

SENATE BILL REPORT

HB 1364

As Reported By Senate Committee On:
Health & Long-Term Care, March 21, 2005

Title: An act relating to indemnifying and defending department of social and health services appointed temporary managers in nursing homes.

Brief Description: Requiring the department of social and health services to defend temporary managers in nursing homes.

Sponsors: Representatives Green, Bailey and Cody; by request of Department of Social and Health Services.

Brief History: Passed House: 3/08/05, 95-0.

Committee Activity: Health & Long-Term Care: 3/17/05, 3/21/05 [DP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Deccio, Ranking Minority Member; Benson, Brandland, Franklin, Johnson, Kastama, Kline, Parlette and Poulsen.

Staff: Sharon Swanson (786-7447)

Background: Temporary managers are appointed to manage nursing homes experiencing difficult times. Examples of situations requiring the use of a temporary manager include the closing of a nursing home, investigations involving financial mismanagement, or when allegations of general mismanagement occur. It is only during the most extreme situation that temporary managers are called in. Managers may be needed for as little as thirty days or for as long as several months. Often, a manager will bring in his or her own team to assist in the crises. Since 1989, the Department of Social and Health Services (DSHS) has called upon temporary managers seven times. The cost of liability insurance for temporary managers is prohibitive. The DSHS wishes to indemnify temporary managers to assist in off setting insurance costs.

Summary of Bill: The DSHS indemnifies, defends, and holds harmless, temporary managers and their agents for any actions that do not amount to intentional torts or criminal behavior.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: This is a good bill that will allow a reduction in insurance costs. The Department of Social and Health Services supports the bill and is available for questions or comments.

Testimony Against: None.

Who Testified: PRO: Joyce Stockwell, Department of Social and Health Services.