
HOUSE BILL 2381

State of Washington

65th Legislature

2018 Regular Session

By Representatives Macri, Cody, Tarleton, Santos, Johnson, McBride, Muri, Tharinger, Robinson, Valdez, Stanford, Reeves, Appleton, Harris, and Stonier

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1 AN ACT Relating to allowing certain adult family homes to
2 increase capacity to eight beds; amending RCW 70.128.010; and adding
3 a new section to chapter 70.128 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.128.010 and 2007 c 184 s 7 are each amended to
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Adult family home" means a residential home in which a
10 person or persons provide personal care, special care, room, and
11 board to more than one but not more than six adults who are not
12 related by blood or marriage to the person or persons providing the
13 services. An adult family home may provide services to up to eight
14 adults upon approval from the department under section 2 of this act.

15 (2) "Provider" means any person who is licensed under this
16 chapter to operate an adult family home. For the purposes of this
17 section, "person" means any individual, partnership, corporation,
18 association, or limited liability company.

19 (3) "Department" means the department of social and health
20 services.

1 (4) "Resident" means an adult in need of personal or special care
2 in an adult family home who is not related to the provider.

3 (5) "Adults" means persons who have attained the age of eighteen
4 years.

5 (6) "Home" means an adult family home.

6 (7) "Imminent danger" means serious physical harm to or death of
7 a resident has occurred, or there is a serious threat to resident
8 life, health, or safety.

9 (8) "Special care" means care beyond personal care as defined by
10 the department, in rule.

11 (9) "Capacity" means the maximum number of persons in need of
12 personal or special care permitted in an adult family home at a given
13 time. This number shall include related children or adults in the
14 home and who received special care.

15 (10) "Resident manager" means a person employed or designated by
16 the provider to manage the adult family home.

17 (11) "Adult family home licensee" means a provider as defined in
18 this section who does not receive payments from the medicaid and
19 state-funded long-term care programs.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.128
21 RCW to read as follows:

22 (1) An applicant requesting to increase bed capacity to seven or
23 eight beds must successfully demonstrate to the department financial
24 solvency and management experience for the home under its ownership
25 and the ability to meet other relevant safety, health, and operating
26 standards pertaining to the operation of an eight bed home, including
27 ways to mitigate the potential impact of vehicular traffic related to
28 the operation of the home.

29 (2) The department shall only accept and process an application
30 to increase the bed capacity to seven or eight beds when:

31 (a) A period of no less than twenty-four months has passed since
32 the issuance of the initial adult family home license;

33 (b) The department has taken no enforcement actions against the
34 applicant's currently licensed adult family homes during the twenty-
35 four months prior to application;

36 (c) The home has been licensed for six residents for at least
37 twelve months prior to application;

1 (d) The home has submitted an attestation that an increase in the
2 number of beds will not adversely affect the health, safety, or
3 quality of life of current residents of the home; and

4 (e) The home has paid any fees associated with licensure or
5 additional inspections.

6 (3) Prior to issuing a license to operate a seven or eight bed
7 adult family home, the department may conduct an inspection to
8 determine compliance with licensing standards and the ability to meet
9 the needs of eight residents.

10 (4) Upon application or issuance of an initial seven or eight bed
11 adult family home capacity, a home must provide at least thirty days'
12 notice to all residents and designated guardians of residents that
13 the home has been licensed to admit up to seven or eight residents
14 before admitting a seventh resident.

15 (5) In the event of serious noncompliance in a seven or eight bed
16 adult family home, in addition to, or in lieu of, the imposition of
17 one or more actions listed in RCW 70.128.160(2), the department may
18 revoke the adult family home's authority to accept more than six
19 residents.

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