

HOUSE BILL REPORT

SSB 5184

As Reported by House Committee On:

Health Care

Title: An act relating to requiring the department of social and health services to notify relevant agencies of investigative outcomes.

Brief Description: Reporting investigations of vulnerable adult abuse.

Sponsors: By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Winsley, Costa and Kohl-Welles; by request of Department of Social and Health Services).

Brief History:

Committee Activity:

Health Care: 3/22/01, 3/23/01 [DPA].

Brief Summary of Substitute Bill (As Amended by House Committee)

The Department of Social and Health Services (DSHS) is authorized to disclose the results of investigations conducted by the department on people who are working for home health agencies, hospice or home care agencies, programs under contract with the division of developmental disabilities, adult day care or day health programs, and state or local authorities responsible for licensing the entities named in the bill. The alleged perpetrator is notified when the outcome report is released. The victim's name must be withheld.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. Signed by 13 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Alexander, Ballasiotes, Darneille, Edmonds, Edwards, Marine, McMorris, Pennington and Ruderman.

Staff: Antonio Sanchez (786-7383).

Background:

Adult Protective Services (APS) under the Department of Social and Health Services (DSHS) is responsible for investigating complaints of abandonment, abuse, financial exploitation or neglect of vulnerable adults and to provide protective services and legal remedies to protect these individuals. The APS investigations determine if the allegation is valid, and if the vulnerable adult is at risk of harm. It is current practice for the DSHS to inform certain agencies and programs of the substantiated findings of these investigations.

There is no law that directly specifies that agencies or programs who may be employing or contracting with the person under investigation be notified.

Summary of Amended Bill:

The Department of Social and Health Services is authorized to disclose the results of investigations conducted by the department on people who are employed, contracted, or volunteering for home health agencies, hospice or home care agencies licensed with the state, and programs under contract with the division of developmental disabilities, adult day care, or day health programs and Regional Support Networks. The result of an investigation can only be disclosed if it has been determined by the department that an incident of abuse, abandonment, financial exploitation, or neglect has occurred. The information disclosed cannot include the identity of the individual who made the complaint or any witness without their permission. The department is also given authority to disclose the investigation findings to state or local authorities responsible for licensing the entities named in the bill. The alleged perpetrator is notified when the outcome report is released. The victim's name must be withheld.

Amended Bill Compared to Substitute Bill:

Regional Support Networks must be added to the list of organizations that can receive a DSHS report of a finding for abuse, neglect, financial exploitation, or abandonment.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill will improve the quality of care by allowing agencies to identify potentially bad employees.

Testimony Against: None.

Testified: (In support) Senator Thibaudeau, prime sponsor; Penny Black, Department of Social and Health Services; and Gail McGaffick, Home Care Association of Washington.

(Concerns) Jean Wessman, Washington Association of Counties.