

FINAL BILL REPORT

EHB 2750

C 173 L 18
Synopsis as Enacted

Brief Description: Concerning quality in assisted living facilities.

Sponsors: Representatives Tharinger, Johnson, Cody, Stonier, Slatter, Robinson, Jinkins, Appleton, Muri and Gregerson.

House Committee on Health Care & Wellness
House Committee on Appropriations
Senate Committee on Health & Long Term Care
Senate Committee on Ways & Means

Background:

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 generally adults who require support and supervision. Each assisted living facility provides a different set of services, which generally includes: housekeeping, meals, laundry, activities, assistance with activities of daily living, health support services, and intermittent nursing services.

The Department may take regulatory action against an assisted living facility for violations of licensing and inspection standards and requirements. Actions include refusing to issue or renew a license, imposing conditions on a license, imposing civil penalties up to \$100, suspending or revoking a license, suspending admissions through a stop placement order, or suspending admission of a specific category of residents through a stop placement order. Receipts from civil penalties must be deposited in the Assisted Living Facility Temporary Management Account (Account). Funds from the Account may be used for the payment of relocating residents to other facilities, payment to maintain the operation of an assisted living facility pending correction of deficiencies or closure, and reimbursement to residents for personal funds or property that had been lost or stolen.

Summary:

Assisted Living Facility Work Group.

The Department of Social and Health Services (Department) must facilitate a work group regarding quality metrics for assisted living facilities. At least one of the work group's

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meetings must review and analyze other states with quality metric methodologies for assisted living facilities and whether the reporting of data promotes quality of care and if it is unnecessarily burdensome on the assisted living facilities. The work group consists of Department representatives, assisted living provider associations, the Long-Term Care Ombuds, organizations with expertise in serving persons with mental health needs in an institutional setting, organizations with expertise in serving persons with developmental disability needs in an institutional setting, organizations with expertise in serving culturally diverse and non-English speaking persons in institutional settings, health care professionals with experience caring for diverse and non-English speaking patients, licensed health care professionals with experience caring for geriatric patients, and an Alzheimer's disease advocacy organization.

The work group must submit an interim report to the appropriate committees of the Legislature by September 1, 2019, and a final report by September 1, 2020. The final report must include recommendations for a quality metric system, a proposed process for monitoring and tracking performance, and a process to inform consumers.

Assisted Living Facility Information.

The Department must provide information to consumers about assisted living facilities, including information about site visits, substantiated inspection and complaint investigation reports, citations and remedies, and a listing of licensed assisted living facilities by geographic location.

Civil Penalties.

The \$100 limit on civil penalties against assisted living facilities for violations of licensing standards is changed to a \$100 minimum civil penalty. The maximum penalty is increased to \$1,000 per day per violation until July 1, 2019, when it increases to \$2,000 through June 30, 2020, and increases to \$3,000 beginning on July 1, 2020. When determining the application of civil penalties, the Department may take action using a tiered sanction grid that considers the extent of harm and the regularity of the occurrence. Penalties up to \$10,000 are established for the operation of an assisted living facility without a license.

In addition to other permitted uses, the Assisted Living Facility Temporary Management Account may be used for the protection of the health, safety, welfare, and property of residents of assisted living facilities that are not compliant with licensing standards.

Findings.

Legislative findings are made regarding the quality of Washington's long-term services and supports system, the need for consumers to have access to information about assisted living facilities, the availability of information related to nursing homes and adult family homes, and the need for assisted living facilities to be held accountable for the residents in their care.

Votes on Final Passage:

House	91	7	
Senate	29	19	(Senate amended)
House	95	3	(House concurred)

Effective: June 7, 2018