

HOUSE BILL REPORT

HB 1426

As Reported by House Committee On:

Health Care

Title: An act relating to the establishment of a quality improvement program for boarding homes.

Brief Description: Establishing a quality improvement program for boarding homes.

Sponsors: Representatives Edmonds (co-prime sponsor), Skinner (co-prime sponsor), Cody, Pflug, Dunn, Schual-Berke, Boldt, Kagi, Kenney, Campbell, Conway and Marine.

Brief History:

Committee Activity:

Health Care: 2/22/01, 2/27/01 [DPS].

Brief Summary of Substitute Bill

- The boarding home quality improvement program is made voluntary.
- The Department of Social and Health Services (DSHS) is allowed to establish a priority process for providing the consultation services.
- Unless there is an emergency need, quality improvement program staff are not allowed to also work as licensors or complaint investigators or participate in any enforcement decisions within the region they consult in.
- Quality improvement consultation records cannot be shared with non-managerial licensing or complaint investigation staff.
- Technical changes remove non-quality improvement program language and reinsert it into a new section.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Alexander, Ballasiotes, Conway, Darneille, Edmonds, Edwards, Marine,

McMorris, Pennington and Ruderman.

Staff: Antonio Sanchez (786-7383).

Background:

The Quality Improvement Consultation Program was developed in response to a legislative mandate which specified that the DSHS system of quality improvement for long-term care services be client-centered and promote privacy, independence, dignity, choice, and a home or home-like environment for consumers. The statute specified that providers should be supported in their efforts to improve quality and address identified problems initially through training, consultation, technical assistance, and case management, and that problem prevention both in monitoring and in screening potential providers of service be emphasized.

In July 1999 the Legislature funded implementation of this statutory language by allocating funding for eight FTEs. It was determined by the DSHS that the Program would be voluntary with the following services available:

- 1) Onsite facility visits initiated by and working with providers to assist them to develop and implement a quality improvement plan to address the identified needs of providers and residents.
- 2) Selected topic training for all area providers (i.e., regional provider training; provider self-study guides and targeted training to be conducted upon provider request at facilities).
- 3) Telephone consultation for all area providers (i.e., consultants were available by telephone to answer provider questions related to RCW/WAC requirements).

Individuals with background in quality improvement, education and consultation in the boarding home program were hired to implement the Program. Quality improvement consultants reported to area managers who, at that time, retained primary responsibility to ensure statutory compliance and quality assurance within boarding homes. The primary role of the quality improvement consultant was defined as an adjunct to, but separate from, the enforcement process. Quality improvement consultants were not involved in enforcement activities including, but not limited to, informal dispute resolution meetings, or other duties, to allow them to focus on implementing quality improvement activities in facility settings.

A recent report by the DSHS found that of the approximately 500 boarding home facilities in the state, 126 (25 percent) participated in the onsite portion of the program. Overall, 81.6 percent of all boarding homes in Washington State participated in one or more parts of the program. Satisfaction questionnaires evidenced that more than 90

percent of residents, providers, and facility staff were satisfied with the program.

Summary of Substitute Bill:

The boarding home quality improvement program is made voluntary for all boarding homes. The DSHS is allowed to establish a priority process for providing the consultation services. Quality improvement program staff are not allowed to simultaneously work as licensors or complaint investigators within the region in which they consult unless there is an emergency high risk complaint within their consultation region. Quality improvement staff are also prohibited from participating in any enforcement related decisions. Quality improvement consultation records are available to managerial staff but cannot be shared with non-managerial licensing or complaint investigation staff. Technical changes are made to remove non-quality improvement program language and reinsert it into a new section.

Substitute Bill Compared to Original Bill:

The quality improvement program changes are made subject to available funding.

The requirement for the department to provide regional training is eliminated.

The exemption from the Public Disclosure Act of records maintained by the department through the Quality Improvement program is eliminated.

The department is allowed to use the quality improvement program consultants outside of the region in which they consult for purposes of performing licensing or complaint investigation activities, and can use the consultants, on an emergency basis only, within the region in which they consult to perform high risk complaint investigations.

Quality improvement consultants are restricted from sharing information and records regarding their quality improvement consultations with staff licensors or complaint investigation staff but are allowed to share information with managerial level personnel.

Technical changes are made to create a new section within the boarding home licensing law to include licensing and other provisions unrelated to the consultation program.

Appropriation: None.

Fiscal Note: Requested on February 18, 2001.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: This bill will give the program the elements necessary to attract more providers to the program and to comfortably use it without thinking that the DSHS is looking for problems under the guise of providing quality consulting assistance. These proposed changes will make this very good quality assurance program even better by keeping the quality improvement staff dedicated to being instructive consultants and not sheriffs. We will keep an eye on the program with these changes and make sure that the department doesn't overstep its original purpose for the program.

Testimony Against: None.

Testified: (In support) Representatives Edmonds, co-prime sponsor; Representative Skinner, co-prime sponsor; Pat Lashway, Department of Social and Health Services; Jerry Reilly, Washington Health Care Association; Karen Tynes, Washington Association of Housing and Services for the Aging; Lauri St. Ours and Deb Murphy, Nor ALFA; Carol Foltz, Alterra Puyallup; and Steve Luke, Winwood Yakima.

(Against) Kary Hyre, Long-term Care Ombudsman.