
HOUSE BILL 1591

State of Washington 59th Legislature 2005 Regular Session

By Representatives Schual-Berke, Hinkle, Cody, Skinner and Moeller

Read first time 01/28/2005. Referred to Committee on Health Care.

1 AN ACT Relating to care facilities; amending RCW 18.20.020; adding
2 a new section to chapter 18.20 RCW; and adding new sections to chapter
3 43.70 RCW.

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

5 **Sec. 1.** RCW 18.20.020 and 2004 c 142 s 1 are each amended to read
6 as follows:

7 As used in this chapter:

8 (1) "Boarding home" means any home or other institution, however
9 named, which is advertised, announced, or maintained for the express or
10 implied purpose of providing housing, basic services, and assuming
11 general responsibility for the safety and well-being of the residents,
12 and may also provide domiciliary care, consistent with chapter 142,
13 Laws of 2004, to seven or more residents after July 1, 2000. However,
14 a boarding home that is licensed for three to six residents prior to or
15 on July 1, 2000, may maintain its boarding home license as long as it
16 is continually licensed as a boarding home. "Boarding home" also
17 includes an assisted care home licensed for seven to sixteen residents.
18 "Boarding home" shall not include facilities certified as group
19 training homes pursuant to RCW 71A.22.040, nor any home, institution or

1 section thereof which is otherwise licensed and regulated under the
2 provisions of state law providing specifically for the licensing and
3 regulation of such home, institution or section thereof. Nor shall it
4 include any independent senior housing, independent living units in
5 continuing care retirement communities, or other similar living
6 situations including those subsidized by the department of housing and
7 urban development.

8 (2) "Basic services" means housekeeping services, meals, nutritious
9 snacks, laundry, and activities.

10 (3) "Person" means any individual, firm, partnership, corporation,
11 company, association, or joint stock association, and the legal
12 successor thereof.

13 (4) "Secretary" means the secretary of social and health services.

14 (5) "Department" means the state department of social and health
15 services.

16 (6) "Resident's representative" means a person designated
17 voluntarily by a competent resident, in writing, to act in the
18 resident's behalf concerning the care and services provided by the
19 boarding home and to receive information from the boarding home, if
20 there is no legal representative. The resident's competence shall be
21 determined using the criteria in RCW 11.88.010(1)(e). The resident's
22 representative may not be affiliated with the licensee, boarding home,
23 or management company, unless the affiliated person is a family member
24 of the resident. The resident's representative shall not have
25 authority to act on behalf of the resident once the resident is no
26 longer competent.

27 (7) "Domiciliary care" means: Assistance with activities of daily
28 living provided by the boarding home either directly or indirectly; or
29 health support services, if provided directly or indirectly by the
30 boarding home; or intermittent nursing services, if provided directly
31 or indirectly by the boarding home.

32 (8) "General responsibility for the safety and well-being of the
33 resident" means the provision of the following: Prescribed general low
34 sodium diets; prescribed general diabetic diets; prescribed mechanical
35 soft foods; emergency assistance; monitoring of the resident; arranging
36 health care appointments with outside health care providers and
37 reminding residents of such appointments as necessary; coordinating
38 health care services with outside health care providers consistent with

1 RCW 18.20.380; assisting the resident to obtain and maintain glasses,
2 hearing aids, dentures, canes, crutches, walkers, wheelchairs, and
3 assistive communication devices; observation of the resident for
4 changes in overall functioning; blood pressure checks as scheduled;
5 responding appropriately when there are observable or reported changes
6 in the resident's physical, mental, or emotional functioning; or
7 medication assistance as permitted under RCW 69.41.085 and as defined
8 in RCW 69.41.010.

9 (9) "Legal representative" means a person or persons identified in
10 RCW 7.70.065 who may act on behalf of the resident pursuant to the
11 scope of their legal authority. The legal representative shall not be
12 affiliated with the licensee, boarding home, or management company,
13 unless the affiliated person is a family member of the resident.

14 (10) "Nonresident individual" means a person who resides in
15 independent senior housing, independent living units in continuing care
16 retirement communities, or in other similar living environments or in
17 a boarding home and may receive one or more of the services listed in
18 RCW 18.20.030(5), but may not receive domiciliary care, as defined in
19 this chapter, directly or indirectly by the facility and may not
20 receive the items and services listed in subsection (8) of this
21 section.

22 (11) "Resident" means an individual who is not related by blood or
23 marriage to the operator of the boarding home, and by reason of age or
24 disability, chooses to reside in the boarding home and receives basic
25 services and one or more of the services listed under general
26 responsibility for the safety and well-being of the resident and may
27 receive domiciliary care or respite care provided directly or
28 indirectly by the boarding home and shall be permitted to receive
29 hospice care through an outside service provider when arranged by the
30 resident or the resident's legal representative under RCW 18.20.380.

31 (12) "Resident applicant" means an individual who is seeking
32 admission to a licensed boarding home and who has completed and signed
33 an application for admission, or such application for admission has
34 been completed and signed in their behalf by their legal representative
35 if any, and if not, then the designated representative if any.

36 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.20 RCW
37 to read as follows:

1 An assisted care home licensed under this chapter may care for
2 individuals with the same resident level of acuity as found in
3 residents of adult family homes. The assisted care home shall meet all
4 applicable care standards established by the department for residents
5 under this section.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70 RCW
7 to read as follows:

8 (1) The department shall coordinate its boarding home facility
9 construction review process with the department of social and health
10 services. Inconsistencies or conflicts between the agencies must be
11 identified and eliminated. In conducting boarding home facility
12 construction reviews, the department shall assist the facility to
13 complete the construction and review process as quickly as possible.
14 The department shall provide local agencies with relevant information
15 derived from its construction review process.

16 (2) The department shall report to the legislature regarding its
17 implementation of subsection (1) of this section by March 1, 2006.

18 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.70 RCW
19 to read as follows:

20 The department and the department of social and health services
21 shall adopt rules as may be necessary to implement the provisions of
22 this act.

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