



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1494

H.P. 1027

House of Representatives, April 20, 2017

An Act To Increase the Availability of Foster Homes

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

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative SANDERSON of Chelsea. (GOVERNOR'S BILL)

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

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

11 **2-A. Family foster homes.** Family foster homes are exempt from the inspection
12 requirement in subsection 1-A. The department shall inspect a family foster home prior
13 to placing a foster child in the home. The department shall adopt routine technical rules
14 as defined in Title 5, chapter 375, subchapter 2-A governing the fire and safety inspection
15 of family foster homes.

16 **SUMMARY**

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