

2 **HB 2152** - S COMM AMD

3 By Committee on Health & Long-Term Care

4 ADOPTED 2/29/96

5 Strike everything after the enacting clause and insert the
6 following:

7 **"Sec. 1.** RCW 70.128.120 and 1995 1st sp.s. c 18 s 117 are each
8 amended to read as follows:

9 ((An)) Each adult family home provider and each resident manager
10 shall have the following minimum qualifications:

- 11 (1) Twenty-one years of age or older;
- 12 (2) Good moral and responsible character and reputation;
- 13 (3) Literacy;
- 14 (4) Management and administrative ability to carry out the
15 requirements of this chapter;
- 16 (5) Satisfactory completion of department-approved initial training
17 and continuing education training as specified by the department in
18 rule;
- 19 (6) Satisfactory completion of department-approved, or equivalent,
20 special care training before a provider may provide special care
21 services to a resident;
- 22 (7) Not been convicted of any crime listed in RCW 43.43.830 and
23 43.43.842; and
- 24 (8) Effective July 1, 1996, registered with the department of
25 health.

26 **Sec. 2.** RCW 18.48.010 and 1995 c 260 s 7 are each amended to read
27 as follows:

28 Unless the context clearly requires otherwise, the definitions in
29 this section apply throughout this chapter.

- 30 (1) "Secretary" means the secretary of the department of health.
- 31 (2) "Adult family home" means a regular family abode of a person or
32 persons who provide personal care, special care, room, and board to
33 more than one but not more than six adults who are not related by blood
34 or marriage to the person or persons providing the services.

1 (3) (~~"Operator" means a provider who is licensed under chapter~~
2 ~~70.128 RCW to operate an adult family home.~~

3 (4) ~~"Person" includes an individual, firm, corporation,~~
4 ~~partnership, or association))~~ "Resident manager" means a person who is
5 employed or otherwise is contracted with by the provider to manage the
6 adult family home.

7 (4) "Provider" means any person who is licensed under chapter
8 70.128 RCW to operate an adult family home. For the purposes of this
9 section, "person" means any individual, partnership, corporation,
10 association, or limited liability company.

11 NEW SECTION. Sec. 3. A new section is added to chapter 18.48 RCW
12 to read as follows:

13 A provider who operates more than one adult family home must
14 register for each separate location.

15 **Sec. 4.** RCW 18.48.020 and 1995 c 260 s 8 are each amended to read
16 as follows:

17 (~~(A person who operates an adult family home shall register the~~
18 ~~home with the secretary. Each separate location of the business of an~~
19 ~~adult family home shall have a separate registration.))~~ (1) The
20 secretary shall register adult family home providers and resident
21 managers.

22 (2) The secretary, by policy or rule, shall define terms and
23 establish forms and procedures for ((the processing of operator))
24 registration applications, including the payment of registration fees
25 pursuant to RCW 43.70.250. An application for an adult family home
26 ((operator)) resident manager or provider registration shall include at
27 least the following information:

28 (~~(1))~~) (a) (~~(The names and addresses of the operator of the adult~~
29 ~~family home))~~ Name and address; and

30 (~~(2))~~) (b) If the ((operator)) provider is a corporation, copies
31 of its articles of incorporation and current bylaws, together with the
32 names and addresses of its officers and directors.

33 (~~(A registration issued by the secretary in accordance with this~~
34 ~~section shall remain effective for a period of one year from the date~~
35 ~~of its issuance unless the registration is revoked or suspended~~
36 ~~pursuant to RCW 18.48.030, or unless))~~)

1 (3) The secretary shall adopt policies or rules to establish the
2 registration periods, fees, and procedures. If the adult family home
3 is sold or ownership or management is transferred, ~~((in which case))~~
4 the registration ~~((of the home))~~ shall be voided and the ~~((operator))~~
5 provider and resident manager shall apply for a new registration.

6 **Sec. 5.** RCW 18.130.040 and 1995 c 336 s 2, 1995 c 323 s 16, 1995
7 c 260 s 11, and 1995 c 1 s 19 (Initiative Measure No. 607) are each
8 reenacted and amended to read as follows:

9 (1) This chapter applies only to the secretary and the boards and
10 commissions having jurisdiction in relation to the professions licensed
11 under the chapters specified in this section. This chapter does not
12 apply to any business or profession not licensed under the chapters
13 specified in this section.

14 (2)(a) The secretary has authority under this chapter in relation
15 to the following professions:

- 16 (i) Dispensing opticians licensed under chapter 18.34 RCW;
- 17 (ii) Naturopaths licensed under chapter 18.36A RCW;
- 18 (iii) Midwives licensed under chapter 18.50 RCW;
- 19 (iv) Ocularists licensed under chapter 18.55 RCW;
- 20 (v) Massage operators and businesses licensed under chapter 18.108
21 RCW;
- 22 (vi) Dental hygienists licensed under chapter 18.29 RCW;
- 23 (vii) Acupuncturists licensed under chapter 18.06 RCW;
- 24 (viii) Radiologic technologists certified and x-ray technicians
25 registered under chapter 18.84 RCW;
- 26 (ix) Respiratory care practitioners certified under chapter 18.89
27 RCW;
- 28 (x) Persons registered or certified under chapter 18.19 RCW;
- 29 (xi) Persons registered as nursing pool operators under chapter
30 18.52C RCW;
- 31 (xii) Nursing assistants registered or certified under chapter
32 18.79 RCW;
- 33 (xiii) Health care assistants certified under chapter 18.135 RCW;
- 34 (xiv) Dietitians and nutritionists certified under chapter 18.138
35 RCW;
- 36 (xv) Sex offender treatment providers certified under chapter
37 18.155 RCW;

1 (xvi) Persons licensed and certified under chapter 18.73 RCW or RCW
2 18.71.205;

3 (xvii) Persons registered as adult family home (~~operators~~)
4 providers and resident managers under RCW 18.48.020; and

5 (xviii) Denturists licensed under chapter 18.30 RCW.

6 (b) The boards and commissions having authority under this chapter
7 are as follows:

8 (i) The podiatric medical board as established in chapter 18.22
9 RCW;

10 (ii) The chiropractic quality assurance commission as established
11 in chapter 18.25 RCW;

12 (iii) The dental quality assurance commission as established in
13 chapter 18.32 RCW;

14 (iv) The board on fitting and dispensing of hearing aids as
15 established in chapter 18.35 RCW;

16 (v) The board of examiners for nursing home administrators as
17 established in chapter 18.52 RCW;

18 (vi) The optometry board as established in chapter 18.54 RCW
19 governing licenses issued under chapter 18.53 RCW;

20 (vii) The board of osteopathic medicine and surgery as established
21 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
22 18.57A RCW;

23 (viii) The board of pharmacy as established in chapter 18.64 RCW
24 governing licenses issued under chapters 18.64 and 18.64A RCW;

25 (ix) The medical quality assurance commission as established in
26 chapter 18.71 RCW governing licenses and registrations issued under
27 chapters 18.71 and 18.71A RCW;

28 (x) The board of physical therapy as established in chapter 18.74
29 RCW;

30 (xi) The board of occupational therapy practice as established in
31 chapter 18.59 RCW;

32 (xii) The nursing care quality assurance commission as established
33 in chapter 18.79 RCW governing licenses issued under that chapter;

34 (xiii) The examining board of psychology and its disciplinary
35 committee as established in chapter 18.83 RCW; and

36 (xiv) The veterinary board of governors as established in chapter
37 18.92 RCW.

38 (3) In addition to the authority to discipline license holders, the
39 disciplining authority has the authority to grant or deny licenses

1 based on the conditions and criteria established in this chapter and
2 the chapters specified in subsection (2) of this section. This chapter
3 also governs any investigation, hearing, or proceeding relating to
4 denial of licensure or issuance of a license conditioned on the
5 applicant's compliance with an order entered pursuant to RCW 18.130.160
6 by the disciplining authority.

7 (4) All disciplining authorities shall adopt procedures to ensure
8 substantially consistent application of this chapter, the uniform
9 disciplinary act, among the disciplining authorities listed in
10 subsection (2) of this section.

11 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.48 RCW
12 to read as follows:

13 A multiple facility operator must successfully demonstrate to the
14 department financial solvency and management experience for the homes
15 under its ownership and the ability to meet other relevant safety,
16 health, and operating standards pertaining to the operation of multiple
17 homes, including ways to mitigate the potential impact of vehicular
18 traffic related to the operation of the homes.

19 NEW SECTION. **Sec. 7.** This act shall take effect July 1, 1996."

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23 On page 1, line 2 of the title, after "managers;" strike the
24 remainder of the title and insert "amending RCW 70.128.120, 18.48.010,
25 and 18.48.020; reenacting and amending RCW 18.130.040; adding new
26 sections to chapter 18.48 RCW; and providing an effective date."

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