

**FIFTY-THIRD LEGISLATURE
FIRST SESSION, 2017**

February 10, 2017

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

HOUSE BILL 85

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 2, between lines 10 and 11, insert the following new subsection:

"C. "assisted living facility" means any facility that is operated for the maintenance or care of two or more adults who need or desire assistance with one or more activities of daily living; provided that "assisted living facility" does not mean a residence of an individual who maintains or cares for a maximum of two other individuals who are related as the husband, wife, significant other, mother, father, son, daughter, brother, sister, brother-in-law, sister-in-law, father-in-law, mother-in-law, grandfather, grandmother, half-brother or half-sister to the individual providing maintenance or care;"

2. Reletter the succeeding subsections accordingly.

3. On page 2, line 16, after "services", strike the remainder of the line and strike line 17 up to the semicolon.

4. On page 3, line 18, before "board", insert "assisted living facility,".

5. On page 5, line 7, after the dash, strike the remainder of the line, strike lines 8 through 25 in their entirety and on page 6, strike lines 1 through 21 in their entirety and insert in lieu thereof the following:

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"A. The department shall license any board and care facility that:

(1) is registered by its owner or operator with the department by providing the owner or operator's name, the number of residents, the address of the facility and an indication as to whether the facility provides assistance with self-medication; and

(2) provides proof that it holds a valid custodial drug permit from the board of pharmacy if the board and care facility provides assistance with self-medication.

B. By July 1, 2018, the department shall adopt and promulgate rules establishing board and care facility standards that local governments that opt to regulate board and care facilities shall adopt.""

6. On page 7, line 1, strike the colon, strike lines 2 through 15 in their entirety and insert in lieu thereof:

"elect to regulate board and care facilities in its jurisdiction and, if it elects to regulate board and care facilities, it shall adopt the board and care facility standards that the department has established by rule pursuant to Section 2 of this 2017 act."

7. On page 8, line 15, after "the", insert "secretary of health and the".

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8. On page 20, line 14, after "services", strike the remainder of the line and strike line 15 up to the semicolon.

Respectfully submitted,

Gail Chasey, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 13 For 0 Against

Yes: 13

No: 0

Excused: None

Absent: None