

2041

Sponsor(s): Representatives Edmonds, Skinner, Ogden and Kenney

Brief Description: Providing for resident protection standards in boarding homes and adult family homes.

HB 2041 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Requires that, after a department finding of a violation for which a stop placement has been imposed, the department shall make an on-site revisit of the provider within fifteen working days from the request for revisit, to ensure correction of the violation. For violations that are serious or recurring or uncorrected following a previous citation, and create actual or threatened harm to one or more residents' well-being, including violations of residents' rights, the department shall make an on-site revisit as soon as appropriate to ensure correction of the violation.

Provides that, when the department has summarily suspended a license, the licensee may, subject to the department's approval, elect to participate in a temporary management program.

Declares the purposes of a temporary management program are as follows: (1) To mitigate dislocation and transfer trauma of residents while the department and licensee may pursue dispute resolution or appeal of a summary suspension of license;

(2) To facilitate the continuity of safe and appropriate resident care and services;

(3) To preserve a residential option that meets a specialized service need and/or is in a geographical area that has a lack of available providers; and

(4) To provide residents with the opportunity for orderly discharge.

Declares that the licensee or its designee has the right to an informal dispute resolution process to dispute any violation found or enforcement remedy imposed by the department during a licensing inspection or complaint investigation. The purpose of the informal dispute resolution process is to provide an opportunity for an exchange of information that may lead to the modification, deletion, or removal of a violation, or parts of a violation, or enforcement remedy imposed by the department.

Declares that a provider who receives notification of the department's initiation of a denial, suspension, nonrenewal, or revocation of an adult family home license may, in lieu of appealing the department's action, surrender or relinquish the license. The department shall not issue a new license to the provider, for the purposes of providing care to vulnerable adults or children, for a period of twenty years following the surrendering or relinquishment of the former license.

Establishes the joint house of representatives and senate task force on resident protection standards in adult family homes and boarding homes.

Requires the task force to submit a report to the house of representatives and the senate by December 12, 2001. The report

must include information related to the current enforcement and resident protection standards, due process, department operational procedures, and recommendations for changes in those standards, systems, and procedures.

Requires the report to include a description of the impact of the recommended changes on resident safety and quality of life, providers, consumers, the department, and the state budget.