

FINAL BILL REPORT

HB 1307

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Synopsis as Enacted

Brief Description: Concerning enforcement standards for residential services and support providers.

Sponsors: Representatives Harris, Tharinger, Walkinshaw and Kagi; by request of Department of Social and Health Services.

House Committee on Early Learning & Human Services
House Committee on Appropriations
Senate Committee on Health Care

Background:

Certified Residential Services and Support Providers.

Certified Residential Service and Support Providers (CRSSPs) are certified by the Department of Social and Health Services (DSHS) and contracted by the DSHS to deliver client instruction and support services. These providers include group homes, supported living services, community protection programs, crisis diversion bed services, and group training homes. Service providers must provide each client with instruction or support as identified in a client's individual support plan. The areas of support to the client may include:

- home living activities;
- community living activities;
- life-long learning activities
- social activities;
- employment;
- protection and advocacy activities;
- exceptional medical support needs; and
- exceptional behavioral support needs.

Enforcement Mechanisms for Certified Residential Services and Support Providers.

The Developmental Disability Administration (DDA) applies enforcement mechanisms to community protection programs. These mechanisms include decertifying the provider, refusing to renew the certification, imposing conditions on certification, suspending referrals, or requiring the provider to implement a plan of correction. If community protection program providers fail to make the adjustments required by a plan of correction, the DDA may impose civil penalties up to \$150 per day.

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.

The Administrative Procedures Act applies to these enforcement actions.

Summary:

The enforcement mechanisms that the DDA may impose on the CRSSPs to apply to all the CRSSPs.

The conditions that the DDA may impose on a CRSSP include making corrections within a specific time, requiring training, and imposing limits on the type of client the provider may serve. The DDA is also authorized to suspend the provider from accepting clients with specified needs by imposing a limited stop placement.

If the DDA orders a stop placement, the provider may not accept new clients or clients with specific needs until the stop placement order is terminated. The DDA will terminate the stop placement order when the violations have been corrected and the provider exhibits the capacity to maintain correction of the violations.

After ordering a stop placement, the DDA must make an on-site visit to the provider within 15 working days of the provider notifying the DDA that a correction was made. For serious violations, the DDA must visit the provider as soon as appropriate to ensure correction. Verification of all other violations may be made either by a DDA on-site visit or by credible written or photographic documentation.

The fines that the DDA may impose on providers are reduced to a maximum of \$100 per day per violation. The DDA may impose a maximum total violation amount of \$3,000.

Providers have the right to an informal dispute resolution process to dispute any violation found or enforcement remedy imposed by the DDA. Except for imposition of civil penalties, the effective date of enforcement actions may not be delayed or suspended pending hearings or an informal dispute resolution process.

The DDA must develop rules to implement these enforcement actions by January 1, 2016.

A separate residential services and support account is created and all receipts from civil penalties against a CRSSP must be deposited in this account. Expenditures from the account are authorized only for promoting the quality of life and care of a CRSSP client.

Votes on Final Passage:

House	98	0
Senate	48	0

Effective: July 24, 2015