

SENATE BILL REPORT

SHB 1320

As Reported By Senate Committee On:
Health & Long-Term Care, March 28, 2001

Title: An act relating to adult family homes.

Brief Description: Modifying provisions concerning adult family homes.

Sponsors: By House Committee on Health Care (originally sponsored by Representatives Edmonds (co-prime sponsor), Skinner (co-prime sponsor), Pennington, Cody, Gombosky, Campbell, Darneille, Ruderman, Conway, Schual-Berke, Edwards, Mielke, Linville, Kenney, Jackley and Kagi).

Brief History:

Committee Activity: Health & Long-Term Care: 3/19/01, 3/28/01 [DPA, DNP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Thibaudeau, Chair; Franklin, Vice Chair; Costa, Fraser and Winsley.

Minority Report: Do not pass.

Signed by Senator Parlette.

Staff: Rhoda Donkin (786-7198)

Background: Adult family homes are facilities licensed to care for up to six individuals who need long-term care. There are 2,086 licensed adult family homes with about 19,000 individuals living in them, approximately 5,000 of whom are state-funded residents.

Minimum qualifications for getting an adult family home license include being at least age 21, literate, able to demonstrate management ability and able to complete basic training. Applicants must not have a criminal background. The Department of Social and Health Services (DSHS), which licenses adult family homes, may refuse to license an applicant who has a history of significant noncompliance with federal or state regulations.

The department has no direct statutory authority to deny an adult family home license based on an applicant's lack of ability or experience in providing care to vulnerable adults.

Once licensed, an adult family home is subject to inspections from the department any time, and may enter any room in the home, regardless of whether it is being used to provide care or not.

Concern has been expressed that processing license applications for adult family homes is a process that takes too long, especially when the homes seeking licensure are occupied with clients, and involve selling a business to a willing buyer.

Summary of Amended Bill: The private bedrooms and personal records of adult family home providers are off limits to inspectors unless the visit is made as part of a complaint investigation or for the initial inspections for licensing a home.

Notice of violations must be sent to the adult family home provider within ten working days of a completed inspection. Consultation and technical assistance must be offered to providers who have been found to have a violation during the inspection process if the provider requests such assistance.

Minimum licensure qualifications include a high school diploma or a GED certificate and at least 320 hours of direct caregiving experience with adults in a licensed setting. Literacy in English is required, unless there is someone on staff who can communicate in English and the primary language of the residents well enough to carry out a care plan and handle emergencies.

The department must give priority for processing license applications to applicants seeking licensure for an existing adult family home.

The department must implement food safety in the curriculum as part of the required training for staff and providers in adult family homes in lieu of a food handler's permit.

Any long-term care employer who discloses information about a former or current employee to a prospective employer of long-term care services is immune from civil and criminal liability.

The Legislature asserts that the health, safety, and welfare of vulnerable adults are the paramount concern in determining licensing actions for adult family homes.

Amended Bill Compared to Substitute Bill: The legislative intent section was added stating that the health, safety, and welfare of vulnerable adults are the paramount concern in determining licensing actions for adult family homes. A definition of resident manager was added. Language clarifying that food safety training would be added to one curriculum was slightly changed.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Standards for licensing adult family home providers need to be raised. Applicants should have previous experience, literacy, and at least a high school education.

Testimony Against: None.

Testified: PRO: Bill White, Washington State Department of Health; Don Sloma, Washington State Board of Health; Deb Murphy, Nor Alfa; Jeff Larsen, WSRCC; Kary Hyre, LTCOP; Bill Day, AFHA.