

# SENATE BILL REPORT

## E2SHB 1935

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As Reported by Senate Committee On:  
Health & Long-Term Care, March 25, 2009

**Title:** An act relating to adult family homes.

**Brief Description:** Concerning adult family homes.

**Sponsors:** House Committee on Health & Human Services Appropriations (originally sponsored by Representatives Morrell, Walsh, Cody, Orwall, Kenney, Bailey, Miloscia, Green, Kelley and Williams).

**Brief History:** Passed House: 3/10/09, 68-28.

**Committee Activity:** Health & Long-Term Care: 3/23/09, 3/25/09 [DP, w/oRec].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Fairley and Parlette.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Becker.

**Staff:** Rhoda Donkin (786-7465)

**Background:** Adult family homes are facilities that provide residential care and services for up to six individuals. The residents of adult family homes are typically elderly or persons with disabilities, and the homes are usually located in residential neighborhoods. The role of adult family homes in the long-term care industry has been to provide a home-like, non-institutional setting for the care of vulnerable people. In recent years, some homeowners' associations in the state have attempted to remove adult family homes from their neighborhoods through establishing restrictive covenants prohibiting them from operating in subdivisions.

As the elderly population increases, it is expected that more services to seniors will be needed in residential settings. The Legislature authorized the University of Washington, through the School of Nursing, to offer a geriatric certification and testing program for adult family home operators through a budget proviso. Currently it is not clear what the role of the

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Department of Social and Health Services (DSHS) will be regarding graduates of this program.

The licensing and renewal fees for adult family homes are set in statute at \$50.

**Summary of Bill:** The DSHS will establish a specialty license recognizing adult family home operators who successfully complete the program at the School of Nursing. Restrictive covenants that have the effect of limiting the ability of people with disabilities to live in the residence of their choice, including adult family homes, are void. The \$50 licensing and renewal fees for adult family homes are deleted, and the amount will be set in the biennial operating budget.

**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: We should be encouraging adult family home providers to develop specialty practices in their work with the elderly and having the state recognize geriatric training will help do that. The state has been clear about wanting to have housing and services for the elderly and disabled develop and integrate into communities everywhere. Homeowner association covenants that restrict the elderly and disabled from living in their communities discriminate against them and must be stopped.

**Persons Testifying:** PRO: Representative Morrell, prime sponsor; Louise Ryan, Washington State Long-Term Care Ombudsman; Bonnie Bruce, Hope Reffett, Washington State Residential Care Council, Clark County Adult Family Home Association.