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## Health Care Committee

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### SSB 6160

**Brief Description:** Regarding fairness and accuracy in the distribution of risk in boarding homes and nursing homes.

**Sponsors:** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Parlette, Keiser and Pflug).

Brief Summary of Substitute Bill
<ul style="list-style-type: none"><li>• Requires daily contact between licensees and inspectors.</li><li>• Requires the creation of quality assurance committees on nursing homes and boarding homes.</li></ul>



**Hearing Date:** 2/19/04

**Staff:** Dave Knutson (786-7146).

**Background:**

The Department of Social and Health Services (DSHS) makes regular unannounced inspections of boarding homes, and responds to complaints under terms described in statute. Complaints involving imminent danger to the health, safety, or well-being of a resident must be responded to within two days. The DSHS is authorized to take actions if licensees fail to meet licensing requirements, if they operate without a license, provide false information or interfere with inspections or investigations. Any of the above may be cause for the DSHS to refuse an initial license, to levy civil penalties, or to suspend, revoke, or deny renewal.

Boarding home records and documents of all types, with the exception of financial records, must be made available for inspection by the DSHS upon request.

Under state law, long-term care facilities may not request that residents sign waivers of potential liability for losses of personal property or injury. This has been interpreted to mean that providers may not enter into arbitration agreements with residents.

**Summary of Bill:**

All DSHS findings of boarding home deficiencies must reference the specific relevant statute or regulation violated. All on-site inspections, re-inspections or complaint investigations must

include daily communication of potential concerns, and conclude with face-to-face conferences with licensees. Increased opportunity for input into the process by the licensees is provided.

Nursing homes and licensed boarding homes must establish quality assurance committees to identify issues related to quality of care. The DSHS and the Long-term Care Ombudsman may not request documents used and generated by these committees except under certain circumstances.

If during an inspection or re-inspection by the DSHS, a boarding home corrects a violation or deficiency that was never found before and had caused no harm, the licensor will not cite the boarding home for the violation.

**Appropriation:** None.

**Fiscal Note:** Requested on substitute on February 16, 2004.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.