

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5403

66th Legislature
2019 Regular Session

Passed by the Senate March 4, 2019
Yeas 47 Nays 0

President of the Senate

Passed by the House April 10, 2019
Yeas 92 Nays 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5403** as passed by Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5403

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senators Bailey, Darneille, Conway, Rivers, Keiser, and Kuderer; by request of Department of Social and Health Services)

1 AN ACT Relating to safe egress from adult family homes; and
2 amending RCW 70.128.130.

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

4 **Sec. 1.** RCW 70.128.130 and 2012 c 164 s 704 are each amended to
5 read as follows:

6 (1) The provider is ultimately responsible for the day-to-day
7 operations of each licensed adult family home.

8 (2) The provider shall promote the health, safety, and well-being
9 of each resident residing in each licensed adult family home.

10 (3) Adult family homes shall be maintained internally and
11 externally in good repair and condition. Such homes shall have safe
12 and functioning systems for heating, cooling, hot and cold water,
13 electricity, plumbing, garbage disposal, sewage, cooking, laundry,
14 artificial and natural light, ventilation, and any other feature of
15 the home.

16 (4) In order to preserve and promote the residential home-like
17 nature of adult family homes, adult family homes licensed after
18 August 24, 2011, shall:

19 (a) Have sufficient space to accommodate all residents at one
20 time in the dining and living room areas;

1 (b) Have hallways and doorways wide enough to accommodate
2 residents who use mobility aids such as wheelchairs and walkers; and

3 (c) Have outdoor areas that are safe and accessible for residents
4 to use.

5 (5) The adult family home must provide all residents access to
6 resident common areas throughout the adult family home including, but
7 not limited to, kitchens, dining and living areas, and bathrooms, to
8 the extent that they are safe under the resident's care plan.

9 (6) Adult family homes shall be maintained in a clean and
10 sanitary manner, including proper sewage disposal, food handling, and
11 hygiene practices.

12 (7) Adult family homes shall develop a fire drill plan for
13 emergency evacuation of residents, shall have working smoke detectors
14 in each bedroom where a resident is located, shall have working fire
15 extinguishers on each floor of the home, and shall ~~((not keep))~~ house
16 nonambulatory ((patients above the first floor of the home))
17 residents on a level with safe egress to a public right-of-way.
18 Nonambulatory residents must have a bedroom on the floor of the home
19 from which the resident can be evacuated to a designated safe
20 location outside the home without the use of stairs, elevators, chair
21 lifts, platform lifts, or other devices as determined by the
22 department in rule.

23 (8) The adult family home shall ensure that all residents can be
24 safely evacuated from the home in an emergency as established by the
25 department in rule. The rules established by the department must be
26 developed in consultation with the largest organization representing
27 fire chiefs in the state of Washington.

28 (9) Adult family homes shall have clean, functioning, and safe
29 household items and furnishings.

30 (10) Adult family homes shall provide a nutritious and balanced
31 diet and shall recognize residents' needs for special diets.

32 (11) Adult family homes shall establish health care procedures
33 for the care of residents including medication administration and
34 emergency medical care.

35 (a) Adult family home residents shall be permitted to self-
36 administer medications.

37 (b) Adult family home providers may administer medications and
38 deliver special care only to the extent authorized by law.

39 (12) Adult family home providers shall either: (a) Reside at the
40 adult family home; or (b) employ or otherwise contract with a

1 qualified resident manager to reside at the adult family home. The
2 department may exempt, for good cause, a provider from the
3 requirements of this subsection by rule.

4 (13) A provider will ensure that any volunteer, student,
5 employee, or person residing within the adult family home who will
6 have unsupervised access to any resident shall not have been
7 convicted of a crime listed under RCW 43.43.830 or 43.43.842, or been
8 found to have abused, neglected, exploited, or abandoned a minor or
9 vulnerable adult as specified in RCW 74.39A.056(2). A provider may
10 conditionally employ a person pending the completion of a criminal
11 conviction background inquiry, but may not allow the person to have
12 unsupervised access to any resident.

13 (14) A provider shall offer activities to residents under care as
14 defined by the department in rule.

15 (15) An adult family home must be financially solvent, and upon
16 request for good cause, shall provide the department with detailed
17 information about the home's finances. Financial records of the adult
18 family home may be examined when the department has good cause to
19 believe that a financial obligation related to resident care or
20 services will not be met.

21 (16) An adult family home provider must ensure that staff are
22 competent and receive necessary training to perform assigned tasks.
23 Staff must satisfactorily complete department-approved staff
24 orientation, basic training, and continuing education as specified by
25 the department by rule. The provider shall ensure that a qualified
26 caregiver is on-site whenever a resident is at the adult family home;
27 any exceptions will be specified by the department in rule.
28 Notwithstanding RCW 70.128.230, until orientation and basic training
29 are successfully completed, a caregiver may not provide hands-on
30 personal care to a resident without on-site supervision by a person
31 who has successfully completed basic training or been exempted from
32 the training pursuant to statute.

33 (17) The provider and resident manager must assure that there is:

34 (a) A mechanism to communicate with the resident in his or her
35 primary language either through a qualified person on-site or readily
36 available at all times, or other reasonable accommodations, such as
37 language lines; and

38 (b) Staff on-site at all times capable of understanding and
39 speaking English well enough to be able to respond appropriately to

1 emergency situations and be able to read and understand resident care
2 plans.

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