
Appropriations Committee

HB 2221

Brief Description: Concerning responses to high priority violations at long-term care facilities.

Sponsors: Representatives Hunter, Sullivan and Carlyle.

Brief Summary of Bill

- Establishes a Priority Response Unit (PRU) within the Office of the State Long-Term Care (LTC) Ombuds.
- Directs the LTC Ombuds to create procedures for responding to high priority violations.
- Directs the PRU to notify certain entities when a high priority violation is identified.
- Requires a LTC facility to participate in the investigation of a high priority referral.
- Requires the LTC Ombuds to submit a report to the Governor and the Legislature describing the activities of the PRU for five consecutive years, starting December 1, 2017.

Hearing Date: 4/6/15

Staff: James Kettel (786-7123).

Background:

Under the federal Older Americans Act, every state is required to have an ombuds program that addresses complaints from consumers and promotes improvement within the long-term care (LTC) system. The Administration on Aging provides federal oversight of all state ombuds programs. In Washington, among other activities, the Office of the LTC Ombuds coordinates the activities of volunteers throughout the state, reviews complaints about provider practice, offers information and assistance to consumers, monitors the work of state agencies responsible for the licensing and oversight of facilities, and advocates for improved quality of care for people living in nursing homes, assisted living facilities, and adult family homes.

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.

Summary of Bill:

A priority response unit (PRU) is established within the Office of the LTC Ombuds. The PRU will investigate high-priority violations within LTC facilities. The criteria for a high-priority violation must be established by the Office of the LTC Ombuds and made available to the public on the office's web site. Prior to investigating a high-priority violation, the PRU must notify management within the LTC facility, state regulatory agencies, and as warranted, law enforcement, prosecutorial officials, emergency medical services, and public health agencies. A facility must offer the PRU access to records, and must allow the PRU access to locations within the facility, during the course of an investigation. At any point in the investigation, if there appears to be a possibility of immediate harm to the health and safety of residents, then the PRU must notify the appropriate local government agencies. The PRU must share all findings of fact with the Department of Social and Health Services (DSHS) whether or not an investigation indicates that a high-priority violation has occurred.

The Office of the LTC Ombuds, DSHS, Department of Health, and representatives of local government agencies must develop a workgroup to ensure the highest level of support for the mission of each organization, with respect to protecting residents within LTC facilities. The Office of the LTC Ombuds must submit a report to the Governor and the Legislature by December 1, 2017, and each year thereafter until December 1, 2022, with information about the impact of the PRU and recommendations for improving the effectiveness of the PRU.

Appropriation: None.

Fiscal Note: Requested on April 3, 2015.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.