

HOUSE BILL REPORT

HB 2347

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to website information published by the department of social and health services regarding adult family homes.

Brief Description: Concerning adult family home information.

Sponsors: Representatives Reeves, Harris, Chambers, Davis, Bateman, Doglio, Macri and Reed.

Brief History:

Committee Activity:

Health Care & Wellness: 1/23/24, 1/31/24 [DPS].

Brief Summary of Substitute Bill

- Establishes that the Department of Social and Health Services website regarding adult family homes is not required to include links to all inspection and investigation reports, but it must include deficiency-free inspection letters, certain statements of deficiencies, notices of return to compliance, and enforcement action notices.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske, Caldier, Davis, Graham, Harris, Macri, Maycumber, Mosbrucker, Orwall, Simmons, Stonier, Thai and Tharinger.

Staff: Emily Poole (786-7106).

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

Background:

Adult Family Home Inspections.

Adult family homes are regulated by the Department of Social and Health Services (Department) and must be inspected by the Department at least every 18 months. When an inspection is conducted, the Department must prepare a written report that summarizes the inspection, and all inspection reports must be available to the public at the Department during business hours. Adult family homes must have a copy of each inspection report for the past three years readily available for review by the Department, residents, and the public.

Adult Family Homes Website.

The Department is required to work with stakeholders to create a comprehensive, user-friendly website for family members, residents, and prospective residents of adult family homes. The website includes links to information including, but not limited to: (a) explanations of the types of licensed long-term care facilities; (b) lists of suggested questions when looking for a care facility; (c) warning signs of abuse, neglect, or financial exploitation; and (d) contact information for the Department and the Long-Term Care Ombuds.

In addition, the website should include a searchable list of all adult family homes in Washington, with links to inspection and investigation reports, and any enforcement actions by the Department for the previous three years. If a violation or enforcement remedy is deleted, rescinded, or modified, the Department must make the appropriate changes to the information on the website as soon as reasonably feasible, but not later than 30 days after the violation or enforcement remedy has been deleted, rescinded, or modified.

Summary of Substitute Bill:

The Department website regarding adult family homes is not required to include links to all inspection and investigation reports. The website must include the following documents and information for the previous three years:

- deficiency-free inspection letters;
- statements of deficiency related to inspection visits requiring an attestation of correction;
- statements of deficiency related to enforcement actions;
- notices of return to compliance related to statements of deficiency; and
- enforcement action notices issued by the Department.

Substitute Bill Compared to Original Bill:

The substitute bill requires the Department to post on its website links to deficiency-free inspection letters, statements of deficiency related to inspection visits requiring an attestation of correction, and enforcement action notices, in addition to statements of deficiency related to enforcement actions and notices of return to compliance for each adult family home.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Adult family homes are experiencing increasing difficulty in finding affordable property insurance and liability coverage. The Department publishes a lot of information about adult family homes on its website, including unfounded complaints against adult family homes. The amount of information on the Department website can be confusing for consumers and insurance underwriters because it is difficult to tell if there is a high risk of an adult family home having a deficiency. Currently, anyone can reach out to the Department and accuse an adult family home of anything, and all complaints are posted online, even if the Department finds nothing wrong. Even very minor deficiencies can cause liability insurance rates to increase and negatively affect the adult family home's business. The bill should be amended to use specific nomenclature for documents regarding deficiencies.

(Opposed) Potential residents of adult family homes and their families need accurate and complete information. The Department website is intended to provide consumer-focused information. People should not have to visit an adult family home to get a full inspection report.

Persons Testifying: (In support) David Forte, Office of the Insurance Commissioner; Amina Abdalla and John Ficker, Adult Family Home Council; Ezibon Njuguna, Brighten Adult Family Home; and Tienyoung Hua, Sunshine Adult Family Home.

(Opposed) Noah Seidel, Office of Developmental Disabilities Ombuds; and Patricia Hunter, Washington State Long-Term Care Ombuds.

Persons Signed In To Testify But Not Testifying: None.