
SUBSTITUTE SENATE BILL 5766

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Wojahn, Long, Franklin, Winsley, Rasmussen and Costa)

Read first time 03/03/1999.

1 AN ACT Relating to the long-term care ombudsman program; amending
2 RCW 43.190.060; adding new sections to chapter 43.190 RCW; making
3 appropriations; and 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. A new section is added to chapter 43.190 RCW
32 to read as follows:

33 (1) To keep pace with the recent, rapid growth of licensed beds in
34 boarding homes and adult family homes, the long-term care ombudsman
35 program shall increase the number of trained volunteer long-term care
36 ombudsmen available to residents living in these settings.

1 (2) The department shall provide appropriated funds to the office
2 of the state long-term care ombudsman for distribution state-wide to
3 the regional offices of the long-term care ombudsman program.

4 NEW SECTION. **Sec. 4.** (1) The sum of two hundred fifty thousand
5 dollars, or as much thereof as may be necessary, is appropriated for
6 the fiscal year ending June 30, 2000, from the general fund to the
7 department of community, trade, and economic development for the
8 purposes of this act.

9 (2) The sum of two hundred fifty thousand dollars, or as much
10 thereof as may be necessary, is appropriated for the fiscal year ending
11 June 30, 2001, from the general fund to the department of community,
12 trade, and economic development for the purposes of this act.

13 NEW SECTION. **Sec. 5.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

17 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of the
19 state government and its existing public institutions, and takes effect
20 immediately.

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