
SENATE BILL 6690

State of Washington

55th Legislature

1998 Regular Session

By Senators Thibaudeau and Wood

Read first time 01/27/98. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to disclosure; and amending RCW 70.129.030.

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

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

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

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

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

15 (b) After receipt of his or her records for inspection, to purchase
16 at a cost not to exceed the community standard photocopies of the
17 records or portions of them upon request and two working days' advance
18 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 obtaining a
6 comprehensive assessment of the resident's needs and preferences,
7 unless unavailable despite the best efforts of the facility and other
8 interested parties. The assessment shall contain, within existing
9 department funds, the following information: Recent medical history;
10 necessary and prohibited medications; a medical professional's
11 diagnosis; significant known behaviors or symptoms that may cause
12 concern or require special care; mental illness except where protected
13 by confidentiality laws; level of personal care needs; activities and
14 service preferences; and preferences regarding issues important to the
15 potential resident, such as food and daily routine. The facility must
16 inform each resident in writing in a language the resident or his or
17 her representative understands before(, or at the time of) admission,
18 and at least once every twenty-four months thereafter, of: (a)
19 Services, items, and activities customarily available in the facility
20 or arranged for by the facility; (b) charges for those services, items,
21 and activities including charges for services, items, and activities
22 not covered by the facility's per diem rate or applicable public
23 benefit programs; and (c) the rules of facility operations required
24 under RCW 70.129.140(2). Each resident and his or her representative
25 must be informed in writing in advance of changes in the availability
26 or the charges for services, items, or activities, or of changes in the
27 facility's rules. Except in unusual circumstances, thirty days'
28 advance notice must be given prior to the change. However, for
29 facilities licensed for six or fewer residents, if there has been a
30 substantial and continuing change in the resident's condition
31 necessitating substantially greater or lesser services, items, or
32 activities, then the charges for those services, items, or activities
33 may be changed upon fourteen days' advance written notice.

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

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

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

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

7 (5) Notification of changes.

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

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

14 (ii) A significant change in the resident's physical, mental, or
15 psychosocial status (i.e., a deterioration in health, mental, or
16 psychosocial status in either life-threatening conditions or clinical
17 complications).

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

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

22 (ii) A decision to transfer or discharge the resident from the
23 facility.

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

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

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