

# SENATE BILL REPORT

## SSB 5579

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As Passed Senate, March 18, 2003

**Title:** An act relating to boarding homes.

**Brief Description:** Revising provisions for boarding homes.

**Sponsors:** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Parlette, Jacobsen, Winsley, Brandland, Rasmussen, Esser, Reardon, Honeyford, T. Sheldon, Hargrove, Haugen, Doumit, Zarelli, Stevens, Deccio, Keiser, Mulliken and Shin).

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/6/03, 3/4/03 [DPS].

Passed Senate: 3/18/03, 49-0.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** That Substitute Senate Bill No. 5579 be substituted therefor, and the substitute bill do pass.

Signed by Senators Deccio, Chair; Winsley, Vice Chair; Brandland, Franklin, Keiser, Parlette and Thibaudeau.

**Staff:** Rhoda Donkin (786-7198)

**Background:** In early 2001, the Department of Social and Health Services began a two-year process of rewriting the rules that regulate boarding homes in this state. The process involved stakeholders' meetings held around the state, and the goal was to make rules more appropriate to the types of people who live in boarding homes and relevant to current practices.

The new rules are scheduled for adoption in April 2003. They change many elements of existing WAC, including, among other things, adding requirements related to assessments, negotiated care plans, minimum levels of service, staff training, qualifications for administrators, disaster preparedness, infection control practices, criminal background checks, and medication administration.

Boarding home advocates say the cost of implementing these new rules will be prohibitively expensive.

**Summary of Bill:** Boarding homes are not housing or services customarily provided under the landlord tenant agreements. A boarding home license is not needed when services in the facility are initiated and arranged by persons other than the boarding home licensee, and where emergency assistance is not provided frequently or on a routine basis.

Domiciliary care is defined as assistance with daily activities, general responsibility for the safety and well-being of the residents, or intermittent nursing services.

The department may issue a "limited stop placement" on boarding homes.

To the extent funding is provided for this specific purpose, boarding home rates will go no lower than they are on April 7, 2003. DSHS submits a report to the Legislature by December 12, 2004, on the boarding home payment system, the validity of its assessment tool for categorizing residents into meaningful care and payment groups and other relevant information.

The department reports to the Legislature on the results of the dementia care pilot program.

Within available funds, the department may pilot an informal centralized dispute resolution process for two years.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** New boarding home rules will drive up costs and not improve patient care.

**Testimony Against:** New boarding home rules are necessary because they currently reflect very old law, and clients in boarding homes are much more vulnerable than in the past.

**Testified:** Lauri St. Ours, NOR-PLFA (pro); Deb Murphy, WHCA (pro); Harry Steinmetz, WAHSA (pro); Pat Lashway, DSHS (con).

**House Amendment(s):** References to holding boarding home reimbursement rates at the April 2003 level are deleted, along with any reference to the biennial appropriations act. A definition for "limited stop placement" is provided. The reimbursement policy for boarding homes holding beds for residents is changed and a rate system is specified. Third party payment may be sought after the resident has been absent from the facility for longer than 20 days.