

2 **SHB 2454** - S COMM AMD (S5024.1 AMD BY #220)  
3 By Committee on Ways & Means

4 ADOPTED AS AMENDED 3/2/00

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** This act shall be known and cited as the  
8 Fred Mills act.

9 **Sec. 2.** RCW 74.41.020 and 1987 c 409 s 1 are each amended to read  
10 as follows:

11 It is the intent of the legislature to provide ~~((for both))~~ a  
12 comprehensive program of long-term care information and support,  
13 including in-home and out-of-home respite care services ~~((which are~~  
14 provided by a range of service providers)), for family and other unpaid  
15 caregivers who provide the daily services required when caring for  
16 adults with functional disabilities. The ~~((respite care))~~ family  
17 caregiver long-term care information and support services shall:

18 (1) Provide information, relief, and support to family or other  
19 unpaid caregivers of ~~((disabled))~~ adults with functional disabilities;

20 (2) Encourage family and other nonpaid individuals to provide care  
21 for ~~((disabled))~~ adults with functional disabilities at home, and thus  
22 offer a viable alternative to ~~((institutionalization))~~ placement in a  
23 long-term care facility;

24 (3) Ensure that respite care is made generally available on a  
25 sliding-fee basis to eligible participants in the program according to  
26 priorities established by the department;

27 (4) Be provided in the least restrictive setting available  
28 consistent with the individually assessed needs of the ~~((functionally~~  
29 disabled)) adults with functional disabilities; ~~((and))~~

30 (5) Include services appropriate to the needs of persons caring for  
31 individuals with dementing illnesses; and

32 (6) Provide unpaid family and other unpaid caregivers with services  
33 that enable them to make informed decisions about current and future  
34 care plans, solve day-to-day caregiving problems, learn essential

1 caregiving skills, and locate services that may strengthen their  
2 capacity to provide care.

3 **Sec. 3.** RCW 74.41.030 and 1987 c 409 s 2 are each amended to read  
4 as follows:

5 Unless the context clearly indicates otherwise, the definitions in  
6 this section apply throughout this chapter.

7 (1) "Family caregiver long-term care information and support  
8 services" means providing long-term care information and support  
9 services to unpaid family and other unpaid caregivers of adults with  
10 functional disabilities, including but not limited to providing: (a)  
11 Information about available public and private long-term care support  
12 services; (b) assistance in gaining access to an array of appropriate  
13 long-term care family caregiver services; (c) promotion and  
14 implementation of support groups; (d) caregiver training to assist the  
15 nonpaid caregivers in making decisions and solving challenges relating  
16 to their caregiving roles; (e) respite care services; and (f)  
17 additional supportive long-term care services that may include but not  
18 be limited to translating/interpreter services, specialized  
19 transportation, coordination of health care services, help purchasing  
20 needed supplies, durable goods, or equipment, and other forms of  
21 information and support necessary to maintain the unpaid caregiving  
22 activity.

23 (2) "Respite care services" means relief care for families or other  
24 caregivers of ~~((disabled))~~ adults with functional disabilities,  
25 eligibility for which shall be determined by the department by rule.  
26 The services provide temporary care or supervision of ~~((disabled))~~  
27 adults with functional disabilities in substitution for the caregiver.  
28 The term includes ~~((social))~~ adult day ((care)) services.

29 ~~((+2))~~ (3) "Eligible participant for family caregiver long-term  
30 care information and support services" means an adult ((+a)) who needs  
31 substantially continuous care or supervision by reason of his or her  
32 functional disability(~~(, and (b) who is assessed as requiring~~  
33 institutionalization in the absence of a caregiver assisted by home and  
34 community support services, including respite care)) and may be at risk  
35 of placement into a long-term care facility.

36 (4) "Eligible participant for respite care services" means an adult  
37 who needs substantially continuous care or supervision by reason of his  
38 or her functional disability and is also assessed as requiring

1 placement into a long-term care facility in the absence of an unpaid  
2 family or other unpaid caregiver.

3 ~~((3))~~ (5) "Unpaid caregiver" means a spouse, relative, or friend  
4 who has primary responsibility for the care of ~~((a functionally~~  
5 ~~disabled adult,))~~ an adult with a functional disability and who does  
6 not receive financial compensation for the care ~~((, and who is assessed~~  
7 ~~as being at risk of placing the eligible participant in a long-term~~  
8 ~~care facility if respite care is not available))~~. To be eligible for  
9 respite care and for family caregiver support services, the caregiver  
10 is considered the client.

11 ~~((4) "Institutionalization" means placement in a long-term care~~  
12 ~~facility.~~

13 ~~(5))~~ (6) "~~((Social))~~ Adult day ((care)) services" means nonmedical  
14 services to persons who live with their families, cannot be left  
15 unsupervised, and are at risk of being placed in a twenty-four-hour  
16 care facility if their families do not receive some relief from  
17 constant care.

18 ~~((6))~~ (7) "Department" means the department of social and health  
19 services.

20 **Sec. 4.** RCW 74.41.050 and 1989 c 427 s 8 are each amended to read  
21 as follows:

22 The department shall contract with area agencies on aging or other  
23 appropriate agencies to conduct ~~((respite care projects))~~ family  
24 caregiver long-term care information and support services to the extent  
25 of available funding. The responsibilities of the agencies shall  
26 include but not be limited to: (1) Administering a program of family  
27 caregiver long-term care information and support services; and (2)  
28 negotiating rates of payment, administering sliding-fee scales to  
29 enable eligible participants to participate in paying for respite care,  
30 and arranging for respite care information, training, and other support  
31 services. ~~((Rates of payment to respite care service providers shall~~  
32 ~~not exceed, and may be less than, rates paid by the department to~~  
33 ~~providers for the same level of service.))~~ In evaluating the need for  
34 respite services, consideration shall be given to the mental and  
35 physical ability of the caregiver to perform necessary caregiver  
36 functions.

1       **Sec. 5.** RCW 74.41.070 and 1998 c 245 s 151 are each amended to  
2 read as follows:

3       The area agencies on aging administering ~~((respice care programs))~~  
4 family caregiver long-term care information and support services shall  
5 maintain data which indicates demand for ~~((respice care, and which~~  
6 ~~includes information on in-home and out-of-home day care and in-home~~  
7 ~~and out-of-home overnight care demand))~~ family caregiver long-term care  
8 information and support services."

9 **SHB 2454** - S COMM AMD (S5024.1 AS AMD BY #220)  
10 By Committee on Ways & Means

ADOPTED AS AMENDED 3/2/00

11  
12 On page 1, line 2 of the title, after "services;" strike the  
13 remainder of the title and insert "amending RCW 74.41.020, 74.41.030,  
14 74.41.050, and 74.41.070; and creating a new section."

--- END ---