

Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: SB 937 S1

Patron: Craig

Bill Title: Administrative Process Act; issuance of provisional licenses, exemption from appeal

Bill Summary: The substitute bill provides that the issuance of a provisional license to an assisted living facility or adult day center would not be considered a case decision of the Commissioner and would not be subject to judicial review under the provisions of the Administrative Process Act.

Budget Amendment Necessary: No

Items Impacted: None

Fiscal Summary: The bill is expected to have minimal fiscal impact on impacted agencies.

Fiscal Analysis: DSS issues a provisional license when the licensee is temporarily unable to substantially comply with the law and regulations. Provisional licenses are issued for up to one year, and the licensee can request a regular license if the facility has demonstrated compliance with all regulations prior to expiration. When the Commissioner refuses to issue a license, renew a license, or revokes a license for an assisted living facility, adult day center or child welfare agency, the facility has the right to appeal. Appeals of a provisional license can take years to resolve. Passage of this legislation will clarify that the issuance of a provisional license is not subject to appeal. DSS does not have staff dedicated to appeals of provisional licenses. Any cost savings to DSS of not allowing appeals is minimal as no provisional licenses are currently under appeal; there is no fiscal impact to this legislation.

Other: None