

SENATE BILL REPORT

SB 5396

As of February 1, 2019

Title: An act relating to allowing certain adult family homes to increase capacity to eight beds.

Brief Description: Allowing certain adult family homes to increase capacity to eight beds.

Sponsors: Senators Keiser, Walsh, Kuderer, Short, King, Rivers, Honeyford, Becker, Darneille, Hasegawa and Hunt.

Brief History:

Committee Activity: Health & Long Term Care: 2/01/19.

Brief Summary of Bill

- Allows adult family homes to increase their bed capacity from six to seven or eight beds if they meet specified licensing standards.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Staff: LeighBeth Merrick (786-7445)

Background: An adult family home is a residential home that provides personal care, specialty care, necessary supervision, laundry, and room and board for up to six adults who need long-term care.

Adult family homes are licensed by the Department of Social and Health Services (DSHS) and must meet facility standards, and training requirements for resident managers and caregivers. An adult family home may only admit residents whose needs and preferences the home is able to meet through available staff and reasonable accommodations. Each resident must receive identified care and services in a manner and environment that supports, maintains, or improves the resident's quality of life. The services must be provided by appropriate professionals based upon the resident's assessment and negotiated care plan.

Summary of Bill: The bill as referred to committee not considered.

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.

Summary of Bill (Proposed Substitute): An adult family home provider may increase the home's bed capacity to seven or eight beds. A provider may apply for a license to operate with seven or eight beds if:

- the provider has held the initial adult family home license for at least 24 months;
- the home has been licensed for six residents for at least 12 months;
- the provider has completed two full inspections without any enforcement actions;
- the provider attests that an increase will not adversely affect the health, safety, or quality of life of the home's current residents;
- the home is in compliance with DSHS rules regarding emergency evacuation;
- the home has a residential sprinkler system in place; and
- the provider has paid any required fees.

The home must demonstrate financial solvency and the ability to meet safety, health, and operating standards related to the operation of a seven or eight bed adult family home, including the mitigation of potential traffic impacts. DSHS must consider current residents' comments related to quality of care, quality of life, and their views on adding more residents to the home.

DSHS must provide written notification to the local jurisdiction in which the adult family home is located regarding the applicant's request to increase bed capacity. In addition, DSHS must conduct an inspection of the home prior to issuing a license to determine if the home is able to meet the needs of eight residents. DSHS may reduce the maximum number of beds to six if there has been serious noncompliance with licensing standards.

To change ownership of a seven or eight bed adult family home, the new provider must be a provider of an adult family home that has been licensed for at least 24 months and have had at least six residents for at least 12 months. The adult family home must have also completed at least two full inspections, and the most recent two inspections must not have resulted in any enforcement actions.

The adult family home must notify all residents and their designated residents about their increase in licensed beds, at least 60 days prior to admitting a seventh resident. The notice must be in writing and in a manner or language understood by the residents and their designated representatives.

DSHS is only required to consider the interests of applicants, licensees, residents, or prospective residents when it takes action regarding adult family home licensing.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Proposed Substitute: PRO: Only adult family homes that meet the requirements would be eligible to increase their capacity to eight beds.

There is a large demand for adult family home beds and this bill would help address this. Discharge planners and case workers struggle to find community placements for individuals with challenging behaviors. Adult family homes undergo a rigorous licensing processing and are only able to accept residents they can safely care for. They are also required to have the home evacuated in five minutes or less which would still apply if the home served eight residents. Resident safety will be improved because this would provide more funding to direct towards resident care. Overall, adult family homes are supportive of the sprinkler requirements. However, some feel that in lieu of the requirement there should be more focus on fire prevention measures in the physical plant requirements, and that the requirement should only apply to newly built adult family homes. Emergency Medical Service providers do not always know the difference between adult family homes and other residential facilities which may give them the wrong impression about the number of calls they receive from adult family homes.

CON: There are concerns about the safety of the vulnerable adults living in these homes and the proliferation of adult family homes in Lakewood. Requirements for the residential sprinkler system and additional staffing should be included in the bill. Cities and counties should be the ones determining the traffic impacts that the increase in bed capacity may cause. The Legislature should establish a task force to determine what can be improved in the operation of adult family homes.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor; Maria Chiechi, Adult Family Home Council; Cornelius Hertog, citizen; Madonna Maxaner, Dayspring Memory Care AFH; Gerren Michael, Dayspring Memory Care AFH; Mulugeta Aseresu, Alderwood AFH; Blake Huegel, Premier Residential Living, Inc.; Fred Brown, Building Designer; Brenda Rogge, discharge planner; Alyssa Arley, A2z Elite Services - Adult family home and compliance specialist.

CON: John Simpson, Councilmember, City of Lakewood; Hallie McCurdy, West Pierce Fire & Rescue.

Persons Signed In To Testify But Not Testifying: No one.