

HOUSE BILL REPORT

SSB 5732

As Reported by House Committee On:
Judiciary

Title: An act relating to in-home long-term care services liability.

Brief Description: Revising provisions for long-term care service options.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Deccio, Rasmussen, Brandland and Winsley).

Brief History:

Committee Activity:

Judiciary: 2/26/04, 2/27/04 [DP].

Brief Summary of Substitute Bill

- Changes one of the case management responsibilities of an area agency on aging from "ensuring" to "verifying" that a consumer's plan of care is adequate.
- Requires a care provider, rather than an area agency on aging, to state that he or she is able and willing to provide care under a plan.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Bill Perry (786-7123).

Background:

An "area agency on aging" (AAA) is a public or non-profit private agency or organization selected by the state and recognized under federal law. An AAA consults with and provides advice to the Department of Social and Health Services on the delivery of programs to the elderly.

Among an AAA's duties are a variety of functions with regard to the delivery of medicaid personal care and chore services programs through an individual provider. One of those duties is to monitor a consumer's plan of care to "ensure" that it adequately meets the consumer's needs. Another duty is to develop a plan of care that includes a statement "that the individual provider" is able and willing to carry out his or her responsibilities under the plan.

Summary of Bill:

As part of an AAA's monitoring duties, an AAA is required to "verify" rather than "ensure" that a care plan is meeting the needs of a consumer.

With respect to the development of a consumer's plan of care, the required statement in a plan regarding the ability and willingness of the individual provider is to be provided by the provider, rather than by the AAA.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The bill will reduce a county's exposure to liability. It is a small step, but will help clarify expectations under a care plan.

Testimony Against: None.

Persons Testifying: Penny Black, Department of Social and Health Services; and Dennis Makar, Washington Association of Area Agencies on Aging.

Persons Signed In To Testify But Not Testifying: None.