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## Health Care & Wellness Committee

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### HB 1671

**Brief Description:** Concerning assistance with activities of daily living.

**Sponsors:** Representatives Cody, Harris and Tharinger; by request of Department of Social and Health Services.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Modifies the definition of "activities of daily living" for purposes of the assisted living facilities law.</li></ul>
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**Hearing Date:** 2/10/17

**Staff:** Alexa Silver (786-7190).

**Background:**

Assisted Living Facilities.

The Department of Social and Health Services (Department) licenses assisted living facilities, which are community-based residences that provide housing and basic services to seven or more residents. Residents of assisted living facilities are people who live in the facility for reasons of age or disability and receive services provided by the facility. Assisted living facilities may not admit people who require nursing home or hospital level care or the frequent presence or evaluation of a registered nurse. Services provided to residents include housekeeping, meals, laundry, and activities. They may also provide domiciliary care, including assistance with activities of daily living, health support services, and intermittent nursing services. An assisted living facility license is required when any person (other than a family member or an outside service provider) provides assistance with activities of daily living.

If an assisted living facility chooses to provide assistance with activities of daily living, it must provide the minimum level of assistance required by rule. The assisted living facility must clarify through a disclosure form the activities of daily living that may be provided and any limitations that may apply. In providing assistance with activities of daily living, the facility

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must observe the resident for changes in functioning and respond appropriately to changes in the resident's physical, mental, or emotional functioning.

"Activities of daily living" are limited to bathing, dressing, eating, personal hygiene, transferring, toileting, and ambulation and mobility.

Medication Assistance.

The Legend Drug Act defines "medication assistance" as assistance by a non-practitioner to an individual living in a community-based or in-home care setting to facilitate the individual's self-administration of a legend drug or controlled substance. The term includes reminding or coaching the individual, handing the individual the medication container, opening the container, using an enabler, or placing the medication in the individual's hand. It does not include assistance with intravenous or injectable medications other than prefilled insulin syringes.

**Summary of Bill:**

For the purposes of the law regulating assisted living facilities, the definition of "activities of daily living" is modified to mean self-care activities related to personal care. The examples provided in the definition (such as bathing and dressing) are not exhaustive, and the definition includes medication assistance, as defined in the Legend Drug Act.

**Appropriation:** None.

**Fiscal Note:** Available.

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