
SECOND SUBSTITUTE HOUSE BILL 1574

State of Washington

63rd Legislature

2014 Regular Session

By House Appropriations (originally sponsored by Representatives Kagi, Ryu, and Pollet; by request of Department of Social and Health Services)

READ FIRST TIME 02/11/14.

1 AN ACT Relating to investigative costs for residential services and
2 supports programs; adding new sections to chapter 71A.12 RCW; providing
3 an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1. INTENT.** The legislature finds that
6 Washington's system to support persons with intellectual disabilities
7 in the residential services and supports program should more
8 aggressively investigate and resolve complaints of abuse or neglect for
9 the vulnerable populations it serves. The legislature intends to
10 address current funding levels that limit the department of social and
11 health services' ability to promote vulnerable adult protections in the
12 program. The legislature further intends that the cost of complaint
13 investigation should be supported by an appropriate certification fee
14 paid by the regulated businesses, rather than by the general taxpayers.

15 NEW SECTION. **Sec. 2. RESIDENTIAL SERVICES AND SUPPORTS**
16 **CERTIFICATION FEES.** (1) Before the issuance of initial certification
17 for the residential services and supports program, the applicant shall
18 pay a certification fee. After initial certification, the certified

1 provider must also pay an annual certification fee. Beginning July 1,
2 2014, and thereafter, the initial and annual certification fees must be
3 established in the omnibus appropriations act and any amendment or
4 additions made to that act. The certification fees established in the
5 omnibus appropriations act and any amendment or additions made to that
6 act may not exceed the department's costs for investigation of
7 complaints about provider practice and individuals alleged to have
8 abused, neglected, abandoned, or exploited clients. The certification
9 fees must include all of the department's cost of paying providers for
10 the amount of the certification fee attributed to medicaid clients.

11 (2) No fee may be required of government-operated programs, the
12 portion of certified residential services and supports clients for whom
13 the program pays licensing fees under chapter 70.128 or 18.20 RCW, or
14 court-appointed receivers.

15 (3) The department may not collect the certification fee
16 established in subsection (1) of this section if federal matching funds
17 are unavailable for paying providers the amount of the license fee
18 attributed to medicaid clients, or if federal matching funds are
19 unavailable for investigative resources hired as a result of this
20 chapter.

21 NEW SECTION. **Sec. 3. DEPARTMENT DUTIES.** The department shall use
22 additional investigative resources to address a significant growth in
23 the residential services and supports program complaint workload. The
24 department shall use the resources to intervene for clients in a
25 timelier manner when there is possible abuse or neglect. "Complaints,"
26 as used in this section, include both complaints about provider
27 practice, under this chapter, and complaints about individuals alleged
28 to have abused, neglected, abandoned, or exploited clients, under
29 chapter 74.34 RCW. The department shall submit annual reports to the
30 appropriate fiscal and policy committees of the legislature, starting
31 December 1, 2015, and ending December 1, 2019. Each annual report must
32 show how many investigators have been hired as a result of this
33 chapter, and the number of cases investigated by these new staff. The
34 report must also show how the percentage of total complaints
35 investigated, and the average length of time to close a case, have
36 changed as a result of this chapter.

1 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are each
2 added to chapter 71A.12 RCW.

3 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and takes effect
6 July 1, 2014.

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