

**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE**

**16.03.19 - RULES GOVERNING CERTIFIED FAMILY HOMES**

**DOCKET NO. 16-0319-1502 (FEE RULE)**

**NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 39-3505, and 56-1005, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 16, 2015.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The CFH program is a self-sustaining licensing and certification program. These rules are being amended to update and increase fees to cover the cost of administering the certified family homes program. The updates include:

- 1) The one-time application fee to become a CFH provider is being increased by \$25;
- 2) The monthly certification fee for the CFH providers is being increased by \$5 per month; and
- 3) A "Basic Medication Awareness" training course provided by the Department is being added for \$60.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

Fee increases are being made in this rulemaking in order to maintain this self-sustaining program for Certified Family Homes. The one-time application fee is being increased to \$175, the monthly certification fee is being increased to \$30, and a medication assistance training provided by the Department is being added for \$60.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

The CFH program is meant to be a self-sustaining program. The increases to the fees is to cover costs of certification for CFH providers. The annual certification cost is increasing from \$300 to \$360 per year for an approximate total of \$828,000 for SFY 2017. New CFH applicants which includes site survey inspection fee is increased to \$175 per application for an approximate total of \$39,900. Medication Awareness training is being offered for \$60 per new CFH providers for an approximate total of \$13,680.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the May 6, 2015, Idaho Administrative Bulletin, [Volume 15-5, page 59](#).

**INCORPORATION BY REFERENCE:** No materials are being incorporated by reference into these rules.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Karen Vasterling at (208) 239-6263.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 23, 2015.

DATED this 17th Day of August, 2015.

Tamara Prisock  
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**THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 16-0319-1502  
(Only Those Sections With Amendments Are Shown.)**

**109. APPLICATION AND CERTIFICATION FEES FOR CERTIFIED FAMILY HOMES.**

**01. Application Fee Amount.** An applicant to become a certified family home provider is required to pay to the Department at the time of application a one-time non-refundable application fee of one hundred ~~fifty~~ seventy-five (\$1~~50~~75) dollars. ~~(3-21-12)~~(    )

**02. Certification Fees.** A certified family home provider is required to pay to the Department a certification fee of ~~twenty-five~~ thirty (\$~~25~~30) dollars per month. This amount will be billed to the provider quarterly, and is due and payable within thirty (30) days of date of the invoice. Failure of the provider to pay certification fees when due may cause the Department to take enforcement action described in Section 913 of these rules. ~~(3-21-12)~~(    )

**03. Basic Medication Awareness Course Fee.** A “Basic Medication Awareness for Certified Family Homes” course is provided by the Department at a cost of sixty dollars (\$60). This course is approved to meet the medication assistance requirement in Section 100 of these rules. A certified family home provider may elect to take the Department’s course, in place of the “Assistance with Medications” course available through the Idaho Professional Technical Education Program. The fee for the Department’s “Basic Medication Awareness for Certified Family Homes” course must be paid at the time the provider or substitute caregiver takes the course. (    )