

ANALYSIS OF HOUSE BILL 2510

Modifying home health, home care, hospice, and in-home services.

SPONSORS: Representatives Edmonds and D. Schmidt.

BACKGROUND: The Department of Health (DOH) was directed by the Legislature to prepare a report for the Health Care Committees of the Legislature concerning changes needed to the home health, hospice, and home care licensing law. The department established a working committee made up of industry representatives, the Department of Social and Health Services (DSHS), and the DOH to develop recommendations and a report. This committee investigated: enhancing home health, hospice, and home care licensing laws to provide better protection for the public; developing compliance strategies for persons providing in-home services; and analyzing the effects of repealing specific home health licence laws to achieve greater efficiency and effectiveness. The report was submitted by the DOH Secretary to the Legislature in November 1999.

The DOH study of State Regulation of Home Health, Hospice, Home Care, (Chapter 70.127 RCW), identified that home health, home care, and hospice agencies each must undergo a separate process to receive their licenses. The DOH manages three separate licensing functions for each of the three types of facilities. There are three separate chapters of regulations, and three separate systems for administering each set of regulations. Agencies with more than one license type must deal with the separate paperwork for each license type, and must also undergo separate surveys for each type of license. The study identified that the current system for licensing may be inefficient and recommended that there should be a single licensing type for all in-home agencies as well clearer definitions of home health, hospice, and home care.

SUMMARY: The three license categories (home health, home care, and hospice) are combined into a single license category. The new licence category is referred to as the "in-home services license." Agencies will continue to be called by the recognized industry names -- home health, hospice, home care -- their functions will not change.

New definitions are added and existing definitions are modified. A new category under the hospice license is created called "hospice care center." Hospice care centers will be allowed to provide hospice care for the terminally ill in a home-like setting.

Violations of the statute are clarified and the department is given new enforcement actions under the consumer protections act.

Clarification is made to the types of activities or businesses that are not considered in-home services.

Technical changes are made to remove unnecessary references, consolidate sections of the statute, and to provide clarification to definitions and terms.