
SUBSTITUTE SENATE BILL 6546

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Costa, Winsley, Kohl-Welles, Thibaudeau, Wojahn, Jacobsen, Spanel, Gardner, Goings, Rasmussen, Prentice, McAuliffe and Kline)

Read first time 02/04/2000.

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; adding a new section to chapter 74.41 RCW; and creating a
4 new section.

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

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

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

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

17 (2) Encourage family and other nonpaid individuals to provide care
18 for ~~((disabled))~~ adults with functional disabilities at home, and thus

1 offer a viable alternative to (~~institutionalization~~) placement in a
2 long-term care facility;

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

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

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

11 (6) Provide family and other unpaid caregivers with long-term care
12 information including but not limited to making care plans, locating
13 long-term care resources, and solving day-to-day caregiving problems.

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) individual counseling,
25 and promoting and implementing support groups; (d) caregiver training
26 to assist the nonpaid caregivers in making decisions and solving
27 challenges relating to their caregiving roles; (e) respite care
28 services; and (f) additional supportive long-term care services that
29 may include but not be limited to translating/interpreter services,
30 specialized transportation, coordination of medical care services, and
31 other forms of information and support necessary to maintain the unpaid
32 caregiving activity.

33 (2) "Respite care services" means relief care for families or other
34 caregivers of (~~disabled~~) adults with functional disabilities,
35 eligibility for which shall be determined by the department by rule.
36 The services provide temporary care or supervision of (~~disabled~~)
37 adults with functional disabilities in substitution for the caregiver.
38 The term includes (~~social~~) adult day (~~care~~) services.

1 ~~((2))~~ (3) "Eligible participant for family caregiver long-term
2 care information and support services" means an adult ~~((a))~~ who needs
3 substantially continuous care or supervision by reason of his or her
4 functional disability~~((, and (b) who is))~~.

5 (4) "Eligible participant for respite care services" means an adult
6 who meets the criteria for family caregiver long-term care information
7 and support services and is also assessed as requiring
8 ~~((institutionalization))~~ placement into a long-term care facility in
9 the absence of ~~((a))~~ an unpaid family or other unpaid caregiver
10 assisted by home and community support services, including respite
11 care.

12 ~~((3))~~ (5) "Caregiver" means a spouse, relative, or friend who has
13 primary responsibility for the care of ~~((a functionally disabled~~
14 ~~adult,))~~ an adult with a functional disability and who does not receive
15 financial compensation for the care~~((, and who is))~~. To be eligible
16 for respite care services, the caregiver is considered the client, and
17 must also be assessed as ~~((being))~~ at risk of placing ~~((the eligible~~
18 ~~participant))~~ an adult with functional disabilities in a long-term care
19 facility if respite care ~~((is))~~ and family caregiver long-term care
20 information and support services are not available.

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

23 ~~(5))~~ (6) "~~((Social)) Adult day~~ ~~((care)) services~~" means nonmedical
24 services to persons who live with their families, cannot be left
25 unsupervised, and are at risk of being placed in a twenty-four-hour
26 care facility if their families do not receive some relief from
27 constant care.

28 ~~((6))~~ (7) "Department" means the department of social and health
29 services.

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

32 The department shall contract with area agencies on aging or other
33 appropriate agencies to conduct ~~((respite care projects))~~ family
34 caregiver long-term care information and support services to the extent
35 of available funding. The responsibilities of the agencies shall
36 include but not be limited to: (1) Administering a program of family
37 caregiver long-term care information and support services; and (2)
38 negotiating rates of payment, administering sliding-fee scales to

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

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.41 RCW
10 to read as follows:

11 The family caregiver long-term care information and support
12 services administered by the respective area agencies on aging may
13 include: (1) Information about an array of private and public long-
14 term care support services available; (2) assistance in gaining access
15 to appropriate long-term care services; (3) family and individual
16 counseling, including promoting and implementing family support groups;
17 (4) family caregiver training to assist the caregivers in making
18 decisions and solving problems relating to their caregiving roles; (5)
19 respite care to enable eligible caregivers to be temporarily relieved
20 from their caregiving responsibilities; and (6) supplemental services,
21 on a limited basis, to complement the care provided by caregivers that
22 may include but not be limited to: (a) Translating/interpreter
23 services; (b) specialized transportation; (c) assistance purchasing
24 necessary supplies, durable goods, or equipment; and (d) client
25 advocacy.

26 **Sec. 5.** RCW 74.41.070 and 1998 c 245 s 151 are each amended to
27 read as follows:

28 The area agencies on aging administering (~~(respite care programs)~~)
29 family caregiver long-term care information and support services shall
30 maintain data which indicates demand for (~~(respite care, and which~~
31 ~~includes information on in-home and out-of-home day care and in-home~~
32 ~~and out-of-home overnight care demand)~~) family caregiver long-term care
33 information and support services.

34 NEW SECTION. **Sec. 6.** If specific funding for the purposes of this
35 act, referencing this act by bill or chapter number, is not provided by

1 June 30, 2000, in the omnibus appropriations act, this act is null and
2 void.

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