

SSB 5640 - S AMD 471
By Senator Hunt

ADOPTED 01/17/2024

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (6) Nonlegislative members are not entitled to be reimbursed for
38 travel expenses if they are elected officials or are participating on
39 behalf of an employer, governmental entity, or other organization.

1 Any reimbursement for other nonlegislative members is subject to
2 chapter 43.03 RCW.

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

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

6 (9) This section expires January 1, 2026.

7 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of
9 the state government and its existing public institutions, and takes
10 effect immediately."

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11 On page 1, line 2 of the title, after "group;" strike the
12 remainder of the title and insert "creating a new section; providing
13 an expiration date; and declaring an emergency."

EFFECT: (1) Requires the work group submit its findings and
recommendations by January 1, 2025, rather than January 1, 2024.

(2) Requires the inaugural meeting to be no later than August 1,
2024, instead of August 1, 2023.

(3) Expires the section on January 1, 2026, rather than January
1, 2025.

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