

1908-S2

Sponsor(s): House Committee on Appropriations (originally sponsored by Representatives Dyer, Cooke, Ballasiotes, Stevens, Elliot, Talcott, Cairnes, Lambert, Pelesky, Hymes, Robertson, Mielke, Carrell, Backlund and L. Thomas)

Brief Description: Modifying long-term care provisions.

HB 1908-S2.E - DIGEST

(DIGEST AS ENACTED)

Directs the department to expand cost-effective options for home and community services for consumers for whom the state participates in the cost for their care by taking full advantage of federal funding, by using funds available under the community options program, and by contracting with nursing homes and boarding homes to reduce the census by up to one thousand six hundred assisted living service placements.

Authorizes a new type of residential care referred to as enhanced adult residential care.

Directs hospitals and acute care facilities to establish a system for discharge planning.

Prohibits retaliation by long-term care providers against residents who make complaints or cooperate in complaint investigations.

Directs the department to establish a monthly dollar lid for each region on chore services expenditures within the legislative appropriation.

Revises procedures for claims on the estates of beneficiaries of long-term care services.

Requires the department to develop an information system to assist hospitals in discharging clients into the long-term care service delivery system.

Establishes protocols for the delegation of some nursing tasks.

Establishes an on-line computer information system for long-term care on a pilot basis, and requires a report by December 1, 1996.

Provides protection for frail vulnerable adults.

VETO MESSAGE ON 2SHB 1908

June 15, 1995

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 11, 42, and 73, Engrossed Second Substitute House Bill No. 1908 entitled:

"AN ACT Relating to long-term care;"

Engrossed Second Substitute House Bill No. 1908 is far-reaching legislation representing the efforts of many to reform Washington's Long Term Care service delivery system. The

legislature's efforts to expand options for individuals who could be served in community settings, improve the quality of care for those being served in community programs, and revise the nursing facility payment system are to be applauded.

Section 11 directs the Legislative Budget Committee (LBC) to develop a working plan for long term care reform by December 12, 1995. The LBC is to design an integrated, single point of entry system for the delivery of services to all users of long term care. This plan is directed to implement many of the findings included in the report completed by the Long Term Care Commission in 1991. In the intervening years the legislature has not chosen to adopt the recommendations of the Long Term Care Commission regarding integration of services. One of the primary reasons this proposal was not adopted was that it would have significant cost. Because of the wide array of long-term care issues which were addressed in this legislation, this section did not receive full public scrutiny in the 1995 legislative session. I would like to see more debate on the topic before such a major undertaking goes forward.

Section 42 extends the requirements for the Department of Social and Health Services (DSHS) to inspect nursing homes from every 12 months to at least every 18 months. Additionally, DSHS is prevented from conducting nursing facility inspections for 12 months after a citation-free inspection. This prohibition violates federal requirements that the state inspect facilities any time there is reason to believe a facility may be providing substandard care. While I am vetoing this section, I am directing DSHS to use its resources efficiently and to not inspect citation-free facilities more frequently than every 12 months unless it has cause to believe problems have developed in the interim.

Section 73 provides nursing homes an additional extension of up to 60 months to apply for a Certificate of Need if the facility is located in an economically distressed area. Because the Certificate of Need considers financial feasibility, an extension would not necessarily make financing easier to obtain in an economically distressed area. Additionally, facilities in operation could utilize the Certificate of Need to minimize competition.

For these reasons, I have vetoed sections 11, 42, and 73 of Engrossed Second Substitute House Bill No. 1908.

With the exception of sections 11, 42, and 73, Engrossed Second Substitute House Bill No. 1908 is approved.

Respectfully submitted,
Mike Lowry
Governor