
HOUSE BILL 3137

State of Washington 56th Legislature 2000 Regular Session

By Representatives Pflug, Edmonds, Parlette and Cody

Read first time 02/15/2000. Referred to Committee on Health Care.

1 AN ACT Relating to the establishment of the long-term care and
2 rehabilitation administration; adding new sections to chapter 43.20A
3 RCW; creating a new section; repealing RCW 74.39.001, 74.39.005,
4 74.39.030, 74.39A.005, and 74.39A.007; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** FINDINGS AND INTENT. The legislature finds
7 that the public demands that long-term care services be client and
8 family-centered, easy to access, safe, and economically effective and
9 efficient. To accomplish this, the legislature recognizes the
10 immediate need to administer and provide long-term care services within
11 the department of social and health services for persons with chronic
12 functional disabilities through a separate, integrated, and
13 comprehensive long-term care administration.

14 NEW SECTION. **Sec. 2.** DEFINITIONS. Unless the context clearly
15 requires otherwise, the definitions in this section apply throughout
16 sections 1 through 5 of this act.

1 (1) "Administration" means the long-term care and rehabilitation
2 services administration in the department of social and health
3 services.

4 (2) "Functionally disabled person" is synonymous with chronic
5 functionally disabled and means a person who, because of a recognized
6 chronic physical condition or disease or acute or chronic mental
7 condition or disease, is impaired to the extent of being dependent upon
8 others for direct care, support, supervision, or monitoring to perform
9 activities of daily living. "Activities of daily living," in this
10 context, means self-care abilities related to personal care such as
11 bathing, eating, using the toilet, dressing, and transfer.
12 Instrumental activities of daily living may also be used to assess a
13 person's functional abilities as they are related to the mental
14 capacity to perform activities in the home and the community such as
15 cooking, shopping, house cleaning, doing laundry, working, and managing
16 personal finances.

17 NEW SECTION. **Sec. 3.** (1) No additional state employees may be
18 hired as a result of establishing the administration.

19 (2) Any funds saved because of the elimination of management level
20 positions within the new administration must be redirected to direct
21 long-term care services, quality assurance, and complaint
22 investigations provided by the department.

23 NEW SECTION. **Sec. 4.** OUTCOME MEASURES--DEVELOPMENT BENCHMARKS.
24 The secretary shall develop outcome measures for use in evaluating the
25 long-term care and rehabilitation services administration authorized in
26 this act that include but are not limited to:

27 (1) Reducing current cost per person served by providing services
28 more cost effectively;

29 (2) Developing specific procedures and plans within the
30 administration that will promote coordination and remove cross-
31 administrative barriers and fragmentation between the different
32 administrative subelements;

33 (3) Implementing a plan and procedures for a coordinated client and
34 family assessment;

35 (4) Seeking and obtaining public and private alternative funding
36 for long-term care services;

1 (5) Establishing a process for involving the meaningful
2 participation of persons with functional disabilities and their
3 families, employees, vendors, community advocates, and other federal,
4 state, and local governmental entities in the planning, development,
5 and implementation of programs and services consistent with the intent
6 of this act;

7 (6) Establishing a coordinated case management system that will
8 equitably serve all disability groups;

9 (7) Implementing outcome-based quality standards that result in a
10 measurable improvement of reviews or inspections and provider
11 compliance across all long-term care programs; and

12 (8) Conducting a comprehensive client survey to assess client
13 satisfaction and to identify specific areas where the new
14 administration can improve effectiveness, safety, and accessibility of
15 services.

16 NEW SECTION. **Sec. 5.** ADVISORY COUNCIL ON LONG-TERM CARE
17 INTEGRATION. The secretary shall appoint, as soon as practical, but
18 not later than July 1, 2000, an advisory council on long-term care
19 integration, hereafter referred to in this section as the council.

20 The council shall be composed of consumers and their family
21 representatives, providers of care, administrators, and advocates that
22 reflect the departmental programs that are being transferred to the
23 administration. Members are to be selected by the secretary. The
24 assistant secretary of the administration shall be the chair of the
25 council.

26 The council shall establish technical advisory panels composed of
27 balanced representation of all types of persons served by the
28 administration to provide expert technical assistance on matters
29 necessary to implement this act.

30 The council has the following duties:

31 (1) Ensure that all appropriate interests participate in the
32 departmental integration activities;

33 (2) Oversee the development, revision, implementation, and
34 enforcement of all quality assurance measures;

35 (3) Report the following to the appropriate committees of the
36 legislature, no later than December 12, 2001:

37 (a) Methods of cost-efficiencies that can be used to reallocate
38 funds to unmet needs in direct services;

1 (b) Necessary modifications of the case management system and
2 management information systems to fully implement chapter . . . , Laws
3 of 2000 (this act);

4 (c) Federal waivers necessary to implement chapter . . . , Laws of
5 2000 (this act); and

6 (d) Recommended legislation necessary to implement changes proposed
7 by the council to the appropriate legislative committees.

8 The department shall make the council recommendations available to
9 the public.

10 NEW SECTION. **Sec. 6.** FUNCTIONS TRANSFERRED TO THE LONG-TERM CARE
11 AND REHABILITATION SERVICES ADMINISTRATION. The department shall
12 establish a long-term care and rehabilitation services administration.
13 The department shall transfer the following programs and services and
14 related management and support services to the long-term care and
15 rehabilitation services administration. The secretary shall determine
16 how to administratively coordinate any programs and services that
17 remain within the health and rehabilitative services administration:

- 18 Title 71 RCW - Mental illness programs;
- 19 Title 71A RCW - Developmental disabilities;
- 20 Chapter 72.06 RCW - Mental health;
- 21 Chapter 72.23 RCW - Public and private facilities for mentally ill;
- 22 Chapter 72.29 RCW - Multi-use facilities for the mentally or
23 physically handicapped or the mentally ill;
- 24 Chapter 70.10 RCW - Comprehensive community health centers;
- 25 Chapter 70.82 RCW - Cerebral palsy program;
- 26 Chapter 70.96A RCW - Treatment for alcoholism, intoxication, and
27 drug addiction;
- 28 Chapter 70.124 RCW - Abuse of patients--Nursing homes, state
29 hospitals;
- 30 Chapter 70.128 RCW - Adult family homes;
- 31 Chapter 70.129 RCW - Long-term care resident rights;
- 32 Chapter 74.26 RCW - Services for children with multiple handicaps;
- 33 Chapter 74.34 RCW - Abuse of vulnerable adults;
- 34 Chapter 74.36 RCW - Funding for community programs for the aging;
- 35 Chapter 74.39 RCW - Long-term care service options;
- 36 Chapter 74.41 RCW - Respite care services;
- 37 Chapter 74.42 RCW - Nursing homes--Resident care, operating
38 standards;

1 Chapter 74.46 RCW - Nursing facility medicaid payment system;
2 Chapter 74.39A RCW - Long-term care services options--Expansion;
3 and
4 Chapter 18.51 RCW - Nursing homes.

5 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each
6 repealed:

7 (1) RCW 74.39.001 (Finding) and 1989 c 427 s 1;

8 (2) RCW 74.39.005 (Purpose) and 1995 1st sp.s. c 18 s 10 & 1989 c
9 427 s 2;

10 (3) RCW 74.39.030 (Community options program entry system--Waiver--
11 Respite services) and 1989 c 427 s 11;

12 (4) RCW 74.39A.005 (Findings) and 1993 c 508 s 1; and

13 (5) RCW 74.39A.007 (Purpose and intent) and 1993 c 508 s 2.

14 NEW SECTION. **Sec. 8.** Sections 1 through 6 of this act are each
15 added to chapter 43.20A RCW.

16 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and takes effect
19 immediately.

20 NEW SECTION. **Sec. 10.** Captions used in this act are not part of
21 the law.

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