

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1591

59th Legislature
2005 Regular Session

Passed by the House April 23, 2005
Yeas 92 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 7, 2005
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1591** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1591

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Hinkle, Cody, Skinner and Moeller)

READ FIRST TIME 03/04/05.

1 AN ACT Relating to care facilities; reenacting and amending RCW
2 70.128.010; adding a new section to chapter 18.20 RCW; adding new
3 sections to chapter 70.128 RCW; adding a new section to chapter 69.06
4 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.20 RCW
7 to read as follows:

8 The department of health, the department, and the building code
9 council shall develop standards for small boarding homes between seven
10 and sixteen beds that address at least the following issues:

- 11 (1) Domestic food refrigeration and freezer storage;
- 12 (2) Sinks and sink placement;
- 13 (3) Dishwashers;
- 14 (4) Use of heat supplements for water temperature in clothes
15 washers;
- 16 (5) Yard shrubbery;
- 17 (6) Number of janitorial rooms in a facility;
- 18 (7) Number and cross-purpose of dirty rooms;
- 19 (8) Instant hot water faucets;

1 (9) Medication refrigeration; and

2 (10) Walled and gated facilities.

3 Based on the standards developed under this section, the department
4 of health and the building code council shall study the risks and
5 benefits of modifying and simplifying construction and equipment
6 standards for boarding homes with a capacity of seven to sixteen
7 persons. The study shall include coordination with the department.
8 The department of health shall report its findings and recommendations
9 to appropriate committees of the legislature no later than December 1,
10 2005.

11 NEW SECTION. **Sec. 2.** The department of health and the department
12 of social and health services may adopt rules to implement section 1 of
13 this act.

14 **Sec. 3.** RCW 70.128.010 and 2001 c 319 s 6 and 2001 c 319 s 2 are
15 each reenacted and amended to read as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) "Adult family home" means a residential home in which a person
19 or persons provide personal care, special care, room, and board to more
20 than one but not more than six adults who are not related by blood or
21 marriage to the person or persons providing the services.

22 (2) "Special capacity adult family home" means an adult family home
23 licensed to provide services to seven or eight residents.

24 (3) "Provider" means any person who is licensed under this chapter
25 to operate an adult family home. For the purposes of this section,
26 "person" means any individual, partnership, corporation, association,
27 or limited liability company. A provider, in an adult family home
28 licensed for seven or eight residents, means a person with one year of
29 administration experience, in the state of Washington, in any long-term
30 licensed care setting.

31 ((+3)) (4) "Department" means the department of social and health
32 services.

33 ((+4)) (5) "Resident" means an adult in need of personal or
34 special care in an adult family home who is not related to the
35 provider.

1 (~~(+5)~~) (6) "Adults" means persons who have attained the age of
2 eighteen years.

3 (~~(+6)~~) (7) "Home" means an adult family home.

4 (~~(+7)~~) (8) "Imminent danger" means serious physical harm to or
5 death of a resident has occurred, or there is a serious threat to
6 resident life, health, or safety.

7 (~~(+8)~~) (9) "Special care" means care beyond personal care as
8 defined by the department, in rule.

9 (~~(+9)~~) (10) "Capacity" means the maximum number of persons in need
10 of personal or special care permitted in an adult family home at a
11 given time. This number shall include related children or adults in
12 the home and who received special care.

13 (~~(+10)~~) (11) "Resident manager" means a person employed or
14 designated by the provider to manage the adult family home.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.128 RCW
16 to read as follows:

17 The department may license an adult family home to be a special
18 capacity adult family home. The department shall, at a minimum,
19 consider the prior compliance history of the licensee, the experience
20 of the licensee, the adequacy of the physical space in the home, and
21 the number, qualification, and training of readily available staff to
22 meet the needs of residents when determining whether to grant the
23 license. The department shall develop rules pertaining to the
24 licensing of special capacity adult family homes to include
25 requirements related to licensing and the health and safety of
26 residents.

27 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.128 RCW
28 to read as follows:

29 (1) All adult family homes licensed for seven or eight residents
30 shall install smoke detectors. Smoke detectors must be installed in
31 each sleeping room and installed at a central point in a corridor or
32 area which gives access to each separate sleeping room. All smoke
33 detectors located inside adult family homes, licensed for seven or
34 eight residents, shall be interconnected so as to sound an alarm from
35 all smoke detectors located in the home when any one detector is
36 activated.

1 (2) Adult family homes licensed for seven or eight residents shall
2 have their interconnected smoke detectors monitored by a central
3 monitoring company and the adult family home provider shall maintain
4 the central monitoring service so long as the home is licensed as an
5 adult family home.

6 (3) Adult family homes licensed for seven or eight residents shall
7 install a residential automatic fire sprinkler system. Installation
8 and maintenance shall be in accordance with standards specified in the
9 state building code. The state building code council shall adopt rules
10 to implement the requirements of this subsection (3). The automatic
11 fire sprinkler system shall be inspected on an annual basis by a state
12 certified automatic sprinkler system inspection and testing technician.

13 NEW SECTION. **Sec. 6.** A new section is added to chapter 70.128 RCW
14 to read as follows:

15 The department shall implement, as part of the required training
16 and continuing education, food safety training and testing integrated
17 into the curriculum that meets the standards established by the state
18 board of health pursuant to chapter 69.06 RCW. Individual food handler
19 permits are not required for persons who begin working in an adult
20 family home after June 30, 2005, and successfully complete the basic
21 and modified-basic caregiver training, provided they receive
22 information or training regarding safe food handling practices from the
23 employer prior to providing food handling or service for the clients.
24 Documentation that the information or training has been provided to the
25 individual must be kept on file by the employer.

26 Licensed adult family home providers or employees who hold
27 individual food handler permits prior to June 30, 2005, will be
28 required to maintain continuing education of .5 hours per year in order
29 to maintain food handling and safety training. Licensed adult family
30 home providers or employees who hold individual food handler permits
31 prior to June 30, 2005, will not be required to renew the permit
32 provided the continuing education requirement as stated above is met.

33 NEW SECTION. **Sec. 7.** A new section is added to chapter 69.06 RCW
34 to read as follows:

35 Except for the food safety training standards adopted by the state
36 board of health under RCW 69.06.010, the provisions of this chapter do

1 not apply to persons who work in adult family homes and successfully
2 complete training and continuing education as required by section 6 of
3 this act.

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