

SENATE BILL REPORT

SB 5147

As Reported by Senate Committee On:
Human Services, January 31, 2023

Title: An act relating to expanding the use of air conditioning in adult family homes.

Brief Description: Expanding the use of air conditioning in adult family homes.

Sponsors: Senators Mullet, Conway and Van De Wege.

Brief History:

Committee Activity: Human Services: 1/17/23, 1/31/23 [DPS-WM].

Brief Summary of First Substitute Bill

- Requires the Department of Social and Health Services (DSHS) to establish a grant program for Medicaid-funded adult family homes for one-time costs associated with equipping the home with portable air conditioners or updating their heating, ventilation, and air conditioning system to include air conditioning.
- Requires DSHS to report to the Legislature the number of homes with air conditioning.
- Requires applicants for a new adult family home license to have air conditioning beginning July 1, 2025.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: That Substitute Senate Bill No. 5147 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame, Nguyen, Warnick and Wilson, J..

Staff: Delika Steele (786-7486)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: An adult family home is a residential home that provides personal care, specialty care, necessary supervision, laundry, and room and board for up to eight adults who need long-term care. The Department of Social and Health Services (DSHS) licenses and regulates adult family homes. The adult family homes must meet facility standards, which include ensuring that the maximum and minimum temperature of any room used by a resident is comfortable for the resident and does not compromise the resident's health and safety. At a minimum, room temperatures must be kept at 68 degrees Fahrenheit or more during waking hours and 60 degrees Fahrenheit or more during sleeping hours. There are about 3600 licensed adult family homes in Washington and approximately 300 new adult family homes licensed each year.

In the past, Washington State experienced record breaking heat. DSHS previously reported on how extreme heat impacts long-term care residents and found that a number of long-term care resident deaths were caused by heat stroke. In response to this, DSHS has increased training opportunities for long-term care staff to learn about working with residents during a heat wave.

Summary of Bill (First Substitute): Subject to appropriations, DSHS must establish a grant program to expand the use of air conditioning in adult family homes that serve individuals whose services are funded through Medicaid, or state funded long-term care programs. An adult family home may receive up to \$5,000 in grant funds to use to equip and install portable air conditioning units in resident's bedrooms and common areas, or updating the home's heating, ventilation, and air conditioning (HVAC) system to include air conditioning. DSHS must verify the grant was used appropriately at the inspection immediately following the home's receipt of the grant.

By December 1, 2024, DSHS must include a survey of each adult family home's air conditioning capabilities during their regular inspection of the home and report their survey findings to the Legislature. The report must break out their findings by the number of homes using portable air conditioning, the number of homes with air conditioning as part of the home's HVAC system, and whether the home is private pay or publicly funded, and include recommendations for increasing the number of homes with air conditioning.

Applications for a new adult family license received on or after July 1, 2025, must demonstrate that the home has air conditioning or another cooling system. DSHS must consult with consumers, advocates, and organizations representing adult family homes when implementing this requirement.

EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):

- Removes the direct appropriation from the general fund for the establishment of the grant program.
- Removes the expiration date for adult family homes to receive grant funding.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill was originally brought in response to the heat wave of summer 2021 where many residents in adult family homes passed away. With the increase of triple digit temperatures throughout our summers, many adult family homes will benefit from this grant program. The future requirement in section 4 of the bill should be modified to apply to new adult family homes and not newly licensed adult family homes which could result from a homeowner changing their business structure.

Persons Testifying: PRO: Senator Mark Mullet, Prime Sponsor; John Ficker, Adult Family Home Council.

Persons Signed In To Testify But Not Testifying: No one.