
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)

READ FIRST TIME 02/16/23.

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

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

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

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

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

19 (c) Conduct an analysis of the barriers and issues regarding
20 contracted services that may not be resolved through the current

1 appeals process for residential landlord-tenant policies as
2 referenced in chapter 59.18 RCW; and

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

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

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

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

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

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

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

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

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

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

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

38 (4) The work group shall hold its inaugural meeting no later than
39 August 1, 2024. The work group shall elect a chair from among its
40 current or previous nonresident members as listed in subsection

1 (2)(h) of this section at the inaugural meeting. The election of the
2 chair must be by a majority vote of the work group members who are
3 present at the inaugural meeting. The chair of the work group is
4 responsible for arranging subsequent meetings and developing meeting
5 agendas.

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

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

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

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

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

19 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of
21 the state government and its existing public institutions, and takes
22 effect immediately.

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