS OR HER HOME TO UP TO
9   THREE PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES
10   WHO ARE NOT FAMILY MEMBERS, AS DEFINED IN SUBSECTION (16) OF THIS
11   SECTION, AND PROVIDES THOSE SERVICES AS AN INDEPENDENT
12   CONTRACTOR OF A COMMUNITY-CENTERED BOARD OR SERVICE AGENCY.".

13   Page 2, line 11, strike "PERSON WHO" and substitute "HOST HOME
14   PROVIDER, FAMILY CAREGIVER, OR SERVICE AGENCY THAT".

15   Page 2, strike line 12 and substitute "SUPPORTS IN AN INDIVIDUAL
16   RESIDENTIAL SERVICES AND SUPPORTS RESIDENCE TO THREE OR".

17   Page 2, strike lines 14 and 15.

18   Reletter succeeding paragraphs accordingly.

1   Page 2, line 18, strike "WAIVERS".

2   Page 2, after line 20 add:
3   "(22.8)   "INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
4   RESIDENCE" MEANS A PRIVATE RESIDENCE THAT HOUSES UP TO THREE
5   INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES
6   AND WHOSE OWNER OR RENTER PROVIDES RESIDENTIAL SERVICES AND
7   SUPPORTS AS DESCRIBED IN SECTION 25.5-10-206 (1)(e), AS A SERVICE
8   AGENCY, HOST HOME PROVIDER, OR FAMILY CAREGIVER.".

9   Page 3, line 3, strike "IN".

10 Page 3, strike line 4.

11 Page 3, line 5, strike "LOCAL AFFAIRS,".

12 Page 3, strike lines 11 through 19 and substitute:
13   "(2) (a)   PRIOR TO BEGINNING OPERATIONS, A HOST HOME
14 PROVIDER SHALL NOTIFY THE STATE DEPARTMENT OF HIS OR HER INTENT
15 TO PROVIDE RESIDENTIAL SERVICES AND SUPPORTS IN THE MANNER
16 SPECIFIED BY THE STATE DEPARTMENT. A HOST HOME PROVIDER SHALL
17 NOT BEGIN PROVIDING RESIDENTIAL SERVICES AND SUPPORTS UNTIL SUCH
18 PROVIDER HAS NOTIFIED THE STATE DEPARTMENT PURSUANT TO THIS
19 SUBSECTION (2).
20   (b) THE HOST HOME".

21 Page 3, line 20, strike "RESIDENCE".

22 Page 3, strike lines 26 and 27 and substitute "MUST INCLUDE A
23 REQUIREMENT FOR COMPLIANCE WITH HOUSING QUALITY".

24 Page 4, line 2, strike "ALARMS;" and substitute "ALARMS.".

25 Page 4, strike lines 3 through 10.

26 Page 4, line 20, strike "WAIVER PARTICIPANTS OR".

27 Page 4, strike lines 21 and 22 and substitute "INDIVIDUALS WITH
28 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WHO RECEIVE
29 RESIDENTIAL SERVICES AND SUPPORTS, AS DESCRIBED IN SECTION
30 25.5-10-206 (1)(e), AND THEIR FAMILY MEMBERS, CASE MANAGEMENT

1 AGENCIES, COMMUNITY-CENTERED BOARDS, AND SERVICE AGENCIES. THE
2 RULES MUST INCLUDE:".

3 Page 4, line 23, strike "LIFE, AND FIRE" and substitute "WELFARE, AND".

4 Page 4, line 25 and 26, strike "RESIDENCE, INCLUDING IN THE EVENT THE
5 RESIDENCE CLOSES." and substitute "RESIDENCE.".

6 Page 4, line 27, strike "AN INDIVIDUAL RESIDENTIAL".

7 Page 5, strike lines 1 through 21 and substitute "A HOST HOME HOUSES A
8 PERSON WHO NEEDS ASSISTANCE TO SELF-EVACUATE IN THE CASE OF AN
9 EMERGENCY, AS DEFINED IN SUBSECTION (3)(c) OF THIS SECTION, THE
10 HOST HOME PROVIDER SHALL NOTIFY THE LOCAL FIRE JURISDICTION OF THE
11 ADDRESS AND LOCATION OF ANY ROOM WHERE SUCH A PERSON SLEEPS;
12   (B) A REQUIREMENT THAT THE DIVISION OF HOUSING OF THE
13 DEPARTMENT OF LOCAL AFFAIRS CONDUCT AN ON-SITE SURVEY OF HOST
14 HOMES TO ENSURE COMPLIANCE WITH THE MINIMUM HOUSING QUALITY
15 STANDARDS EVERY TWO YEARS;
16   (C) A REQUIREMENT THAT HOST HOMES THAT BEGIN OPERATIONS
17 AFTER THE EFFECTIVE DATE OF RULES PROMULGATED PURSUANT TO THIS
18 SUBSECTION (3)(b) HAVE SIXTY DAYS FROM THE DATE AN INDIVIDUAL
19 WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES MOVES INTO THE
20 HOST HOME TO REQUEST AN ON-SITE SURVEY REQUIRED BY THIS
21 SUBSECTION (3)(b)(I)(C);
22   (D) A REQUIREMENT THAT HOST HOMES THAT ARE IN OPERATION
23 ON THE EFFECTIVE DATE OF RULES PROMULGATED PURSUANT TO THIS
24 SUBSECTION (3)(b) HAVE ONE YEAR FROM SUCH EFFECTIVE DATE TO
25 REQUEST AN ON-SITE SURVEY REQUIRED BY SUBSECTION (3)(b)(I)(C) OF
26 THIS SECTION;
27   (E) A REQUIREMENT THAT THE DIVISION OF HOUSING OF THE
28 DEPARTMENT OF LOCAL AFFAIRS HAS SIXTY DAYS OR LESS FROM THE DATE
29 OF REQUEST TO CONDUCT AN ON-SITE SURVEY REQUIRED BY SUBSECTION
30 (3)(b)(I)(C) OF THIS SECTION;
31   (F) A REQUIREMENT THAT A HOST HOME MAY CONTINUE TO
32 OPERATE WHILE AWAITING THE COMPLETION OF THE ON-SITE SURVEY
33 REQUIRED BY SUBSECTION (3)(b)(I)(C) OF THIS SECTION;
34   (G) A REQUIREMENT THAT IF A HOST HOME PROVIDER REFUSES A
35 FIRE INSPECTION REQUEST IN BETWEEN A NORMALLY SCHEDULED ON-SITE
36 SURVEY, THE STATE DEPARTMENT SHALL ARBITRATE THE DISPUTE; AND
37   (H) A PROVISION THAT A HOST HOME IS NOT REQUIRED TO

1 COMPLETE AN ON-SITE SURVEY REQUIRED BY SUBSECTION (3)(b)(I)(C) OF
2 THIS SECTION MORE FREQUENTLY THAN EVERY TWO YEARS, REGARDLESS
3 OF WHO RESIDES IN THE HOST HOME.
4   (II) THE STATE DEPARTMENT SHALL DETERMINE, BY RULE, OTHER
5 STANDARDS FOR INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
6 PROVIDERS AND RESIDENCES. INSPECTIONS MADE PURSUANT TO THIS
7 SUBSECTION (3)(b)(II) MUST INCLUDE CERTIFICATION OF COMPLIANCE
8 WITH FUNCTIONING SMOKE DETECTORS AND UNBLOCKED EGRESS FOR
9 INDIVIDUALS WITH DISABILITIES.".

10 Renumber succeeding subparagraphs accordingly.

11 Page 6, line 4, strike "EVACUATE" and substitute "SELF-EVACUATE" and
12 strike "WHO" and substitute "WHO, DUE TO HIS OR HER DISABILITY AND
13 BASED ON AN INDIVIDUAL ASSESSMENT,".

14 Page 6, lines 5 and 6, strike "SELF-EVACUATE, INCLUDING AN INDIVIDUAL
15 WHO:" and substitute "SELF-EVACUATE THE RESIDENCE WITHOUT
16 ASSISTANCE FROM ANOTHER PERSON.".

17 Page 6, strike lines 7 through 10.

** *** ** *** **