

ENROLLED ACT NO. 80, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING  
2015 GENERAL SESSION

AN ACT relating to the Long Term Care Choices Act; amending criteria for licensing of adult foster care pilot projects; conforming definitions; amending criteria for the adult foster care pilot program; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 35-2-901(a)(xxiv), 42-6-102(a)(ii) and 42-6-105(a)(vi), (c) and (d) are amended to read:

**35-2-901. Definitions; applicability of provisions.**

(a) As used in this act:

(xxiv) "Adult foster care home" means a home where care is provided for up to five (5) adults who are not related to the provider by blood, marriage or adoption, except in special circumstances, in need of long term care in a home like atmosphere. ~~Clients in the home shall have private rooms which may be shared with spouses and shall have individual handicapped accessible bathrooms.~~ "Adult foster care home" does not include any residential facility otherwise licensed or funded by the state of Wyoming. The homes shall be regulated in accordance with this act and with the Wyoming Long Term Care Choices Act, which shall govern in case of conflict with this act;

**42-6-102. Definitions.**

(a) As used in this act:

(ii) "Adult foster care home" means any family home or facility in which residential care is provided in a homelike environment for five (5) or fewer adults who are

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not related to the provider by blood, marriage or adoption, except in special circumstances. "Adult foster care home" does not include any residential facility otherwise licensed or funded by the state of Wyoming. The homes shall be regulated in accordance with W.S. 35-2-901 through 35-2-912 and this act which shall govern in case of conflict;

**42-6-105. Adult foster care homes; licensure; suspension or revocation.**

(a) The department may initiate and license an adult foster care pilot project subject to the following:

(vi) The pilot program shall consist of no more than ~~five (5)~~ ten (10) adult care foster homes. At least three (3) of the homes shall be in counties with a population of thirty thousand (30,000) or less.

(c) If, in the professional judgment of the state health officer, there is a clear and present threat to the health or safety of a resident client, the state health officer may close an adult care foster home and transfer the residents to another place. The department shall also initiate proceedings pursuant to subsection (b) of this section within three (3) working days.

(d) The department shall complete a criminal records check on any individual employed by adult foster care homes and on any individual, other than a resident client or a resident client's spouse, who at the time of licensure is expected to live in the adult foster care home or who, after licensure, lives or comes to live in the adult foster care home. The department may refuse to license a facility or prohibit the individual from living in the facility if

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he has been convicted of a felony indicating he may abuse a resident or steal from a resident.

**Section 2.** W.S. 42-6-105(a)(iv) and (v) is repealed.

**Section 3.** This act is effective July 1, 2015.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk