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**SENATE BILL 5676**

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

**By** Senator Short

AN ACT Relating to siting intensive behavioral health treatment facilities; and amending RCW 71.24.648.

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

**Sec.**  RCW 71.24.648 and 2019 c 324 s 3 are each amended to read as follows:

The secretary shall license or certify intensive behavioral health treatment facilities that meet state minimum standards. The secretary must establish rules working with the authority and the department of social and health services to create standards for licensure or certification of intensive behavioral health treatment facilities. The rules, at a minimum, must:

(1) Clearly define clinical eligibility criteria in alignment with how "intensive behavioral health treatment facility" is defined in RCW 71.24.025;

(2) Require twenty-four hour supervision of residents;

(3) Establish staffing requirements that provide an appropriate response to the acuity of the residents, including a clinical team and a high staff to patient ratio;

(4) Establish requirements for the ability to provide services and an appropriate level of care to individuals with intellectual or developmental disabilities. The requirements must include staffing and training;

(5) Require access to regular psychosocial rehabilitation services including, but not limited to, skills training in daily living activities, social interaction, behavior management, impulse control, and self-management of medications;

(6) Establish requirements for the ability to use limited egress;

(7) Limit services to persons at least eighteen years of age; and

(8) Establish resident rights that are substantially similar to the rights of residents in long-term care facilities;

(9) Establish standards requiring applicants for licensure or certification to demonstrate adequate proximity to services and the existence of relationships or agreements necessary to support safe operation of the facility, including access to designated crisis responders, hospitals or facilities licensed or certified to provide services under chapter 71.05 RCW, medical services, emergency responders, and law enforcement; and

(10) Require the department to provide notification of the filing of an application for licensure or certification to the county and city government of the area where the proposed intensive behavioral health treatment facility would be sited, with an opportunity for the local county or city government to provide a community impact statement within 25 business days describing the impact of licensure or certification on neighborhood services and other legitimate interests in the community. Receipt of a community impact statement must result in the scheduling of a community meeting within 60 days if such a meeting is requested, which must be attended by the applicant and the department and at which questions relating to the application for licensure or certification may be addressed. The department may use information obtained in the community impact statement or at the community meeting to determine if further steps are needed before approval of licensure or certification to abate legitimate concerns in the community.

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