

SENATE BILL REPORT

SHB 2578

As of February 23, 2012

Title: An act relating to disciplinary actions against the health professions license of the subject of a department of social and health services finding.

Brief Description: Concerning disciplinary actions against the health professions license of the subject of a department of social and health services finding.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representative Moeller).

Brief History: Passed House: 2/09/12, 97-0.

Committee Activity: Health & Long-Term Care: 2/22/12.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Kathleen Buchli (786-7488)

Background: The Department of Social and Health Services (DSHS) must initiate investigations upon the report of abuse, abandonment, neglect, exploitation, and financial exploitation of a vulnerable adult. If the initial report to DSHS or its investigation shows that the conduct may have been criminal, DSHS must immediately report the information to law enforcement. In addition, when a report or investigation involves a licensed health care provider, DSHS must notify the relevant disciplining authority. Upon receiving a report of possible abuse or neglect of a child, DSHS must investigate and provide a report to Child Protective Services.

Long-term care workers with a finding of fact, final order, or conclusion of law finding the long-term care worker guilty of abuse, neglect, exploitation, or abandonment of a minor or a vulnerable adult are prohibited from being employed in the care of a vulnerable adult or from having unsupervised access to a vulnerable adult.

Summary of Bill: Any credentialed health care provider or applicant for a health professions credential who has a final finding of abuse or neglect of a minor, or abuse, abandonment, neglect, or financial exploitation of a vulnerable adult must have his or her health professions credential summarily suspended. The suspension remains in effect until the Department of Health or the appropriate health professions board or commission has completed its disciplinary proceedings.

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.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2013.

Staff Summary of Public Testimony: PRO: This addresses an overlooked issue. DSHS investigates long-term care workers who, when they have a finding of abuse against a vulnerable adult or a minor, are prevented from working with vulnerable adults but their professional license remains in effect. This would suspend the license under due process and is similar to the approach used for out-of-state applicants who have had their licenses suspended. This suspension will only happen if DSHS has made a finding of abuse or neglect.

Persons Testifying: PRO: Representative Moeller, prime sponsor; Karen Jensen, Department of Health.