
SENATE BILL 5184

State of Washington

57th Legislature

2001 Regular Session

By Senators Thibaudeau, Winsley, Costa and Kohl-Welles; by request of Department of Social and Health Services

Read first time 01/15/2001. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to requiring the department of social and health
2 services to notify relevant agencies of investigative outcomes; adding
3 a new section to chapter 74.34 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that vulnerable
6 adults, while living in their own homes, may be abused, neglected,
7 financially exploited, or abandoned by individuals entrusted to provide
8 care for them. The individuals who abuse, neglect, financially
9 exploit, or abandon vulnerable adults may be employed by, under
10 contract with, or volunteering for an agency or program providing care
11 for vulnerable adults. The legislature has given the department of
12 social and health services the responsibility to investigate complaints
13 of abandonment, abuse, financial exploitation, or neglect of vulnerable
14 adults and to provide protective services and other legal remedies to
15 protect these vulnerable adults. The legislature finds that in order
16 to continue to protect vulnerable adults, the department of social and
17 health services be given the authority to release report information
18 and to release the results of an investigation to the agency or program

1 with which the individual investigated is employed, contracted, or
2 engaged as a volunteer.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.34 RCW
4 to read as follows:

5 (1) Before the investigation is complete, if the department
6 determines that the vulnerable adult is at risk of further abuse,
7 neglect, financial exploitation, or abandonment, or other vulnerable
8 adults are at risk, the department may provide to an agency or program
9 described in this subsection the substance of a report alleging abuse,
10 abandonment, financial exploitation, or neglect of a vulnerable adult
11 by an individual employed by, under contract with, or volunteering for
12 such agency or program. Agencies or programs that may be provided this
13 report are home health, hospice, or home care agencies licensed under
14 chapter 70.127 RCW, a program authorized under chapter 71A.12 RCW, an
15 adult day care or day health programs, or other agencies, not including
16 facilities. The report provided to the agency or program may contain
17 the name of the vulnerable adult and the alleged perpetrator of the
18 abuse, abandonment, financial exploitation, or neglect. The report
19 shall not disclose the identity of the person who made the report or
20 any witness without written permission of the reporter or witness.

21 (2) After the investigation is complete, the department may provide
22 a written report of the outcome of the investigation to the agency or
23 program referenced in subsection (1) of this section when a report was
24 made under subsection (1) of this section or when the department
25 determines from its investigation that an incident of abuse,
26 abandonment, financial exploitation, or neglect occurred. The report
27 may contain the name of the vulnerable adult and the alleged
28 perpetrator. The report shall not disclose the identity of the person
29 who made the report or any witness without the written permission of
30 the reporter or witness.

31 (3) The department may also refer a report or outcome of an
32 investigation to appropriate state or local governmental authorities
33 responsible for licensing or certification of the agencies or programs
34 listed in subsection (1) of this section.

35 (4) The department shall adopt rules necessary to implement this
36 section.

--- END ---