

FINAL BILL REPORT

SSB 5705

C 330 L 17
Synopsis as Enacted

Brief Description: Concerning inspection and review of state contracted behavioral health and recovery agencies.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Becker, O'Ban, Rivers, Bailey, Miloscia, Schoesler, Warnick, Brown, Zeiger and Honeyford).

Senate Committee on Human Services, Mental Health & Housing
Senate Committee on Ways & Means
House Committee on Health Care & Wellness

Background: The Department of Social and Health Services (DSHS) certifies and licenses behavioral health providers. Part of the license and certification process is the creation of rules for providers to follow related to health and safety and other legal requirements. DSHS audits compliance of its provider with agency rules. DSHS's power to enforce its regulations includes the ability to take administrative sanctions including the suspension or revocation of a license or certification. An administrative appeals process is available for providers to dispute administrative actions taken by the agency. Appeals of administrative actions are sometimes resolved by settlement agreement between DSHS and the licensee or certification holder.

Summary: The state finds that DSHS should not reduce the number of license violations found by DSHS field inspectors for the purpose of allowing licensed behavioral health service providers to avoid liability in a manner that permits the violating service provider to continue to provide care at the risk of public safety. Any settlement agreement entered with a licensed behavioral health service provider to resolve administrative complaints or license violations, suspensions, or revocations may not reduce the number of violations reported unless DSHS concludes, based on evidence gathered by inspectors, that the licensed behavioral health service provider did not commit one or more of the violations.

Transfers or sales of behavioral health licenses to a family member of the behavioral health service provider are prohibited for the purpose of avoiding liability or to reset the number of license violations found before the transfer or sale. DSHS may not review a behavioral health service provider's license or issue a new license when it finds that the provider intends a transfer or sale solely for the purpose of resetting the number of violations found before transfer or sale.

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.

Votes on Final Passage:

Senate	35	14	
House	98	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: July 23, 2017