
SUBSTITUTE HOUSE BILL 2454

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Edmonds, Parlette, Cody, Kenney, Radcliff, Kagi, Edwards, Lantz, Hatfield, Ogden, Conway, Voloria, Lovick, Kessler, O'Brien, Regala, McDonald, Carlson, Tokuda, Cooper, Van Luven, Ruderman, Murray, Schual-Berke, Scott, Stensen, Keiser, Santos, Pflug, Rockefeller, Wood and McIntire)

Read first time 01/28/2000. Referred to Committee on .

1 AN ACT Relating to family caregiver long-term care information and
2 support services; amending RCW 74.41.020, 74.41.030, 74.41.050, and
3 74.41.070; and creating a new section.

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

5 **Sec. 1.** RCW 74.41.020 and 1987 c 409 s 1 are each amended to read
6 as follows:

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

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

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

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

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

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

9 (6) Provide unpaid family and other unpaid caregivers with services
10 that enable them to make informed decisions about current and future
11 care plans, solve day-to-day caregiving problems, learn essential
12 caregiving skills, and locate services that may strengthen their
13 capacity to provide care.

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

16 Unless the context clearly indicates otherwise, the definitions in
17 this section apply throughout this chapter.

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

34 (2) "Respite care services" means relief care for families or other
35 caregivers of ((disabled)) adults with functional disabilities,
36 eligibility for which shall be determined by the department by rule.
37 The services provide temporary care or supervision of ((disabled))

1 adults with functional disabilities in substitution for the caregiver.
2 The term includes ~~((social))~~ adult day ((care)) services.

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

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

15 ~~((3))~~ (5) "Unpaid caregiver" means a spouse, relative, or friend
16 who has primary responsibility for the care of ~~((a functionally~~
17 ~~disabled adult,))~~ an adult with a functional disability and who does
18 not receive financial compensation for the care~~((, and who is assessed~~
19 ~~as being at risk of placing the eligible participant in a long-term~~
20 ~~care facility if respite care is not available))~~. To be eligible for
21 respite care and for family caregiver support services, the caregiver
22 is considered the client.

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

25 ~~(5))~~ (6) "~~((Social))~~ Adult day ((care)) services" means nonmedical
26 services to persons who live with their families, cannot be left
27 unsupervised, and are at risk of being placed in a twenty-four-hour
28 care facility if their families do not receive some relief from
29 constant care.

30 ~~((6))~~ (7) "Department" means the department of social and health
31 services.

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

34 The department shall contract with area agencies on aging or other
35 appropriate agencies to conduct ~~((respite care projects))~~ family
36 caregiver long-term care information and support services to the extent
37 of available funding. The responsibilities of the agencies shall
38 include but not be limited to: (1) Administering a program of family

1 caregiver long-term care information and support services; and (2)
2 negotiating rates of payment, administering sliding-fee scales to
3 enable eligible participants to participate in paying for respite care,
4 and arranging for respite care information, training, and other support
5 services. ((Rates of payment to respite care service providers shall
6 not exceed, and may be less than, rates paid by the department to
7 providers for the same level of service.)) In evaluating the need for
8 respite services, consideration shall be given to the mental and
9 physical ability of the caregiver to perform necessary caregiver
10 functions.

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

13 The area agencies on aging administering ~~((respite care programs))~~
14 family caregiver long-term care information and support services shall
15 maintain data which indicates demand for ~~((respite care, and which~~
16 ~~includes information on in-home and out-of-home day care and in-home~~
17 ~~and out-of-home overnight care demand))~~ family caregiver long-term care
18 information and support services.

19 NEW SECTION. **Sec. 5.** If specific funding for the purposes of this
20 act, referencing this act by bill or chapter number, is not provided by
21 June 30, 2000, in the omnibus appropriations act, this act is null and
22 void.

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