

# FINAL BILL REPORT

## SB 5359

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Synopsis as Enacted

**Brief Description:** Funding investigations to protect individuals with disabilities in the supported living program.

**Sponsors:** Senators Cleveland, Rivers, Darneille, Keiser, Van De Wege, Nguyen, Saldaña and Wilson, C.; by request of Department of Social and Health Services.

**Senate Committee on Health & Long Term Care**  
**Senate Committee on Ways & Means**  
**House Committee on Appropriations**

**Background:** Certified Residential Services and Supports. The Department of Social and Health Services (DSHS) certifies residential services and supports providers that provide services to individuals with developmental disabilities that are clients of the Developmental Disabilities Administration (DDA). These providers include group homes, group training homes, supported living, and state operated living alternatives (SOLA). Supported living and SOLAs serve the majority of DDA clients. Supported living and SOLA provides instruction, supports, and services to clients living in their own homes. Clients may receive supports for a few hours per month, to up to 24 hours per day.

Complaint Investigations. State law requires DSHS to investigate abuse, neglect, financial exploitation, and abandonment of vulnerable adults. This includes provider practice investigations for reports made against certified residential services and supports providers. In addition to complaint investigations, DSHS conducts regulatory compliance inspections at least every two years. If a report is substantiated, or if a pattern of significant non-compliance with the regulations is identified, DSHS may take enforcement action, ranging from sanctions on a named individual, provisional certification or decertification, or termination of program certification.

**Summary:** Certified residential services and supports providers must pay an annual certification fee to fund DSHS complaint investigations. The annual certification fee must be established in the omnibus appropriations act. The established certification fee must not exceed DSHS' costs for conducting complaint investigations in these programs, and must include all of DSHS' cost of paying providers for the amount of the certification fee attributed to Medicaid clients. The certification fees must be used by DSHS to conduct complaint investigations in certified residential services and supports programs.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Government-operated programs or court-appointed receivers are exempt from paying the certification fee. If the Centers for Medicare and Medicaid Services determines they will not match state expenditures for the certification fee, then DSHS must cease the collection of the certification fee, and notify the Office of Financial Management and the appropriate committees of the Legislature.

**Votes on Final Passage:**

Senate	47	0
House	97	0

**Effective:** July 1, 2019