

SENATE BILL REPORT

2SHB 1116

As Reported By Senate Committee On:
Health & Long-Term Care, April 1, 1999

Title: An act relating to long-term care.

Brief Description: Requiring the department of social and health services to disclose long-term care financial information and service options to clients.

Sponsors: House Committee on Appropriations (originally sponsored by Representative Clements).

Brief History:

Committee Activity: Health & Long-Term Care: 3/24/99, 4/1/99 [DPA].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Thibaudeau, Chair; Wojahn, Vice Chair; Costa, Deccio, Franklin, Johnson and Winsley.

Staff: Christopher Blake (786-7446)

Background: The Department of Social and Health Services provides financial assistance to those individuals who are in need of long-term care and who are eligible for Medicaid. Upon death, the department is obligated to recover some payments made for nursing home services, Medicaid personal care services, adult day health, hospital care, prescription drugs, and private duty nursing or COPES from the deceased's estate. Recovery from one's estate is postponed until the death of a surviving spouse or while there is a surviving child who is under 21 years of age or who is disabled.

When applying for financial assistance from the state, a client must complete and sign a form that notifies them of the department's right to recover the costs of providing long-term care services from their estate. There is no additional requirement that the department inform the client of the terms and conditions of the estate recovery process or that they receive updated account information of the debt being charged to their estate.

Summary of Amended Bill: The Department of Social and Health Services is charged with the responsibility of providing advance notice in plain language of the terms and conditions of estate recovery to all persons offered long-term care services. In addition, the department must provide all potential clients a written description of the community service options available to them. The department must develop an implementation plan for notifying clients of the status of their accounts on a quarterly basis.

Amended Bill Compared to Second Substitute Bill: The striking amendment deletes language not related to estate recovery, adds a consent provision for releases of information to family members, and eliminates expired language from the code.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Requiring full, clearly stated disclosure of estate recovery processes and periodic updates regarding charges against one's estate will protect senior citizens and result in less confusion.

Testimony Against: None.

Testified: PRO: Representative Clements, prime sponsor; Majken Ryherd Keira, Washington Association of Home Care Services; Gail McGaffick, Home Care Association of Washington; Kathy Leach, Department of Social and Health Services (concerns).