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NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

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TITLE 473 SOCIAL SERVICES FOR THE AGED AND DISABLED

CHAPTER 5 ADULT FAMILY HOMES

001. INTRODUCTION TO ADULT FAMILY HOMES. This section contains material which relates to:

- (A) Recruitment, evaluation, and approval of adult family homes; and
- (B) Providing case management services for all adult family home guests.

001.01 DEFINITIONS. The following definitions apply:

001.01(A) ADULT FAMILY HOME. An adult family home is a residential living unit certified by the Department to provide full-time residence and minimal supervision and guidance to not more than three guests age 19 or older. Service includes room and board with meals, standard furnishings, equipment, household supplies, laundry service, and facilities to ensure client comfort.

001.01(B) ADULT FAMILY HOME GUEST. An adult family home guest is a resident, age 19 or older, whose needs are most appropriately met in an adult family home.

001.01(C) ADULT FAMILY HOME SPONSOR. An adult family home sponsor is an adult, age 19 or older, who manages and provides caretaker responsibilities in an adult family home. The sponsor accepts responsibility for maintaining the facility and meeting the needs of the guests.

001.01(D) SUPERVISION. Each sponsor defines supervision for his or her home by indicating acceptable guest conditions on the adult family home application.

001.02 SELF-ADMINISTRATION OF MEDICATION. An adult who requires an occasional reminder to take medications is appropriate for adult family home care.

001.03 COMPLAINTS OF SUSPECTED ABUSE OR NEGLECT OCCURRING IN ADULT FAMILY HOMES. All complaints of adult abuse or neglect occurring in an adult family home must be reported.

001.04 ADULT FAMILY HOME SPONSOR RESPONSIBILITIES. Each adult family home sponsor must:

- (A) Accept guests only through the direction of, or in cooperation with, local service unit staff;

- (B) Comply with the provisions of Title VI of the Civil Rights Act of 1964 and its amendments;
- (C) Agree to share required information with, and follow the directions and suggestions of, agency representatives regarding the guest's functioning;
- (D) Allow agency staff to visit the adult family home at any reasonable time;
- (E) Arrange for substitute supervision in the home, like when the sponsor is absent because of illness or a death in the family. The sponsor shall notify and receive prior approval from the local unit before arranging substitute supervision. The sponsor shall accept responsibility for reimbursing any substitute care provided;
- (F) Arrange for guest's access to the home in the event of a guest's illness;
- (G) Maintain a record of important information about each guest including the name and telephone number of the guest's doctor, clinic, hospital and pharmacy preference, and the guest's medication schedule;
- (H) Report any changes in the sponsor's address, family members, telephone number or number of guests to the Department's resource development coordinator before the change occurs;
- (I) Contact the Internal Revenue Service to determine if additional information is necessary such as whether income from adult family home care must need to be considered for tax purposes; and
- (J) Contact their insurance agent when looking for a policy to protect them from liability in the event a guest is injured.

001.05 FINANCIAL ARRANGEMENTS FOR ADULT FAMILY HOME CARE. Guests who are recipients of benefits from the Department may be paying for adult family home care with public assistance funds. These funds are unrestricted and there is no stipulation as to how the money is spent. The Department suggests that the amount be reserved for the recipient's personal needs. Therefore, the reimbursement each adult family home receives is negotiated between the sponsor and the guest, or their legal representative.

001.05(A) Sponsors may assist guests in money management, but may not act as guardians, conservators, representative payees, or have power of attorney for any of their guests, unless related to the guest.

001.06 ANNUAL CERTIFICATION. Adult family homes are re-evaluated annually and before the expiration of the certification. Another medical examination may be required if it is determined to be necessary during the re-evaluation.

001.07 CHANGE OF ADULT FAMILY HOME ADDRESS. When an adult family home sponsor changes his or her address, an evaluation of the new home is required. The evaluation must be completed before the move, or within five days after the move, to continue the sponsor's certification.

001.08 INCREASE IN THE NUMBER OF GUESTS. When an adult family home sponsor wants to increase the number of guests for whom they are certified, an evaluation of the sponsor's ability to handle additional guests, and whether there is adequate space available in the home, is completed.

001.09 TERMINATION OF APPROVAL. When an adult family home sponsor, or home, is in violation of adult family home regulations, the adult family home sponsor is allowed the opportunity to correct the violation within a reasonable time, not to exceed 30 days. If the violation has not been corrected within that time, the adult family home certificate is terminated.

001.10 STANDARDS FOR ADULT FAMILY HOME APPROVAL. Adult family homes and sponsors must meet the following standards:

001.10(A) ADULT FAMILY HOME SPONSORS. All adult family home sponsors must:

- (i) Be physically and mentally capable of assuming the responsibilities and functions involved in adult family care;
- (ii) Be capable of exercising good judgment in supervising adults and in cooperating with the local service office;
- (iii) Conform with all local, state, and federal fire, sanitation, and zoning standards;
- (iv) Arrange for any inspection required by the resource developer;
- (v) Accept responsibility and potential liability for guest safety and property security; and,
- (vi) Not have engaged in, or have an ongoing history of, criminal activity that is harmful or may endanger individuals for whom they provide an adult family home living arrangement. This also applies to other adult household members, and must include a substantiated listing as a perpetrator on the child and adult Central Registries of abuse and neglect.

001.10(B) ADULT FAMILY HOME ENVIRONMENTAL REQUIREMENTS. The following list applies to the environmental requirements for adult family homes:

001.10(B)(i) BEDROOMS. The adult family home sponsor must furnish each guest with a private or semi-private bedroom having:

- (1) A minimum of 80 square feet per occupant in a single room;
- (2) A minimum of 60 square feet per occupant in a double room;
- (3) A single or double bed for each guest with a mattress and box spring in good condition;
- (4) At least three feet between beds at all points;
- (5) Adequate and convenient room, closet, and drawer space and clean, adequate bedding that must be changed at least weekly;
- (6) Adequate provision for the guest's privacy. Guests of opposite sexes must not be required to share a bedroom; and
- (7) A first floor location for any guest when another location might be unsafe.

001.10(B)(ii) BATHROOMS. Bath, lavatory, and toilet facilities are required to be easily accessible and available to residents. Adequate amounts of bar soap, toilet tissue, and facial tissue must be provided.

001.10(B)(iii) COMMON AREAS. A well-lighted, well-ventilated, and heated living room is required to be available for the use of guests and their visitors for social and recreational purposes.

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001.10(C) FIRE SAFETY REQUIREMENTS. All homes must meet existing state and local fire prevention standards. The adult family home sponsor must ensure that the adult family home is in sufficient repair so there is no fire hazard. Smoke detection devices, in good working order, are required.

001.10(C)(i) FIRE EVACUATION PLAN. Adult family home sponsors must develop a written fire evacuation plan which is routinely explained to and practiced with the guests. If the basement has no outdoor exit, the guests' physical limitations and the sponsor's evacuation plan must be evaluated before approving the home. A fire inspection to determine the appropriateness of having basement bedrooms for guests' use is required.

001.10(D) SANITATION REQUIREMENTS. Adult family home sponsors must carry out accepted sanitation practices, provide necessary household cleaning supplies, and meet state and local health standards.

001.10(E) MEAL PREPARATION. The adult family home sponsor must observe adequate nutrition standards and food handling sanitation practices in preparing and serving meals, with three meals a day being available for guests.

001.10(F) LAUNDRY FACILITIES. Adult family home sponsors must provide laundry services for their guests, using either facilities in the home or commercial laundry facilities. The sponsor is not responsible for dry cleaning costs.