

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1526

S.P. 475

In Senate, April 9, 2019

An Act To Increase the Availability of Foster Homes

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator KEIM of Oxford.

Cosponsored by Senators: CHENETTE of York, DAVIS of Piscataquis, LIBBY of Androscoggin, TIMBERLAKE of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §8103, sub-§1-A,** as enacted by PL 2003, c. 411, §1, is
3 amended to read:

4 **1-A. Inspection required.** Except as provided in subsection ~~2~~ 2-A, the department
5 may not issue a license to operate to a children's home until the department has received
6 from the Commissioner of Public Safety a written statement signed by one of the officials
7 designated under Title 25, section 2360, 2391 or 2392 to make fire safety inspections.
8 This statement must indicate that the children's home has complied with applicable fire
9 safety provisions referred to in Title 25, section 2452.

10 **Sec. 2. 22 MRSA §8103, sub-§2,** as amended by PL 2003, c. 411, §1, is repealed.

11 **Sec. 3. 22 MRSA §8103, sub-§2-A** is enacted to read:

12 **2-A. Family foster homes.** Family foster homes are exempt from the inspection
13 requirement in subsection 1-A. The department shall inspect a family foster home prior
14 to placing a foster child in the home. The department shall adopt routine technical rules
15 as defined in Title 5, chapter 375, subchapter 2-A governing the fire and safety inspection
16 of family foster homes.

17 **SUMMARY**

18 This bill eliminates the requirement that the State Fire Marshal inspect a family foster
19 home and certify that it meets all elements of the fire safety code before the Department
20 of Health and Human Services may issue a license to operate as a family foster home.
21 The bill moves the inspection responsibility to the Department of Health and Human
22 Services, which is directed to adopt rules governing the method of inspection.