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HOUSE BILL 2637

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Edwards and Skinner

Read first time 01/19/2004. Referred to Committee on Health Care.

1            AN ACT Relating to standards and protection of residents in  
2 boarding homes and adult family homes; amending RCW 18.20.020,  
3 18.20.050, 18.20.125, 18.20.190, 70.128.060, and 70.128.160; reenacting  
4 and amending RCW 70.128.010; and declaring an emergency.

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

6            **Sec. 1.** RCW 18.20.020 and 2003 c 231 s 2 are each amended to read  
7 as follows:

8            As used in this chapter:

9            (1) "Boarding home" means any home or other institution, however  
10 named, which is advertised, announced, or maintained for the express or  
11 implied purpose of providing board and domiciliary care to seven or  
12 more residents after July 1, 2000. However, a boarding home that is  
13 licensed to provide board and domiciliary care to three to six  
14 residents on July 1, 2000, may maintain its boarding home license as  
15 long as it is continually licensed as a boarding home. "Boarding home"  
16 shall not include facilities certified as group training homes pursuant  
17 to RCW 71A.22.040, nor any home, institution or section thereof which  
18 is otherwise licensed and regulated under the provisions of state law  
19 providing specifically for the licensing and regulation of such home,

1 institution or section thereof. Nor shall it include any independent  
2 senior housing, independent living units in continuing care retirement  
3 communities, or other similar living situations including those  
4 subsidized by the department of housing and urban development.

5 (2) "Person" means any individual, firm, partnership, corporation,  
6 company, association, or joint stock association, and the legal  
7 successor thereof.

8 (3) "Secretary" means the secretary of social and health services.

9 (4) "Department" means the state department of social and health  
10 services.

11 (5) "Domiciliary care" means: Assistance with activities of daily  
12 living provided by the boarding home either directly or indirectly; or  
13 assuming general responsibility for the safety and well-being of the  
14 resident; or intermittent nursing services, if provided directly or  
15 indirectly by the boarding home. "Domiciliary care" does not include  
16 general observation or preadmission assessment for the purposes of  
17 transitioning to a licensed care setting.

18 (6) "General responsibility for the safety and well-being of the  
19 resident" does not include: (a) Emergency assistance provided on an  
20 intermittent or nonroutine basis to any nonresident individual; or (b)  
21 services customarily provided under landlord tenant agreements governed  
22 by the residential landlord-tenant act, chapter 59.18 RCW. Such  
23 services do not include care or supervision.

24 (7) "Resident" means an individual who: Lives in a boarding home,  
25 including those receiving respite care; is not related by blood or  
26 marriage to the operator of the boarding home; and by reason of age or  
27 disability, receives domiciliary care provided either directly or  
28 indirectly by the boarding home.

29 (8) "Harm" means a physical, mental, or emotional injury or damage  
30 to a resident caused by a violation of this chapter, the rules adopted  
31 under this chapter, or other applicable law. Injury or damage that is  
32 due to the resident's natural decline or resulting from a refusal of  
33 treatment pursuant to law are not considered harm.

34 (9) "Significant harm" means harm that causes significant physical,  
35 mental, or emotional injury or damage to a resident caused by a  
36 violation of this chapter, the rules adopted under this chapter, or  
37 other applicable law. Injury or damage that is due to the resident's

1 natural decline or resulting from a refusal of treatment pursuant to  
2 law are not considered significant harm.

3 (10) "Violation" means a violation of this chapter, the rules  
4 adopted under this chapter, or other laws applicable to the operation  
5 of a boarding home, and:

6 (a) "Serious violation" means a violation cited by the department  
7 that causes significant harm to a resident or creates the likely threat  
8 that significant harm or death will occur to a resident.

9 (b) "Uncorrected violation" means the department has cited or  
10 notified the boarding home in writing of a violation and the violation  
11 remains uncorrected at the time the department makes a subsequent  
12 inspection to verify whether the violation has been corrected.

13 (c) "Recurring violation" means a violation cited by the department  
14 and the circumstances of (c)(i) or (ii) of this subsection are present:

15 (i) The department twice previously cited the same or substantially the  
16 same violation within the preceding thirty-six months; or (ii) the  
17 department previously imposed an enforcement remedy for the same or  
18 substantially the same violation within the preceding thirty-six  
19 months.

20 **Sec. 2.** RCW 18.20.050 and 2003 c 231 s 4 are each amended to read  
21 as follows:

22 Upon receipt of an application for license, if the applicant and  
23 the boarding home facilities meet the requirements established under  
24 this chapter, the department shall issue a license. If there is a  
25 failure to comply with the provisions of this chapter or the standards  
26 and rules adopted pursuant thereto, the department may in its  
27 discretion issue to an applicant for a license, or for the renewal of  
28 a license, a provisional license which will permit the operation of the  
29 boarding home for a period to be determined by the department, but not  
30 to exceed twelve months, which provisional license shall not be subject  
31 to renewal. The department may also place conditions on the license  
32 under RCW 18.20.190. At the time of the application for or renewal of  
33 a license or provisional license the licensee shall pay a license fee  
34 as established by the department under RCW 43.20B.110. All licenses  
35 issued under the provisions of this chapter shall expire on a date to  
36 be set by the department, but no license issued pursuant to this  
37 chapter shall exceed twelve months in duration. However, when the

1 annual license renewal date of a previously licensed boarding home is  
2 set by the department on a date less than twelve months prior to the  
3 expiration date of a license in effect at the time of reissuance, the  
4 license fee shall be prorated on a monthly basis and a credit be  
5 allowed at the first renewal of a license for any period of one month  
6 or more covered by the previous license. All applications for renewal  
7 of a license shall be made not later than thirty days prior to the date  
8 of expiration of the license. Each license shall be issued only for  
9 the premises and persons named in the application, and no license shall  
10 be transferable or assignable. Licenses shall be posted in a  
11 conspicuous place on the licensed premises.

12 A licensee who receives notification of the department's initiation  
13 of a denial, suspension, nonrenewal, or revocation of a boarding home  
14 license may, in lieu of appealing the department's action, surrender or  
15 relinquish the license. The department shall not issue a new license  
16 to or contract with the licensee, for the purposes of providing care to  
17 vulnerable adults or children, for a period of twenty years following  
18 the surrendering or relinquishment of the former license. The  
19 licensing record shall indicate that the licensee relinquished or  
20 surrendered the license, without admitting the violations, after  
21 receiving notice of the department's initiation of a denial,  
22 suspension, nonrenewal, or revocation of a license.

23 When a change in licensee occurs, the new licensee is responsible  
24 for correcting any remaining violations that exist, including complying  
25 with any plan of correction in effect immediately prior to the change  
26 in licensee. If any person affiliated with the new licensee was  
27 affiliated with a prior licensee at the same boarding home, then the  
28 prior licensee's compliance and enforcement record is part of the new  
29 licensee's record at the boarding home. A person is considered  
30 affiliated with a licensee if the person is an applicant for the  
31 boarding home license, or is listed on the license application as a  
32 partner, officer, director, managerial employee, or majority owner of  
33 the applying entity.

34 **Sec. 3.** RCW 18.20.125 and 2003 c 231 s 5 are each amended to read  
35 as follows:

36 (1) Inspections must be outcome based and responsive to resident  
37 complaints and based on a clear set of health, quality of care, and

1 safety standards that are easily understandable and have been made  
2 available to facilities. This includes that when conducting licensing  
3 inspections, the department shall interview an appropriate percentage  
4 of residents, family members, and advocates in addition to interviewing  
5 appropriate staff.

6 (2) When the department finds a violation during an inspection or  
7 investigation, the department shall issue a written notice or citation  
8 and direct the boarding home to correct the violation.

9 (3) Prompt and specific enforcement remedies shall also be  
10 implemented without delay, consistent with RCW 18.20.190, for  
11 facilities found to have delivered care or failed to deliver care  
12 resulting in problems that are serious, recurring, or uncorrected, or  
13 that create a hazard that is causing or likely to cause death or  
14 serious harm to one or more residents. These enforcement remedies may  
15 also include, when appropriate, reasonable conditions on a license. In  
16 the selection of remedies, the safety, health, and well-being of  
17 residents shall be of paramount importance.

18 ~~((+3))~~ (4) To the extent funding is available, the licensee,  
19 administrator, and their staff should be screened through background  
20 checks in a uniform and timely manner to ensure that they do not have  
21 a criminal history that would disqualify them from working with  
22 vulnerable adults. Employees may be provisionally hired pending the  
23 results of the background check if they have been given three positive  
24 references.

25 ~~((+4))~~ (5) No licensee, administrator, or staff, or prospective  
26 licensee, administrator, or staff, with a stipulated finding of fact,  
27 conclusion of law, and agreed order, or finding of fact, conclusion of  
28 law, or final order issued by a disciplining authority, a court of law,  
29 or entered into the state registry finding him or her guilty of abuse,  
30 neglect, exploitation, or abandonment of a minor or a vulnerable adult  
31 as defined in chapter 74.34 RCW shall be employed in the care of and  
32 have unsupervised access to vulnerable adults.

33 **Sec. 4.** RCW 18.20.190 and 2003 c 231 s 6 are each amended to read  
34 as follows:

35 (1) The department of social and health services is authorized to  
36 take one or more of the actions listed in subsections (2) and (3) of

1 this section in any case in which the department finds that a boarding  
2 home provider has:

3 (a) Failed or refused to comply with the requirements of this  
4 chapter ~~((or))~~, the rules adopted under this chapter, or other  
5 applicable law;

6 (b) Operated a boarding home without a license or under a revoked  
7 license;

8 (c) Knowingly, or with reason to know, made a false statement of  
9 material fact on his or her application for license or any data  
10 attached thereto, or in any matter under investigation by the  
11 department; or

12 (d) Willfully prevented or interfered with any inspection or  
13 investigation by the department.

14 (2) When authorized by subsection (1) of this section and  
15 consistent with the criteria in subsection (3) of this section, the  
16 department may take one or more of the following actions:

17 (a) Refuse to issue a license;

18 (b) Impose reasonable conditions on a license, such as correction  
19 within a specified time, training, and limits on the type of clients  
20 the provider may admit or serve;

21 (c) Impose civil penalties of not more than one hundred dollars per  
22 day per violation;

23 (d) Suspend, revoke, or refuse to renew a license;

24 (e) Suspend admissions to the boarding home by imposing stop  
25 placement; or

26 (f) Suspend admission of a specific category or categories of  
27 residents as related to the violation by imposing a limited stop  
28 placement.

29 (3) The selection of enforcement remedies shall be consistent with  
30 the following criteria:

31 (a) A stop placement or limited stop placement may not be imposed  
32 unless there is a reasonable probability that significant harm to a  
33 resident, or harm to more than one resident, will occur or reoccur as  
34 a result of the violation or violations;

35 (b) A summary suspension may not be imposed unless there is an  
36 imminent threat that significant harm to more than one resident will  
37 occur as a result of a violation or violations;

1 (c) A license revocation, denial, or nonrenewal may not be imposed  
2 unless there is cause to summarily suspend the license; or there is a  
3 current violation and the boarding home has a history of significant  
4 noncompliance; or there is a serious current violation, such as  
5 possible business failure that jeopardizes the care of residents; or  
6 for willfully preventing or interfering with an inspection or  
7 investigation by the department;

8 (d) If the department imposes a civil penalty, the initial day of  
9 the penalty for a violation that caused actual harm to a resident may  
10 be the first day harm occurred; and

11 (e) If the department imposes a civil penalty for a serious,  
12 uncorrected, or recurring violation that caused actual harm to a  
13 resident, the total penalty shall be not less than one thousand  
14 dollars.

15 (4) When the department orders stop placement or a limited stop  
16 placement, the facility shall not admit any new resident until the stop  
17 placement or limited stop placement order is terminated. The  
18 department may approve readmission of a resident to the facility from  
19 a hospital or nursing home during the stop placement or limited stop  
20 placement. The department shall terminate the stop placement or  
21 limited stop placement when: (a) The violations necessitating the stop  
22 placement or limited stop placement have been corrected; and (b) the  
23 provider exhibits the capacity to maintain correction of the violations  
24 previously found deficient. However, if upon the revisit the  
25 department finds new violations that the department reasonably believes  
26 will result in a new stop placement or new limited stop placement, the  
27 previous stop placement or limited stop placement shall remain in  
28 effect until the new stop placement or new limited stop placement is  
29 imposed.

30 ~~((+4))~~ (5) After a department finding of a violation for which a  
31 stop placement or limited stop placement has been imposed, the  
32 department shall make an on-site revisit of the ~~((provider))~~ facility  
33 within fifteen working days from the request for revisit, to ensure  
34 correction of the violation. For violations that are serious or  
35 recurring or uncorrected following a previous citation, and create  
36 actual or threatened harm to one or more residents' well-being,  
37 including violations of residents' rights, the department shall make an  
38 on-site revisit as soon as appropriate to ensure correction of the

1 violation. Verification of correction of all other violations may be  
2 made by either a department on-site revisit or by written or  
3 photographic documentation found by the department to be credible.  
4 This subsection does not prevent the department from enforcing license  
5 suspensions or revocations. Nothing in this subsection shall interfere  
6 with or diminish the department's authority and duty to ensure that the  
7 provider adequately cares for residents, including to make departmental  
8 on-site revisits as needed to ensure that the provider protects  
9 residents, and to enforce compliance with this chapter.

10 ~~((+5))~~ (6) RCW 43.20A.205 governs notice of a license denial,  
11 revocation, suspension, or modification. Chapter 34.05 RCW applies to  
12 department actions under this section, except that orders of the  
13 department imposing license suspension, stop placement, limited stop  
14 placement, or conditions for continuation of a license are effective  
15 immediately upon notice and shall continue pending any hearing.

16 ~~((+6))~~ (7) For the purposes of this section, "limited stop  
17 placement" means the ability to suspend admission of a specific  
18 category or categories of residents.

19 **Sec. 5.** RCW 70.128.010 and 2001 c 319 s 6 and 2001 c 319 s 2 are  
20 each reenacted and amended to read as follows:

21 Unless the context clearly requires otherwise, the definitions in  
22 this section apply throughout this chapter.

23 (1) "Adult family home" means a residential home in which a person  
24 or persons provide personal care~~((+7))~~ or special care, and room~~((+7))~~  
25 and board to more than one but not more than six adults who are not  
26 related by blood or marriage to the person or persons providing the  
27 services.

28 (2) "Provider" means any person who is licensed or required to be  
29 licensed under this chapter to operate an adult family home. For the  
30 purposes of this section, "person" means any individual, partnership,  
31 corporation, association, or limited liability company.

32 (3) "Department" means the department of social and health  
33 services.

34 (4) "Resident" means an adult in need of personal or special care  
35 in an adult family home who is not related to the provider.

36 (5) "Adults" means persons who have attained the age of eighteen  
37 years.



- 1 (6) "Home" means an adult family home.
- 2 (7) "Imminent danger" means serious physical harm to or death of a  
3 resident has occurred, or there is a serious threat to resident life,  
4 health, or safety.
- 5 (8) "Special care" means care beyond personal care as defined by  
6 the department, in rule.
- 7 (9) "Capacity" means the maximum number of persons in need of  
8 personal or special care permitted in an adult family home at a given  
9 time. This number shall include related children or adults in the home  
10 and who received special care.
- 11 (10) "Resident manager" means a person employed or designated by  
12 the provider to manage the adult family home.
- 13 (11) "Harm" means a physical, mental, or emotional injury or damage  
14 to a resident caused by a violation of this chapter, the rules adopted  
15 under this chapter, or other applicable law. Injury or damage that is  
16 due to the resident's natural decline or resulting from a refusal of  
17 treatment pursuant to law are not considered harm.
- 18 (12) "Significant harm" means harm that causes significant  
19 physical, mental, or emotional injury or damage to a resident caused by  
20 a violation of this chapter, the rules adopted under this chapter, or  
21 other applicable law. Injury or damage that is due to the resident's  
22 natural decline or resulting from a refusal of treatment pursuant to  
23 law are not considered significant harm.
- 24 (13) "Violation" means a violation of this chapter, the rules  
25 adopted under this chapter, or other laws applicable to the operation  
26 of an adult family home, and:
- 27 (a) "Serious violation" means a violation cited by the department  
28 that causes significant harm to a resident or creates the likely threat  
29 that significant harm or death will occur to a resident.
- 30 (b) "Uncorrected violation" means the department has cited or  
31 notified the adult family home in writing of a violation and the  
32 violation remains uncorrected at the time the department makes a  
33 subsequent inspection to verify whether the violation has been  
34 corrected.
- 35 (c) "Recurring violation" means a violation cited by the department  
36 and the circumstances of (c)(i) or (ii) of this subsection are present:  
37 (i) The department twice previously cited the same or substantially the  
38 same violation within the preceding thirty-six months; or (ii) the

1 department previously imposed an enforcement remedy for the same or  
2 substantially the same violation within the preceding thirty-six  
3 months.

4 **Sec. 6.** RCW 70.128.060 and 2001 c 193 s 9 are each amended to read  
5 as follows:

6 (1) An application for license shall be made to the department upon  
7 forms provided by it and shall contain such information as the  
8 department reasonably requires.

9 (2) The department shall issue a license to an adult family home if  
10 the department finds that the applicant and the home are in compliance  
11 with this chapter and the rules adopted under this chapter, unless (a)  
12 the applicant or a person affiliated with the applicant has prior  
13 violations of this chapter relating to the adult family home subject to  
14 the application or any other adult family home, or of any other law  
15 regulating residential care facilities within the past five years that  
16 resulted in revocation, suspension, or nonrenewal of a license or  
17 contract with the department; or (b) the applicant or a person  
18 affiliated with the applicant has a history of significant  
19 noncompliance with federal, state, or local laws, rules, or regulations  
20 relating to the provision of care or services to vulnerable adults or  
21 to children. A person is considered affiliated with an applicant if  
22 the person is listed on the license application as a partner, officer,  
23 director, resident manager, or majority owner of the applying entity.

24 (3) The license fee shall be submitted with the application.

25 (4) The department shall serve upon the applicant a copy of the  
26 decision granting or denying an application for a license. An  
27 applicant shall have the right to contest denial of his or her  
28 application for a license as provided in chapter 34.05 RCW by  
29 requesting a hearing in writing within twenty-eight days after receipt  
30 of the notice of denial.

31 (5) The department shall not issue a license to a provider if the  
32 department finds that the provider or any partner, officer, director,  
33 managerial employee, or majority owner (~~(of five percent or more)~~) if  
34 the provider has a history of significant noncompliance with federal or  
35 state regulations, rules, or laws in providing care or services to  
36 vulnerable adults or to children.

1 (6) The department shall license an adult family home for the  
2 maximum level of care that the adult family home may provide. The  
3 department shall define, in rule, license levels based upon the  
4 education, training, and caregiving experience of the licensed provider  
5 or staff.

6 (7) The department shall establish, by rule, standards used to  
7 license nonresident providers and multiple facility operators.

8 (8) The department shall establish, by rule, for multiple facility  
9 operators educational standards substantially equivalent to recognized  
10 national certification standards for residential care administrators.

11 (9) The license fee shall be set at fifty dollars per year for each  
12 home. A fifty dollar processing fee shall also be charged each home  
13 when the home is initially licensed.

14 (10) A provider who receives notification of the department's  
15 initiation of a denial, suspension, nonrenewal, or revocation of an  
16 adult family home license may, in lieu of appealing the department's  
17 action, surrender or relinquish the license. The department shall not  
18 issue a new license to or contract with the provider, for the purposes  
19 of providing care to vulnerable adults or children, for a period of  
20 twenty years following the surrendering or relinquishment of the former  
21 license. The licensing record shall indicate that the provider  
22 relinquished or surrendered the license, without admitting the  
23 violations, after receiving notice of the department's initiation of a  
24 denial, suspension, nonrenewal, or revocation of a license.

25 (11) When a change in licensee occurs, the new licensee is  
26 responsible for correcting any remaining violations that exist,  
27 including complying with any plan of correction in effect immediately  
28 prior to the change in licensee. If any person affiliated with the new  
29 licensee was affiliated with a prior licensee at the same adult family  
30 home, then the prior licensee's compliance and enforcement record is  
31 part of the new licensee's record at the adult family home. A person  
32 is considered affiliated with a licensee if the person is an applicant  
33 for the adult family home license, or is listed on the license  
34 application as a partner, officer, director, resident manager, or  
35 majority owner of the applying entity.

36 **Sec. 7.** RCW 70.128.160 and 2001 c 193 s 5 are each amended to read  
37 as follows:

1 (1) The department is authorized to take one or more of the actions  
2 listed in subsections (2) and (3) of this section in any case in which  
3 the department finds that an adult family home provider has:

4 (a) Failed or refused to comply with the requirements of this  
5 chapter ~~((~~or~~))~~, the rules adopted under this chapter, or other  
6 applicable law;

7 (b) Operated an adult family home without a license or under a  
8 revoked license;

9 (c) Knowingly or with reason to know made a false statement of  
10 material fact on his or her application for license or any data  
11 attached thereto, or in any matter under investigation by the  
12 department; or

13 (d) Willfully prevented or interfered with any inspection or  
14 investigation by the department.

15 (2) When authorized by subsection (1) of this section and  
16 consistent with the criteria in subsection (3) of this section, the  
17 department may take one or more of the following actions:

18 (a) Refuse to issue a license;

19 (b) Impose reasonable conditions on a license, such as correction  
20 within a specified time, training, and limits on the type of clients  
21 the provider may admit or serve;

22 (c) Impose civil penalties of not more than one hundred dollars per  
23 day per violation;

24 (d) Suspend, revoke, or refuse to renew a license; ~~((~~or~~))~~

25 (e) Suspend admissions to the adult family home by imposing stop  
26 placement; or

27 (f) Suspend admission of a specific category or categories of  
28 residents as related to the violation by imposing a limited stop  
29 placement.

30 (3) The selection of enforcement remedies shall be consistent with  
31 the following criteria:

32 (a) A stop placement or limited stop placement may not be imposed  
33 unless there is a reasonable probability that significant harm to a  
34 resident, or harm to more than one resident, will occur or reoccur as  
35 a result of the violation or violations;

36 (b) A summary suspension may not be imposed unless there is an  
37 imminent threat that significant harm to more than one resident will  
38 occur as a result of a violation or violations;

1       (c) A license revocation, denial, or nonrenewal may not be imposed  
2 unless there is cause to summarily suspend the license; or there is a  
3 current violation and the adult family home has a history of  
4 significant noncompliance; or there is a serious current violation,  
5 such as possible business failure that jeopardizes the care of  
6 residents; or for willfully preventing or interfering with an  
7 inspection or investigation by the department;

8       (d) If the department imposes a civil penalty, the initial day of  
9 the penalty for a violation that caused actual harm to a resident may  
10 be the first day harm occurred; and

11       (e) If the department imposes a civil penalty for a serious,  
12 uncorrected, or recurring violation that caused actual harm to a  
13 resident, the total penalty shall be not less than five hundred  
14 dollars.

15       (4) When the department orders stop placement or limited stop  
16 placement, the facility shall not admit any person until the stop  
17 placement or limited stop placement order is terminated. The  
18 department may approve readmission of a resident to the facility from  
19 a hospital or nursing home during the stop placement or limited stop  
20 placement. The department shall terminate the stop placement or  
21 limited stop placement when: (a) The violations necessitating the stop  
22 placement or limited stop placement have been corrected; and (b) the  
23 provider exhibits the capacity to maintain correction of the violations  
24 previously found deficient. However, if upon the revisit the  
25 department finds new violations that the department reasonably believes  
26 will result in a new stop placement or limited stop placement, the  
27 previous stop placement shall remain in effect until the new stop  
28 placement or new limited stop placement is imposed.

29       ~~((4))~~ (5) After a department finding of a violation for which a  
30 stop placement or limited stop placement has been imposed, the  
31 department shall make an on-site revisit of the ~~((provider))~~ adult  
32 family home within fifteen working days from the request for revisit,  
33 to ensure correction of the violation. For violations that are serious  
34 or recurring or uncorrected following a previous citation, and create  
35 actual or threatened harm to one or more residents' well-being,  
36 including violations of residents' rights, the department shall make an  
37 on-site revisit as soon as appropriate to ensure correction of the  
38 violation. Verification of correction of all other violations may be

1 made by either a department on-site revisit or by written or  
2 photographic documentation found by the department to be credible.  
3 This subsection does not prevent the department from enforcing license  
4 suspensions or revocations. Nothing in this subsection shall interfere  
5 with or diminish the department's authority and duty to ensure that the  
6 provider adequately cares for residents, including to make departmental  
7 on-site revisits as needed to ensure that the provider protects  
8 residents, and to enforce compliance with this chapter.

9 ((+5+)) (6) Chapter 34.05 RCW applies to department actions under  
10 this section, except that orders of the department imposing license  
11 suspension, stop placement, limited stop placement, or conditions for  
12 continuation of a license are effective immediately upon notice and  
13 shall continue in effect pending any hearing.

14 NEW SECTION. **Sec. 8.** This act is necessary for the immediate  
15 preservation of the public peace, health, or safety, or support of the  
16 state government and its existing public institutions, and takes effect  
17 immediately.

--- END ---