

2 **SHB 2454** - S COMM AMD
3 By Committee on Ways & Means

4 ADOPTED 3/2/00

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

7 "Sec. 1. RCW 74.41.020 and 1987 c 409 s 1 are each amended to read
8 as follows:

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

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

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

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

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

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

30 (6) Provide unpaid family and other unpaid caregivers with services
31 that enable them to make informed decisions about current and future
32 care plans, solve day-to-day caregiving problems, learn essential
33 caregiving skills, and locate services that may strengthen their
34 capacity to provide care.

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

3 Unless the context clearly indicates otherwise, the definitions in
4 this section apply throughout this chapter.

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

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

27 ~~((+2))~~ (3) "Eligible participant for family caregiver long-term
28 care information and support services" means an adult ((+a)) who needs
29 substantially continuous care or supervision by reason of his or her
30 functional disability(~~(, and (b) who is assessed as requiring~~
31 institutionalization in the absence of a caregiver assisted by home and
32 community support services, including respite care)) and may be at risk
33 of placement into a long-term care facility.

34 (4) "Eligible participant for respite care services" means an adult
35 who needs substantially continuous care or supervision by reason of his
36 or her functional disability and is also assessed as requiring
37 placement into a long-term care facility in the absence of an unpaid
38 family or other unpaid caregiver.

1 ~~((3))~~ (5) "Unpaid caregiver" means a spouse, relative, or friend
2 who has primary responsibility for the care of ~~((a functionally~~
3 ~~disabled adult,))~~ an adult with a functional disability and who does
4 not receive financial compensation for the care ~~((, and who is assessed~~
5 ~~as being at risk of placing the eligible participant in a long term~~
6 ~~care facility if respite care is not available))~~. To be eligible for
7 respite care and for family caregiver support services, the caregiver
8 is considered the client.

9 ~~((4))~~ "~~Institutionalization~~" means placement in a long term care
10 facility.

11 ~~(5))~~ (6) "~~(Social)~~ Adult day (care) services" means nonmedical
12 services to persons who live with their families, cannot be left
13 unsupervised, and are at risk of being placed in a twenty-four-hour
14 care facility if their families do not receive some relief from
15 constant care.

16 ~~((6))~~ (7) "Department" means the department of social and health
17 services.

18 **Sec. 3.** RCW 74.41.050 and 1989 c 427 s 8 are each amended to read
19 as follows:

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

35 **Sec. 4.** RCW 74.41.070 and 1998 c 245 s 151 are each amended to
36 read as follows:

