
HOUSE BILL 2382

State of Washington

55th Legislature

1998 Regular Session

By Representatives Dunn, Mielke, Pennington and Carlson

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1 AN ACT Relating to long-term care resident rights; and amending RCW
2 70.129.030.

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

4 **Sec. 1.** RCW 70.129.030 and 1997 c 386 s 31 are each amended to
5 read as follows:

6 (1) The facility must inform the resident both orally and in
7 writing in a language that the resident understands of his or her
8 rights and all rules and regulations governing resident conduct and
9 responsibilities during the stay in the facility. The notification
10 must be made prior to or upon admission. Receipt of the information
11 must be acknowledged in writing.

12 (2) The resident or his or her legal representative has the right:

13 (a) Upon an oral or written request, to access all records
14 pertaining to himself or herself including clinical records within
15 twenty-four hours; and

16 (b) After receipt of his or her records for inspection, to purchase
17 at a cost not to exceed the community standard photocopies of the
18 records or portions of them upon request and two working days' advance
19 notice to the facility.

1 (3) The facility shall only admit or retain individuals whose needs
2 it can safely and appropriately serve in the facility with appropriate
3 available staff or through the provision of reasonable accommodations
4 as required by state or federal law. Except in cases of emergency,
5 facilities shall not admit an individual before completing a
6 comprehensive assessment of the resident's needs and preferences,
7 unless information is unavailable despite the best efforts of the
8 facility and other interested parties. To assist the facility in
9 completing the assessment, each potential resident or his or her legal
10 representative shall present to the facility the following information
11 prior to admission: Recent medical history; necessary and prohibited
12 medications; a medical professional's diagnosis; significant known
13 behaviors or symptoms that may cause concern or require special care;
14 mental illness, except where protected by confidentiality laws; level
15 of personal care needs; activities and service preferences; and
16 preferences regarding issues important to the potential resident, such
17 as food and daily routine. The facility must inform each resident in
18 writing before, or at the time of admission, and at least once every
19 twenty-four months thereafter of: (a) Services available in the
20 facility; (b) charges for those services including charges for services
21 not covered by the facility's per diem rate or applicable public
22 benefit programs; and (c) the rules of operations required under RCW
23 70.129.140(2).

24 (4) The facility must furnish a written description of residents
25 rights that includes:

26 (a) A description of the manner of protecting personal funds, under
27 RCW 70.129.040;

28 (b) A posting of names, addresses, and telephone numbers of the
29 state survey and certification agency, the state licensure office, the
30 state ombudsmen program, and the protection and advocacy systems; and

31 (c) A statement that the resident may file a complaint with the
32 appropriate state licensing agency concerning alleged resident abuse,
33 neglect, and misappropriation of resident property in the facility.

34 (5) Notification of changes.

35 (a) A facility must immediately consult with the resident's
36 physician, and if known, make reasonable efforts to notify the
37 resident's legal representative or an interested family member when
38 there is:

1 (i) An accident involving the resident which requires or has the
2 potential for requiring physician intervention;

3 (ii) A significant change in the resident's physical, mental, or
4 psychosocial status (i.e., a deterioration in health, mental, or
5 psychosocial status in either life-threatening conditions or clinical
6 complications).

7 (b) The facility must promptly notify the resident or the
8 resident's representative shall make reasonable efforts to notify an
9 interested family member, if known, when there is:

10 (i) A change in room or roommate assignment; or

11 (ii) A decision to transfer or discharge the resident from the
12 facility.

13 (c) The facility must record and update the address and phone
14 number of the resident's representative or interested family member,
15 upon receipt of notice from them.

16 (6) This section applies to long-term care facilities covered under
17 this chapter.

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