

HOUSE BILL REPORT

HB 2312

As Reported by House Committee On:

Health Care
Appropriations

Title: An act relating to department of health regulation of adult family homes.

Brief Description: Repealing department of health registration of adult family homes.

Sponsors: Representatives Cody, Campbell, Schual-Berke and Edwards; by request of Department of Health.

Brief History:

Committee Activity:

Health Care: 1/17/02, 1/25/02 [DPS];

Appropriations: 2/7/02, 2/9/02 [DP2S(w/o sub HC)].

Brief Summary of Second Substitute Bill

- Repeals registration program of adult family home providers and resident managers under the secretary of the Department of Health.
- Establishes Adult Family Home Advisory Board to advise the secretary of the Department of Social and Health Services on matters relating to the adult family home program administered by the department.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Cody, Chair; Schual-Berke, Vice Chair; Campbell, Ranking Minority Member; Alexander, Ballasiotes, Benson, Conway, Darneille, Edwards, Ruderman and Skinner.

Staff: John Welsh (786-7133).

Background:

Providers and resident managers of adult family homes are required to register with the Department of Health as health providers, and are subject to the disciplinary authority of the secretary of health under the Uniform Disciplinary Act.

The Adult Family Home Advisory Committee advises the secretary of health and the secretary of social and health services on matters relating to the regulation, administrative rules, enforcement process, staffing, and training requirements of adult family homes. The committee is composed of six members, of which two are resident advocates, three are adult family home providers, and one member represents the public and serves as chair.

The Department of Social and Health Services licenses adult family homes and enforces standards for the operation of adult family homes and the qualifications of providers and resident managers, as well as conducts inspections and requires training of operators. The department has disciplinary authority, including the imposition of sanctions such as civil penalties, refusal to issue a license, suspension or revocation of licenses, imposition of conditions on the operation of an adult family home, and suspension of resident admissions, including injunctive relief.

Summary of Substitute Bill:

The registration program of adult family home providers and resident managers under the Department of Health is repealed, including the advisory committee. Registration fees collected by the department are returned to the registrants, less actual program costs, according to a distribution formula determined by the department. The inclusion of registered adult family home providers and resident managers under the disciplinary authority of the secretary of health and the Uniform Disciplinary Act is also repealed.

The secretary of social and health services is required to designate an advisory committee of six members on matters pertaining to the adult family home program administered by the department including regulation, administrative rules, enforcement process, staffing, and training requirements. It must include representatives of statewide adult family home providers, residents, advocates, and a public member who will serve as chair. The secretary must convene the advisory committee periodically to provide advice on matters relating to the regulation of the adult family home program.

Substitute Bill Compared to Original Bill:

The current advisory committee to the Department of Health is transferred to the Department of Social and Health Services. A technical amendment is adopted.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill

is passed.

Testimony For: The regulation of adult family homes by two state agencies is duplicative and ineffective. The advisory committee is better placed in the Department of Social and Health Services which licenses adult family home providers who serve the department's clients. This agency has quality improvement standards and disciplinary authority.

Testimony Against: None.

Testified: (Support) Sue Shoblom, Department of Health; and Pat Lashway, Department of Social and Health Services.

(Neutral) Bill Day, Adult Family Home Association; and Terry Kohl, Washington State Residential Care Council.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care. Signed by 25 members: Representatives Sommers, Chair; Doumit, 1st Vice Chair; Fromhold, 2nd Vice Chair; Sehlin, Ranking Minority Member; Alexander, Boldt, Buck, Clements, Cody, Cox, Dunshee, Grant, Kagi, Kenney, Kessler, Linville, Lisk, Mastin, McIntire, Pearson, Pflug, Ruderman, Schual-Berke, Talcott and Tokuda.

Staff: Amy Hanson (786-7118).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Health Care:

The second substitute makes requirements of the advisory board less prescriptive. It also makes a technical correction to delete a reference to the Department of Health.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: None.