
HOUSE BILL 2172

State of Washington

54th Legislature

1996 Regular Session

By Representatives Dyer, Cody, Dellwo, Dickerson, Horn and Carlson; by request of Department of Social and Health Services

Read first time 01/08/96. Referred to Committee on Health Care.

1 AN ACT Relating to adult residential care services; and amending
2 RCW 74.39A.---

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

4 **Sec. 1.** RCW 74.39A.--- and 1995 1st sp.s. c 18 (E2SHB 1908) s 17
5 are each amended to read as follows:

6 (1) The department is authorized to take one or more of the actions
7 listed in subsection (2) of this section in any case in which the
8 department finds that a provider of assisted living services, adult
9 residential care services, or enhanced adult residential care services
10 has:

11 (a) Failed or refused to comply with the requirements of this
12 chapter or the rules adopted under this chapter;

13 (b) Operated without a license or under a revoked license;

14 (c) Knowingly, or with reason to know, made a false statement of
15 material fact on his or her application for license or any data
16 attached thereto, or in any matter under investigation by the
17 department; or

18 (d) Willfully prevented or interfered with any inspection or
19 investigation by the department.

1 (2) When authorized by subsection (1) of this section, the
2 department may take one or more of the following actions:

3 (a) Refuse to issue a contract;

4 (b) Impose reasonable conditions on a contract, such as correction
5 within a specified time, training, and limits on the type of clients
6 the provider may admit or serve;

7 (c) Impose civil penalties of not more than one hundred dollars per
8 day per violation;

9 (d) Suspend, revoke, or refuse to renew a contract; or

10 (e) Suspend admissions to the facility by imposing stop placement
11 on contracted services.

12 (3) When the department orders stop placement, the facility shall
13 not admit any person admitted by contract until the stop placement
14 order is terminated. The department may approve readmission of a
15 resident to the facility from a hospital or nursing home during the
16 stop placement. The department shall terminate the stop placement
17 when: (a) The violations necessitating the stop placement have been
18 corrected; and (b) the provider exhibits the capacity to maintain
19 adequate care and service.

20 (4) Chapter 34.05 RCW applies to department actions under this
21 section, except that orders of the department imposing contracts
22 suspension, stop placement, or conditions for continuation of a
23 contract are effective immediately upon notice and shall continue
24 pending any hearing.

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