

HOUSE BILL REPORT

HB 1447

As Passed Legislature

Title: An act relating to temporary management in boarding homes.

Brief Description: Providing for temporary management in boarding homes.

Sponsors: By Representative Morrell.

Brief History:

Committee Activity:

Health Care & Wellness: 2/7/07, 2/8/07 [DP];

Appropriations: 2/20/07, 2/26/07 [DP].

Floor Activity:

Passed House: 3/6/07, 94-0.

Passed Senate: 4/10/07, 46-0.

Passed Legislature.

Brief Summary of Bill

- Authorizes the Department of Social and Health Services (Department) to appoint a temporary manager of a boarding home when the Department suspends a boarding home license due to situations where the health, safety, or welfare of residents is at immediate risk.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 13 members: Representatives Cody, Chair; Morrell, Vice Chair; Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Barlow, Campbell, Condotta, Curtis, Green, Moeller, Pedersen, Schual-Berke and Seaquist.

Staff: Dave Knutson (786-7146).

HOUSE COMMITTEE ON APPROPRIATIONS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass. Signed by 34 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Cody, Conway, Darneille, Dunn, Ericks, Fromhold, Grant, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Kretz, Linville, McDermott, McDonald, McIntire, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist, P. Sullivan and Walsh.

Staff: Bernard Dean (786-7130).

Background:

When the Department of Social and Health Services (Department) summarily suspends the license of a nursing home or an adult family home, a temporary management program may be instituted to minimize the dislocation and transfer trauma of residents while the Department and licensee pursue dispute resolution or appeal of a summary suspension of license. This option is not available when the Department summarily suspends a Board Home license.

Summary of Bill:

The Department of Social and Health Services (Department) is authorized to appoint a temporary manager of a boarding home when the Department suspends a boarding home license due to situations where the health, safety, or welfare of residents is at immediate risk. The Department is authorized to recruit, approve, and appoint qualified individuals, partnerships, corporations, and other entities interested in serving as a temporary manager of a boarding home. The Department's authority to approve and appoint temporary managers of a boarding home is discretionary and is not subject to the Administrative Procedures Act. The Department will terminate the temporary management of the boarding home after 60 days unless good cause is shown to continue the temporary management. The Department's decision to approve or revoke a temporary management arrangement is not subject to the Administrative Procedures Act. A Boarding Home Temporary Management Account (Account) is created in the custody of the State Treasurer. All civil fines related to boarding homes will be deposited in the account. Expenditures from the Account will be used to protect the health, safety, and welfare of residents in boarding homes found to be deficient.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: (Health Care & Wellness)

(In support) This tool works well for nursing homes and adult family homes. It lessens trauma for residents, and should be available when the Department needs to suspend a boarding home license.

(Concerns) Fines alone may not be sufficient to fund temporary managers of boarding homes.

(Opposed) None.

Staff Summary of Public Testimony: (Appropriations)

(In support) We have seen residents in boarding homes who have had to move abruptly within three days for their basic health and safety. This bill would allow residents to move in a much more dignified way or allow someone to come in and buy the facility. Although there is a fiscal note, it is discretionary for the DSHS to institute a temporary management program under the legislation. We have similar programs in our nursing homes and adult family homes. It would give security to all residents.

(Opposed) None.

Persons Testifying: (Health Care & Wellness) (In support) Representative Morrell, prime sponsor; and Louise Ryan, Long-Term Care Ombudsman Program.

(Concerns) Joyce Stockwell, Department of Social and Health Services.

Persons Testifying: (Appropriations) Louise Ryan, Long Term Care Ombudsman.

Persons Signed In To Testify But Not Testifying: (Health Care & Wellness) None.

Persons Signed In To Testify But Not Testifying: (Appropriations) None.