

SB 6807-S - DIGEST

(DIGEST AS ENACTED)

Provides that if a boarding home voluntarily withdraws from participation in a state medicaid program for residential care and services under chapter 74.39A RCW, but continues to provide services of the type provided by boarding homes, the facility's voluntary withdrawal from participation is not an acceptable basis for the transfer or discharge of residents of the facility who were receiving medicaid on the day before the effective date of the withdrawal or who have been paying the facility privately for at least two years and who become eligible for medicaid within one hundred eighty days of the date of withdrawal.

Requires a boarding home that has withdrawn from the state medicaid program for residential care and services under chapter 74.39A RCW to provide appropriate oral and written notices to prospective residents.

Requires a boarding home that is providing residential care and services under chapter 74.39A RCW to give the department and its residents sixty days' advance notice of the facility's intent to withdraw from participation in the medicaid program.

VETO MESSAGE ON SSB 6807

March 28, 2008

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Section 2, Substitute Senate Bill 6807 entitled:

"AN ACT Relating to discharge of long-term care residents."

Substitute Senate Bill 6807 prohibits a boarding home from transferring or discharging a current resident on the basis that it is voluntarily withdrawing from the Medicaid program.

Section 2 requires all long-term care facilities to disclose in writing to any potential resident prior to admission the facility policy on accepting Medicaid as a payment source. Upon admission, the disclosure will be considered a legally binding contract between the resident and the facility.

I am concerned that this section is impossible to implement retroactively, and there is no recourse for those who would be in violation of this bill the moment it becomes effective. In

addition, Washington's administrative code already requires the disclosure contemplated in Section 2.

For these reasons, I have vetoed Section 2 of Substitute Senate Bill 6807.

With the exception of Section 2, Substitute Senate Bill 6807 is approved.

Respectfully submitted,
Christine Gregoire
Governor