

ANALYSIS OF HOUSE BILL 1194

Extending the due date for a report to the legislature concerning accreditation of license boarding homes.

SPONSORS: Representatives Slug and Schual-Berke.

WHAT THE NEW BILL DOES: Extends the expiration date for the Assisted Living Third-Party Accreditation Pilot Project Coalition from 1999 until 2001 and allows the coalition to receive funds from other individuals and organizations to conduct its business. The date that the study must be submitted to the Legislature is extended accordingly.

WHAT DID LAST YEAR'S BILL (HB 2990) DO? The 1998 Legislature mandated that a coalition of assisted living providers, long-term care consumer groups, and state regulatory agencies develop a plan for implementing a pilot program for the third-party accreditation of boarding homes. The plan is required to review the overall feasibility of implementing a pilot program and to indicate the costs savings to the state, the impact on quality of care and quality of life, and the impact on the boarding home industry. The plan must be submitted to the Legislature by January 4, 1999. The Assisted Living Federation of America is required to provide funding for the pilot plan.

BACKGROUND: Boarding homes are care facilities usually ranging in size from over 6 to 160 residents. Smaller boarding homes are often called group homes and larger ones might be marketed to the public as assisted living facilities. Boarding homes are not just rooming houses. They offer room, board and personal care or nursing services. Boarding homes are now licensed, regulated and inspected by the Department of Social and Health Services (DSHS). There are over 400 boarding homes in the state with approximately 6,000 residents. Of this total, only 13 percent of the residents have their care paid by the Department of Social and Health Services (DSHS). The remainder of boarding home residents pay for their care from their own resources.

The DSHS conducts site comprehensive licensing inspections approximately every 12 months and also responds to individual complaints concerning residents or the facility. If a violation is found to have occurred, the DOH has the authority to take actions such as consultations, placing conditions on a license, more staff training, stopping admissions, fines and closing facility.

Both 1995 and 1996 legislative reports on residents' rights, quality of care, and regulatory enforcement conducted by the Washington State Long-term Care Ombudsman Program found serious concerns with the way in which the DOH conducted investigations and regulatory oversight. Further concerns have been raised in the ombudsman's 1998 follow-up investigation of the enforcement of safety and care standards in boarding homes. In that follow-up study, the ombudsman again found "widespread problems in the regulatory oversight provided by the state's

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Department of Health. "This 1998 ombudsman report recommended that the Legislature eliminate the dual regulation of boarding homes and transfer jurisdiction of boarding homes to the DSHS. The regulation of boarding homes was transferred from the Department of Health to the Department of Social and Health Services in 1998 (SHB 6544).

The DSHS is responsible for the development of quality of care standards in boarding homes and the regulatory enforcement of these standards.

Private third party accreditation refers to the quality of care reviews conducted by a private accreditation organization outside of government. Private third party accreditation is conducted for hospitals and in some other health care settings such as home care organizations, ambulatory care providers and clinical laboratories. Third party accreditation of boarding homes is not currently conducted in Washington or in any other state.

KEY INTEREST GROUPS:

Nor-ALFA - Northwest Assisted Living Facility Association
AAPR - American Association of Retired Persons
Senior Lobby
State Long-Term Care Ombudsman
Nursing Home Lobby -
 WAHA - Washington Association of Homes for the Aging
 WHCA - Washington Health Care Association
DSHS - Aging and Adult Services