
SUBSTITUTE SENATE BILL 6372

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Deccio, Spanel, Zarelli, Pflug, Kline, Kohl-Welles and Rasmussen)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to the adjustment of boarding home rates; and
2 amending RCW 74.39A.030.

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

4 **Sec. 1.** RCW 74.39A.030 and 2002 c 3 s 10 are each amended to read
5 as follows:

6 (1) To the extent of available funding, the department shall expand
7 cost-effective options for home and community services for consumers
8 for whom the state participates in the cost of their care.

9 (2) In expanding home and community services, the department shall:

10 (a) Take full advantage of federal funding available under Title XVIII
11 and Title XIX of the federal social security act, including home
12 health, adult day care, waiver options, and state plan services; and

13 (b) be authorized to use funds available under its community options
14 program entry system waiver granted under section 1915(c) of the
15 federal social security act to expand the availability of in-home,
16 adult residential care, adult family homes, enhanced adult residential
17 care, and assisted living services. By June 30, 1997, the department
18 shall undertake to reduce the nursing home medicaid census by at least
19 one thousand six hundred by assisting individuals who would otherwise

1 require nursing facility services to obtain services of their choice,
2 including assisted living services, enhanced adult residential care,
3 and other home and community services. If a resident, or his or her
4 legal representative, objects to a discharge decision initiated by the
5 department, the resident shall not be discharged if the resident has
6 been assessed and determined to require nursing facility services. In
7 contracting with nursing homes and boarding homes for enhanced adult
8 residential care placements, the department shall not require, by
9 contract or through other means, structural modifications to existing
10 building construction.

11 (3)(a) The department shall by rule establish payment rates for
12 home and community services that support the provision of cost-
13 effective care. In the event of any conflict between any such rule and
14 a collective bargaining agreement entered into under RCW 74.39A.270 and
15 74.39A.300, the collective bargaining agreement prevails.

16 (b) The department may authorize an enhanced adult residential care
17 rate for nursing homes that temporarily or permanently convert their
18 bed use for the purpose of providing enhanced adult residential care
19 under chapter 70.38 RCW, when the department determines that payment of
20 an enhanced rate is cost-effective and necessary to foster expansion of
21 contracted enhanced adult residential care services. As an incentive
22 for nursing homes to permanently convert a portion of its nursing home
23 bed capacity for the purpose of providing enhanced adult residential
24 care, the department may authorize a supplemental add-on to the
25 enhanced adult residential care rate.

26 (c) The department may authorize a supplemental assisted living
27 services rate for up to four years for facilities that convert from
28 nursing home use and do not retain rights to the converted nursing home
29 beds under chapter 70.38 RCW, if the department determines that payment
30 of a supplemental rate is cost-effective and necessary to foster
31 expansion of contracted assisted living services.

32 (4) When a person, upon admission to a boarding home, has been
33 determined to be eligible for medicaid funded boarding home care and
34 the boarding home subsequently submits a request to the department for
35 a change in condition reassessment, the boarding home shall receive
36 payment from the department beginning on whichever date is later:

37 (a) The date that the boarding home requested a department
38 reassessment; or

1 (b) The date on which the boarding home begins to provide the care
2 and services necessary to meet the resident's change in condition.

3 (5) If a person becomes financially eligible for medicaid after
4 admission to the boarding home and the boarding home has a medicaid
5 contract with the department under this chapter, the boarding home
6 shall receive payment from the department beginning on whichever of the
7 following dates is later:

8 (a) The date of the request for assessment or financial
9 application, whichever is earlier; or

10 (b) The date the person is determined to have been financially
11 eligible.

12 When a financial application for medicaid is requested, payment
13 back to the request date is limited to three months prior to the month
14 that the financial application is received by the department.

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