

# SENATE BILL REPORT

## SB 6280

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As of January 19, 2004

**Title:** An act relating to nursing homes.

**Brief Description:** Revising nursing home provisions.

**Sponsors:** Senators Deccio, Winsley, Murray, Shin, Stevens, Prentice and Rasmussen.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/20/04.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Staff:** Rhoda Donkin (786-7198)

**Background:** When a nursing home is found to be out of compliance with licensing requirements, the Department of Social and Health Services (DSHS) selects remedies based on so called "scope and severity" standards which are outlined in rule. This discretion to impose remedies is only in cases where the violation did not trigger mandatory remedies which are set forth in state statute. There is concern in the nursing home industry that DSHS uses stricter "scope and severity" standards in determining remedies for nursing home deficiencies than are defined by federal regulation. There is further concern that DSHS uses stricter remedies than is required by federal law.

Currently, there is no specific state program which trains and sets standards for the provision of dietary services in nursing facilities. The federal government sets standards for so-called "feeding assistants." These require a minimum of eight hours of training in feeding techniques, communication, safety and emergency techniques, infection control, and other skills relevant to serving an elderly and disabled population.

**Summary of Bill:** In identifying the factors to be used in selecting an appropriate remedy for nursing homes found out of compliance with licensing requirements, DSHS is directed to use a scope and severity method that does not exceed federal factors for such a determination. The remedies applied by DSHS must not exceed federal requirements for selecting remedies, except that DSHS may use stop placement of new admissions as a remedy.

Nursing homes may implement a paid feeding assistant program, and DSHS must approve training requirements for feeding assistants consistent with federal regulation.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.