
SECOND SUBSTITUTE HOUSE BILL 1837

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Ruderman, Parlette, Cody, Carlson, Kenney, Conway, Skinner, Clements, Thomas and Edmonds)

Read first time 03/08/1999.

1 AN ACT Relating to the long-term care ombudsman program; amending
2 RCW 43.190.060; adding a new section to chapter 43.190 RCW; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 43.190.060 and 1995 1st sp.s. c 18 s 33 are each
6 amended to read as follows:

7 A long-term care ombudsman shall:

8 (1) Identify, investigate, and resolve complaints made by or on
9 behalf of residents of long-term care facilities relating to
10 administrative action, inaction, or decisions which may adversely
11 affect the health, safety, welfare, and rights of these individuals;

12 (2) Monitor the development and implementation of federal, state,
13 and local laws, rules, regulations, and policies with respect to long-
14 term care facilities in this state;

15 (3) Provide information as appropriate to residents, resident
16 representatives, and others regarding the rights of residents, and to
17 public agencies regarding the problems of individuals residing in long-
18 term care facilities; and

1 (4) Provide for training volunteers and promoting the development
2 of citizen organizations to participate in the ombudsman program. ((A
3 volunteer long-term care ombudsman shall be able to identify and
4 resolve problems regarding the care of residents in long-term care
5 facilities and to assist such residents in the assertion of their civil
6 and human rights. However, volunteers shall not be used for complaint
7 investigations but may engage in fact-finding activities to determine
8 whether a formal complaint should be submitted to the department.)) A
9 trained volunteer long-term care ombudsman, in accordance with the
10 policies and procedures established by the state long-term care
11 ombudsman program, shall inform residents, their representatives, and
12 others about the rights of residents, and may identify, investigate,
13 and resolve complaints made by or on behalf of residents of long-term
14 care facilities relating to action, inaction, or decisions, that may
15 adversely affect the health, safety, welfare, and rights of these
16 individuals.

17 Nothing in chapter . . . , Laws of 1999 (this act) shall be
18 construed to empower the state long-term care ombudsman or any local
19 long-term care ombudsman with statutory or regulatory licensing or
20 sanctioning authority.

21 NEW SECTION. Sec. 2. A new section is added to chapter 43.190 RCW
22 to read as follows:

23 A local long-term care ombudsman, including a trained volunteer
24 long-term care ombudsman, shall have the duties and authority set forth
25 in the federal older Americans act (42 U.S.C. Sec. 3058 et seq.) for
26 local ombudsmen. The state long-term care ombudsman and
27 representatives of the office of the state long-term care ombudsman,
28 shall have the duties and authority set forth in the federal older
29 Americans act for the state long-term care ombudsman and
30 representatives of the office of the state long-term care ombudsman.

31 NEW SECTION. Sec. 3. If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected.

35 NEW SECTION. Sec. 4. This act is necessary for the immediate
36 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

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