

SENATE BILL REPORT

SB 6624

As of February 2, 2008

Title: An act relating to prohibiting requests for waivers of rights of residents of long-term care facilities.

Brief Description: Prohibiting requests for waivers of rights of residents of long-term care facilities.

Sponsors: Senators Kline, Keiser and Kohl-Welles.

Brief History:

Committee Activity: Health & Long-Term Care: 2/04/08.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Rhoda Donkin (786-7465)

Background: Under current law vulnerable adults living in nursing homes, adult family homes and assisted living facilities have the right to sue a facility if they have been abused or neglected. If a resident wins they can be awarded money for the harm they suffered, plus attorney's fees and costs.

There is concern that facilities are asking residents to sign arbitration agreements at the time of admission which can waive some of the rights provided them by state law. While these arbitration agreements may provide a more streamlined and less costly remedy for residents and facilities, there is concern without legal advice, residents also sign away important legal rights.

Summary of Bill: No long-term care facility or nursing facility may require or request residents to sign waivers, without prior advice from the residents attorney, or any rights set forth in the vulnerable adults statute, chapter 74.34 RCW.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

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