

SENATE BILL REPORT

E2SHB 1752

As of March 24, 1997

Title: An act relating to the long-term care ombudsman program.

Brief Description: Including persons with developmental disabilities in the long-term ombudsman program.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Cooke, Dyer, Tokuda, McDonald, Sheahan, Cairnes, Cody, Ballasiotes, Bush, Boldt, Wolfe, Mitchell, Doumit, Ogden, Thompson, Blalock, Poulsen, L. Thomas, O'Brien, Costa, Backlund, Veloria, Kenney and Carlson).

Brief History:

Committee Activity: Health & Long-Term Care: 3/25/97.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Rhoda Jones (786-7198)

Background: A developmentally disabled person, his or her guardian or other interested party may contact the Division of Developmental Disabilities within the Department of Social and Health Services (DSHS), which investigates and possibly refers a complaint to adult protective services or child protective services for further investigation. Complaints and reports can also be made to the licenser of an out-of-home placement, generally the Department of Health, or to the Washington Protection and Advocacy System.

In 1988, the Legislature designated the Office of Long-Term Care Ombudsman as a separate entity apart from DSHS in order to provide more effective investigation and resolution of complaints made by, or on behalf of, residents of long-term care facilities. The Department of Community, Trade, and Economic Development (CTED) was required to contract with a private nonprofit organization to provide long-term care ombudsman services.

Summary of Bill: Language is added to the current long-term care ombudsman program statute expanding the scope of program services to people with developmental disability who reside in licensed residential or similar facilities with 24-hour service staff. Administration of this program includes a separate full-time position of state developmental disabilities ombudsman.

The new ombudsman office for developmental disabilities is under the jurisdiction of the Department of Community, Trade, and Economic Development, which is directed to contract with a private nonprofit organization to provide the services outlined in the bill. CTED's duties are described.

Anyone authorized to serve as an ombudsman for developmentally disabled individuals must have training and must not have been employed by a developmental disabilities program within the past three years.

The Office of Developmental Disabilities Ombudsman must prepare an annual report to the Legislature.

CTED is directed to adopt rules necessary to establish a right of entry on behalf of the developmental disabilities ombudsman to the residential care facilities identified in the act.

CTED, in cooperation with the Department of Social and Health Services, must adopt rules ensuring reasonable access by ombudsmen to records of clients in the DSHS Division of Developmental Disabilities.

There is a null and void clause which goes into effect if the Omnibus Appropriations Act does not reference this act by bill or chapter number by June 30, 1997.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect July 1, 1997.