

SENATE BILL REPORT

SHB 1246

As Reported By Senate Committee On:
Health & Long-Term Care, March 19, 2007

Title: An act relating to residential services and support enforcement standards.

Brief Description: Concerning residential services and support enforcement standards.

Sponsors: House Committee on Human Services (originally sponsored by Representatives McCoy, Darneille, Dickerson, Ahern, Kenney and Moeller; by request of Department of Social and Health Services).

Brief History: Passed House: 2/28/07, 97-0.

Committee Activity: Health & Long-Term Care: 3/15/07, 3/19/07 [DP-WM, w/oRec].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Fairley, Kastama, Kohl-Welles, Marr and Parlette.

Minority Report: That it be referred without recommendation.

Signed by Senator Carrell.

Staff: Rhoda Donkin (786-7465)

Background: The Department of Social and Health Services (DSHS) is authorized to use an array of regulatory sanctions when certain service providers, such as adult family homes and boarding homes, fail to meet certain standards. Intermediate enforcement sanctions such as fines are used to initiate quick correction of regulatory violations.

2006 legislation applied enforcement standards and sanction authority to contracted service providers for the Community Protection Program for people with developmental disabilities. This program serves about 400 people per year. Sanctions are authorized for failure to comply with the requirements of the contract, refusal to cooperate with the certification process, preventing or interfering with an inspection or investigation, or failure to comply in other ways applicable to the service contract or state law. Sanctions can include decertification, suspension of referrals, and fines of up to \$150 per day per violation. The legislation did not apply to other contracted service providers doing similar residential services for other people with developmental disabilities.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: The 2006 legislation is re-enacted. The Legislature intends that it apply to all residential services and support providers.

The maximum daily fine of \$150 per violation is reduced to \$100 per day.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This will give DSHS the opportunity to issue intermediate sanctions against a broader group of residential providers who do not comply with their contracts.

Persons Testifying: PRO: Joyce Stockwell, DSHS.