

# HOUSE BILL REPORT

## SHB 2621

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**As Passed House:**  
February 14, 2020

**Title:** An act relating to creating regulation exemptions for rural health clinics providing services in a designated home health shortage area.

**Brief Description:** Creating regulation exemptions for rural health clinics providing services in a designated home health shortage area.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Maycumber, Tharinger, Schmick, Chapman, MacEwen and Eslick).

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 1/31/20, 2/4/20 [DPS].

**Floor Activity:**

Passed House: 2/14/20, 98-0.

**Brief Summary of Substitute Bill**

- Exempts certain rural health clinics from in-home services agency licensure and certificate of need requirements.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Chambers, Chopp, Davis, DeBolt, Harris, Maycumber, Riccelli, Robinson, Stonier, Thai and Tharinger.

**Staff:** Jim Morishima (786-7191).

**Background:**

I. In-Home Services Agencies.

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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.*

An in-home services agency administers or provides home health, home care, or hospice services to individuals in a place of temporary or permanent residence. In-home service agencies are licensed by the Department of Health (DOH).

A person or entity is not required to be licensed as an in-home services agency under a variety of circumstances. For example, a family member or person who provides services without compensation is exempt from licensure. Certain types of licensed facilities are also exempt when providing services to persons residing in the facilities, including nursing homes, hospitals, adult family homes, assisted living facilities, and developmental disability residential programs.

## II. Certificate of Need.

Before a health care facility, including hospices, hospice care centers, hospitals, psychiatric hospitals, nursing homes, kidney disease treatment centers, ambulatory surgical facilities, and home health agencies, may be constructed, renovated, or sold, the DOH must issue a certificate of need. When determining whether to issue a certificate of need, the DOH must consider a variety of factors, including:

- the population's need for the service;
- the availability of less costly or more effective methods of providing the service;
- the financial feasibility and probable impact of the proposal on the cost of health care in the community;
- the need and availability of services and facilities for physicians and patients in the community;
- the efficiency and appropriateness of the use of existing similar services and facilities; and
- improvements in the financing and delivery of health services that contain costs and promote quality assurance.

### **Summary of Substitute Bill:**

A rural health clinic providing health services in a home health shortage area declared by the Department of Health is exempt from:

- licensure as an in-home services agency; and
- certificate of need requirements.

**Appropriation:** None.

**Fiscal Note:** Available.

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

### **Staff Summary of Public Testimony:**

(In support) Washington's population is getting older and the need for in-home care services is on the rise. People in rural areas face long drives, making it infeasible to get these services in rural locations. State law also creates barriers to using these services, including licensing

and certificate of need. This bill provides a narrow exemption to these requirements for areas that have been designated as home health shortage areas by the Department of Health. This exemption will allow in-home providers to be dispatched by rural health clinics. The bill will help solve the home health shortage issue in Washington. This bill is the result of a collaborative effort by stakeholders.

(Opposed) None.

**Persons Testifying:** Representative Maycumber, prime sponsor; and Jacqueline Barton True, Washington State Hospital Association.

**Persons Signed In To Testify But Not Testifying:** None.