\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ENGROSSED SUBSTITUTE SENATE BILL 5640**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senate Housing (originally sponsored by Senators Hunt, Kuderer, and C. Wilson)

AN ACT Relating to establishing an independent living residents' rights work group; creating a new section; providing an expiration date; and declaring an emergency.

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

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the independent living residents' rights work group is established. The purpose of the work group is to recommend to the governor and the appropriate committees of the legislature a bill of rights for nonresidents residing in an assisted living facility that allows the nonresidents to have a process to resolve disputes regarding contracted services with the owners and management of the assisted living facility in which they reside. To establish these recommendations, the work group shall:

(a) Hold multiple stakeholder meetings with nonresidents residing in an assisted living facility to identify the barriers and issues impacting the nonresidents;

(b) Consider the impacts and evaluate the options for nonresidents residing in an assisted living facility;

(c) Conduct an analysis of the barriers and issues regarding contracted services that may not be resolved through the current appeals process for residential landlord-tenant policies as referenced in chapter 59.18 RCW; and

(d) Develop recommendations for a process for nonresidents residing in an assisted living facility to resolve problems, including recommendations protecting nonresidents from retaliation from owners and management of assisted living facilities.

(2) The work group shall be composed of the following members:

(a) One representative from the department of social and health services, appointed by the secretary of the department of social and health services;

(b) One representative from the Washington state attorney general's office, appointed by the attorney general or the attorney general's designee;

(c) One representative from the office of the state long-term care ombuds, appointed by the state long-term care ombuds;

(d) One representative each from two different associations representing assisted living facilities, appointed by the secretary of the department of social and health services from a list provided by the associations;

(e) One representative from a community-based organization or nonprofit organization that advocates for seniors and other individuals who wish to age in place, appointed by the secretary of the department of social and health services from a list provided by the organizations;

(f) An attorney with expertise in landlord-tenant law;

(g) The cochair of the dementia action collaborative other than the secretary of the department of social and health services or his or her designee; and

(h) Three representatives who are current nonresidents residing in an assisted living facility, appointed by the secretary of the department of social and health services based on the recommendations of the dementia action collaborative, the office of the state long-term care ombuds, and the independent resident commission of Bonaventure of Lacey.

(3) The work group shall submit its findings and recommendations to the governor and the appropriate committees of the legislature by January 1, 2025.

(4) The work group shall hold its inaugural meeting no later than August 1, 2024. The work group shall elect a chair from among its current or previous nonresident members as listed in subsection (2)(h) of this section at the inaugural meeting. The election of the chair must be by a majority vote of the work group members who are present at the inaugural meeting. The chair of the work group is responsible for arranging subsequent meetings and developing meeting agendas.

(5) Staff support for the work group, including arranging the inaugural meeting of the work group and assisting the chair of the work group in arranging subsequent meetings, must be provided by the department of social and health services.

(6) Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) The work group is a class one group under chapter 43.03 RCW.

(8) A public comment period must be provided at every meeting of the work group.

(9) This section expires January 1, 2026.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**