

# FINAL BILL REPORT

## SSB 5630

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Synopsis as Enacted

**Brief Description:** Implementing recommendations of the adult family home quality assurance panel.

**Sponsors:** Senate Committee on Health Care (originally sponsored by Senators Bailey, Keiser, Becker, Conway and Frockt).

**Senate Committee on Health Care**

**House Committee on Health Care & Wellness**

**House Committee on Appropriations Subcommittee on Health & Human Services**

**Background:** In 2011, the Legislature passed ESHB 1277, relating to the oversight of licensed or certified long-term care settings for vulnerable adults. The bill required the Department of Social and Health Services (DSHS) to convene a quality assurance panel to review problems in the quality of care in adult family homes and to reduce incidents of abuse, neglect, abandonment, and financial exploitation. The state's long-term care ombuds chaired the panel and identified appropriate stakeholders to participate. The panel considered inspection, investigation, public complaint, and enforcement issues as they relate to adult family homes. The panel also focused on oversight issues to address de minimus violations, processes for handling unresolved citations, and better ways to oversee new providers. The panel was required to provide a report with recommendations to the Governor's office, the Senate Health and Long-Term Care Committee, and the House of Representatives Health and Wellness Committee by December 1, 2012.

Adult family homes are regulated by DSHS. Providers and resident managers of adult family homes that serve residents with special needs such as dementia, developmental disabilities, or mental illness must complete specialty training before admitting or serving these residents. Specialty training includes core knowledge and skills that providers and resident managers need to safely provide care to residents with special needs.

DSHS may refuse to license or may suspend the license of an adult family home if it finds the home has violated state laws or rules regarding its regulation or if it has interfered with a DSHS investigation. DSHS may also issue a stop placement order under which a home may not admit new clients until the order is terminated. The stop placement order will be terminated when violations have been corrected, and the provider exhibits the capacity to maintain the correction.

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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.*

**Summary:** The specialty training required of providers and resident managers is also required of caregivers, defined as those who give hands-on personal care on behalf of an adult family home. DSHS must determine whether existing specialty training courses are adequate to meet the special needs of residents with dementia, developmental disabilities, or mental illness. DSHS may adopt rules to enhance the existing specialty training requirements and update these requirements based on its review. This includes determining whether additional specialty training categories should be created for adult family homes serving residents with other special needs such as traumatic brain injury, skilled nursing, or bariatric care.

Adult family homes must disclose the scope of care, services, and activities provided by the home or customarily arranged for by the home. Items to be disclosed include the scope of personal care and medication service provided, the scope of skilled nursing services or nursing delegation provided, any specialty care designations held by the home, the customary number of caregivers present during the day and whether the home has awake staff at night, any available cultural or language access, and whether the home admits Medicaid clients or retains residents who later become eligible for Medicaid. The adult family home's specific charges for its care, services, items, and activities must also be disclosed.

Adult family homes must provide at least 30 days' notice before a decrease in the scope of care, services, or activities it provides. Increases in scope of care, services, or activities must be promptly communicated to residents in writing and include the date on which the increase is effective. If the adult family home increases services to meet the needs of a resident, it is not required to provide the same care or services to other residents. Adult family homes may deny admission to prospective residents if the home determines that the needs of the prospective resident cannot be met.

DSHS must work with stakeholders to improve existing resources to create a user-friendly website for family members, residents, and prospective residents of adult family homes in Washington. The website should have links to the following: explanations of the types of licensed long-term care facilities, levels of care, and specialty designations; lists of suggested questions to ask when looking for a care facility; warning signs of abuse, neglect, or financial exploitation; contact information for DSHS and the long-term care ombuds; a searchable list of all adult family homes in the state; links to inspection reports and enforcement actions of adult family homes for the previous three years; and each adult family home's disclosure form. If a violation or enforcement remedy is modified, DSHS must change that information on its website within 30 days. Additionally, DSHS should also include on its website periodically updated information about vacancies in adult family homes or include links to other websites with that information.

An adult family home that corrects a deficiency during an inspection will not have the deficiency included in the home's compliance history if the deficiency is not recurring and did not pose a significant risk of harm to a resident.

**Votes on Final Passage:**

Senate	49	0	
House	97	0	(House amended)

Senate 48 0 (Senate concurred)

**Effective:** July 28, 2013.