

# FINAL BILL REPORT

## E2SHB 2154

---

C 214 L 94  
Synopsis as Enacted

**Brief Description:** Providing protection for residents of long-term care facilities.

By House Committee on Appropriations (originally sponsored by Representatives R. Meyers, Valle, Carlson, Jones, Dellwo, Roland, Campbell, Dorn, Ogden, Kessler, Holm, Wineberry and Thibaudeau).

House Committee on Health Care  
House Committee on Appropriations  
Senate Committee on Health & Human Services

**Background:** Since 1987 all nursing home residents in Washington have been protected by a set of basic rights concerning information, care, privacy, treatment, security of their personal property and activities in the residence. These same basic rights do not uniformly exist in statute for other long-term care residential facilities such as boarding homes and adult family homes.

Residents of nursing homes may have their complaints addressed by the State Long Term Care Ombudsman or the Department of Social and Health Services Complaint Resolution Program. The Long-Term Care Ombudsman Program trains, certifies and supervises volunteers who mediate, resolve concerns and complaints, and stop verbal and physical abuse for Washington's 50,000 citizens living in nursing homes, boarding homes and adult family homes. Last year, the program handled nearly 5,500 complaints with 170 volunteers.

There are no regulations that either discourage or require a nursing home to refund a portion of a private nursing home resident's deposit fee if resident does not reside in the nursing home. All nursing homes, except those who take only private-pay residents, are required to provide the residents or their representatives full disclosure of deposit and fees upon admissions. There are no requirements stipulated when deposit funds owed are to be returned to the resident or their representative.

**Summary:** The rights of all nursing home residents are extended to residents in veteran's homes, adult family homes and boarding homes. These rights include: being

appropriately informed of rights; protection of personal property; privacy and confidentiality; the ability to voice grievances; access and visitation rights; transfer and discharge requirements; freedom from any physical or chemical restraints imposed for discipline or convenience and not required to treat the resident's medical symptoms; freedom from abuse; and a number of rights to ensure that residents are able to choose their own lifestyle. The protection of private funds is also extended to residents in veteran's boarding homes.

If funds are available, boarding homes are authorized to obtain criminal background checks on their employees from the Department of Social and Health Services without charge, in the same way that nursing homes and adult family homes obtain these background checks.

Specific limitations are placed on minimum-stay fees or admission deposits, and on waivers of liability for personal property losses. Full disclosure of these fee limitations is required in admission contracts for nursing homes, boarding homes, adult family homes and veteran's homes. However, these limitations do not apply to provisions in contracts negotiated between a nursing facility and a certified health plan, health or disability insurer, health maintenance organization, or managed care organization.

The long-term care ombudsman is given responsibility for monitoring the implementation of the act and reporting to the Legislature by July 1, 1995.

**Votes on Final Passage:**

House	92	0	
Senate	49	0	(Senate amended)
House	90	0	(House concurred)

**Effective:** June 9, 1994