

WAC 388-78A-2710 Disclosure of services. (1) The assisted living facility must disclose to residents, the resident's representative, if any, and interested consumers upon request, the scope of care and services it offers, on the department's approved disclosure forms. The disclosure form shall not be construed as an implied or express contract between the assisted living facility and the resident, but is intended to assist consumers in selecting assisted living facility services.

(2) The assisted living facility must provide the services disclosed.

(3) The assisted living facility must provide a minimum of thirty days written notice to the residents and the residents' representatives, if any:

(a) Before the effective date of any decrease in the scope of care or services provided by the assisted living facility, due to circumstances beyond the assisted living facility's control; and

(b) Before the effective date of any voluntary decrease in the scope of care or services provided by the assisted living facility, and any such decrease in the scope of services provided will not result in the discharge of one or more residents.

(4) The assisted living facility must provide a minimum of ninety days written notice to the residents and the residents' representative, if any, before the effective date of any voluntary decrease in the scope of care or services provided by the assisted living facility, and any such decrease in the scope of services provided will result in the discharge of one or more residents.

(5) If the assisted living facility increases the scope of services that it chooses to provide, the assisted living facility must promptly provide written notice to the residents and residents' representative, if any, and must indicate the date on which the increase in the scope of care or services is effective.

(6) When the care needs of a resident exceed the disclosed scope of care or services that an assisted living facility provides, the assisted living facility may exceed the care or services disclosed consistent with RCW 70.129.030(3) and 70.129.110 (3)(a).

(7) Even though the assisted living facility may disclose that it can provide certain care or services to residents or prospective residents or residents' representative, if any, the assisted living facility may deny admission to a prospective resident when the assisted living facility determines that the needs of the prospective resident cannot be met, as long as the assisted living facility operates in compliance with state and federal law, including reasonable accommodation requirements and RCW 70.129.030(3).

(8) The assisted living facility must notify prospective residents of their rights regarding health care decision making consistent with applicable state and federal laws and rules, before or at the time the individual moves into the assisted living facility.

[Statutory Authority: Chapter 18.20 RCW. WSR 13-13-063, § 388-78A-2710, filed 6/18/13, effective 7/19/13. Statutory Authority: RCW 18.20.090 (2004 c 142 § 19) and chapter 18.20 RCW. WSR 04-16-065, § 388-78A-2710, filed 7/30/04, effective 9/1/04.]