

# SENATE BILL REPORT

## SB 6617

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As of February 2, 2008

**Title:** An act relating to intermediate care facilities for the mentally retarded.

**Brief Description:** Protecting residents of intermediate care facilities.

**Sponsors:** Senators Murray, Kauffman, Schoesler, McAuliffe, Marr, Kohl-Welles and Kline.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/04/08.

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

**Staff:** Rhoda Donkin (786-7465)

**Background:** Currently approximately 1,000 persons with developmental disabilities live in five state-operated Residential Habilitation Centers (RHC). These are federally designated institutions, also known as Intermediate Care Facilities for the mentally Retarded (ICFMR). They are certified to provide care and services under Medicaid entitlement programs, the standards for which are outlined in federal regulation. State law addresses certain liability and financial requirements of these facilities.

The state's long-term care resident rights' laws include a range of protections for people who are considered to be among the state's most vulnerable. These resident rights include protections for privacy, confidentiality of medical records, specific discharge or transfer requirements, protection against physical or chemical restraints, and requirements for financial disclosure – to name a few. Residents in skilled nursing facilities and all other long-term care facilities are covered under these laws. Individuals living in RHCs are not currently included in the state's resident rights' statutes.

**Summary of Bill:** Residents of RHCs are included in the state's resident rights' laws. Specific rights address financial affairs, advocacy and access rights, disclosure requirements, transfer and discharge protections, and increased notification rights. The state's long-term care ombudsman may act on behalf of residents of RHCs. Residents must also be offered the least formal means available to resolve disputes.

**EFFECT OF CHANGES MADE BY HEALTH & LONG-TERM CARE COMMITTEE (Proposed Substitute):** Language that used the term "mentally retarded" was replaced with "persons with developmental disabilities."

**Appropriation:** None.

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*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.*

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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