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HOUSE BILL 2152

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Dyer, Backlund, Cody, Morris, Carlson, Thompson, Costa and Murray; by request of Department of Health

Read first time 01/08/96. Referred to Committee on Health Care.

1 AN ACT Relating to registration of adult family home providers and  
2 resident managers; amending RCW 70.128.120, 18.48.010, and 18.48.020;  
3 reenacting and amending RCW 18.130.040; adding a new section to chapter  
4 18.48 RCW; and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 70.128.120 and 1995 1st sp.s. c 18 s 117 are each  
7 amended to read as follows:

8 ((An)) Each adult family home provider and each resident manager  
9 shall have the following minimum qualifications:

- 10 (1) Twenty-one years of age or older;
- 11 (2) Good moral and responsible character and reputation;
- 12 (3) Literacy;
- 13 (4) Management and administrative ability to carry out the  
14 requirements of this chapter;
- 15 (5) Satisfactory completion of department-approved initial training  
16 and continuing education training as specified by the department in  
17 rule;

1 (6) Satisfactory completion of department-approved, or equivalent,  
2 special care training before a provider may provide special care  
3 services to a resident;

4 (7) Not been convicted of any crime listed in RCW 43.43.830 and  
5 43.43.842; and

6 (8) Effective July 1, 1996, registered with the department of  
7 health.

8 **Sec. 2.** RCW 18.48.010 and 1995 c 260 s 7 are each amended to read  
9 as follows:

10 Unless the context clearly requires otherwise, the definitions in  
11 this section apply throughout this chapter.

12 (1) "Secretary" means the secretary of the department of health.

13 (2) "Adult family home" means a regular family abode of a person or  
14 persons who provide personal care, special care, room, and board to  
15 more than one but not more than six adults who are not related by blood  
16 or marriage to the person or persons providing the services.

17 (3) (~~"Operator" means a provider who is licensed under chapter~~  
18 ~~70.128 RCW to operate an adult family home.~~

19 (4) ~~"Person" includes an individual, firm, corporation,~~  
20 ~~partnership, or association))~~ "Resident manager" means a person who is  
21 employed or otherwise is contracted with by the provider to manage the  
22 adult family home.

23 (4) "Provider" means any person who is licensed under chapter  
24 70.128 RCW to operate an adult family home. For the purposes of this  
25 section, "person" means any individual, partnership, corporation,  
26 association, or limited liability company.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.48 RCW  
28 to read as follows:

29 A provider who operates more than one adult family home must  
30 register for each separate location.

31 **Sec. 4.** RCW 18.48.020 and 1995 c 260 s 8 are each amended to read  
32 as follows:

33 (~~A person who operates an adult family home shall register the~~  
34 ~~home with the secretary. Each separate location of the business of an~~  
35 ~~adult family home shall have a separate registration.)) (1) The~~

1 secretary shall register adult family home providers and resident  
2 managers.

3 (2) The secretary, by policy or rule, shall define terms and  
4 establish forms and procedures for (~~the processing of operator~~)  
5 registration applications, including the payment of registration fees  
6 pursuant to RCW 43.70.250. An application for an adult family home  
7 (~~operator~~) resident manager or provider registration shall include at  
8 least the following information:

9 (~~(1)~~) (a) (~~The names and addresses of the operator of the adult~~  
10 ~~family home~~) Name and address; and

11 (~~(2)~~) (b) If the (~~operator~~) provider is a corporation, copies  
12 of its articles of incorporation and current bylaws, together with the  
13 names and addresses of its officers and directors.

14 (~~A registration issued by the secretary in accordance with this~~  
15 ~~section shall remain effective for a period of one year from the date~~  
16 ~~of its issuance unless the registration is revoked or suspended~~  
17 ~~pursuant to RCW 18.48.030, or unless~~)

18 (3) The secretary shall adopt policies or rules to establish the  
19 registration periods, fees, and procedures. If the adult family home  
20 is sold or ownership or management is transferred, (~~in which case~~)  
21 the registration (~~of the home~~) shall be voided and the (~~operator~~)  
22 provider and resident manager shall apply for a new registration.

23 **Sec. 5.** RCW 18.130.040 and 1995 c 336 s 2, 1995 c 323 s 16, 1995  
24 c 260 s 11, and 1995 c 1 s 19 (Initiative Measure No. 607) are each  
25 reenacted and amended to read as follows:

26 (1) This chapter applies only to the secretary and the boards and  
27 commissions having jurisdiction in relation to the professions licensed  
28 under the chapters specified in this section. This chapter does not  
29 apply to any business or profession not licensed under the chapters  
30 specified in this section.

31 (2)(a) The secretary has authority under this chapter in relation  
32 to the following professions:

33 (i) Dispensing opticians licensed under chapter 18.34 RCW;

34 (ii) Naturopaths licensed under chapter 18.36A RCW;

35 (iii) Midwives licensed under chapter 18.50 RCW;

36 (iv) Ocularists licensed under chapter 18.55 RCW;

37 (v) Massage operators and businesses licensed under chapter 18.108  
38 RCW;

1 (vi) Dental hygienists licensed under chapter 18.29 RCW;  
2 (vii) Acupuncturists licensed under chapter 18.06 RCW;  
3 (viii) Radiologic technologists certified and x-ray technicians  
4 registered under chapter 18.84 RCW;  
5 (ix) Respiratory care practitioners certified under chapter 18.89  
6 RCW;  
7 (x) Persons registered or certified under chapter 18.19 RCW;  
8 (xi) Persons registered as nursing pool operators under chapter  
9 18.52C RCW;  
10 (xii) Nursing assistants registered or certified under chapter  
11 18.79 RCW;  
12 (xiii) Health care assistants certified under chapter 18.135 RCW;  
13 (xiv) Dietitians and nutritionists certified under chapter 18.138  
14 RCW;  
15 (xv) Sex offender treatment providers certified under chapter  
16 18.155 RCW;  
17 (xvi) Persons licensed and certified under chapter 18.73 RCW or RCW  
18 18.71.205;  
19 (xvii) Persons registered as adult family home (~~operators~~)  
20 providers and resident managers under RCW 18.48.020; and  
21 (xviii) Denturists licensed under chapter 18.30 RCW.  
22 (b) The boards and commissions having authority under this chapter  
23 are as follows:  
24 (i) The podiatric medical board as established in chapter 18.22  
25 RCW;  
26 (ii) The chiropractic quality assurance commission as established  
27 in chapter 18.25 RCW;  
28 (iii) The dental quality assurance commission as established in  
29 chapter 18.32 RCW;  
30 (iv) The board on fitting and dispensing of hearing aids as  
31 established in chapter 18.35 RCW;  
32 (v) The board of examiners for nursing home administrators as  
33 established in chapter 18.52 RCW;  
34 (vi) The optometry board as established in chapter 18.54 RCW  
35 governing licenses issued under chapter 18.53 RCW;  
36 (vii) The board of osteopathic medicine and surgery as established  
37 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
38 18.57A RCW;

1 (viii) The board of pharmacy as established in chapter 18.64 RCW  
2 governing licenses issued under chapters 18.64 and 18.64A RCW;

3 (ix) The medical quality assurance commission as established in  
4 chapter 18.71 RCW governing licenses and registrations issued under  
5 chapters 18.71 and 18.71A RCW;

6 (x) The board of physical therapy as established in chapter 18.74  
7 RCW;

8 (xi) The board of occupational therapy practice as established in  
9 chapter 18.59 RCW;

10 (xii) The nursing care quality assurance commission as established  
11 in chapter 18.79 RCW governing licenses issued under that chapter;

12 (xiii) The examining board of psychology and its disciplinary  
13 committee as established in chapter 18.83 RCW; and

14 (xiv) The veterinary board of governors as established in chapter  
15 18.92 RCW.

16 (3) In addition to the authority to discipline license holders, the  
17 disciplining authority has the authority to grant or deny licenses  
18 based on the conditions and criteria established in this chapter and  
19 the chapters specified in subsection (2) of this section. This chapter  
20 also governs any investigation, hearing, or proceeding relating to  
21 denial of licensure or issuance of a license conditioned on the  
22 applicant's compliance with an order entered pursuant to RCW 18.130.160  
23 by the disciplining authority.

24 (4) All disciplining authorities shall adopt procedures to ensure  
25 substantially consistent application of this chapter, the uniform  
26 disciplinary act, among the disciplining authorities listed in  
27 subsection (2) of this section.

28 NEW SECTION. **Sec. 6.** This act shall take effect July 1, 1996.

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