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SENATE BILL 6372

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State of Washington

65th Legislature

2018 Regular Session

By Senators Walsh, Kuderer, Fain, Hunt, Rivers, Van De Wege, Becker, Cleveland, and Dhingra

Read first time 01/15/18. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to allowing certain adult family homes to  
2 increase capacity to eight beds; amending RCW 70.128.010; and adding  
3 a new section to chapter 70.128 RCW.

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

5 **Sec. 1.** RCW 70.128.010 and 2007 c 184 s 7 are each amended to  
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in  
8 this section apply throughout this chapter.

9 (1) "Adult family home" means a residential home in which a  
10 person or persons provide personal care, special care, room, and  
11 board to more than one but not more than six adults who are not  
12 related by blood or marriage to the person or persons providing the  
13 services. An adult family home may provide services to up to eight  
14 adults upon approval from the department under section 2 of this act.

15 (2) "Provider" means any person who is licensed under this  
16 chapter to operate an adult family home. For the purposes of this  
17 section, "person" means any individual, partnership, corporation,  
18 association, or limited liability company.

19 (3) "Department" means the department of social and health  
20 services.

1 (4) "Resident" means an adult in need of personal or special care  
2 in an adult family home who is not related to the provider.

3 (5) "Adults" means persons who have attained the age of eighteen  
4 years.

5 (6) "Home" means an adult family home.

6 (7) "Imminent danger" means serious physical harm to or death of  
7 a resident has occurred, or there is a serious threat to resident  
8 life, health, or safety.

9 (8) "Special care" means care beyond personal care as defined by  
10 the department, in rule.

11 (9) "Capacity" means the maximum number of persons in need of  
12 personal or special care permitted in an adult family home at a given  
13 time. This number shall include related children or adults in the  
14 home and who received special care.

15 (10) "Resident manager" means a person employed or designated by  
16 the provider to manage the adult family home.

17 (11) "Adult family home licensee" means a provider as defined in  
18 this section who does not receive payments from the medicaid and  
19 state-funded long-term care programs.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.128  
21 RCW to read as follows:

22 (1) An applicant requesting to increase bed capacity to seven or  
23 eight beds must successfully demonstrate to the department financial  
24 solvency and management experience for the home under its ownership  
25 and the ability to meet other relevant safety, health, and operating  
26 standards pertaining to the operation of an eight bed home, including  
27 ways to mitigate the potential impact of vehicular traffic related to  
28 the operation of the home.

29 (2) The department shall only accept and process an application  
30 to increase the bed capacity to seven or eight beds when:

31 (a) A period of no less than twenty-four months has passed since  
32 the issuance of the initial adult family home license;

33 (b) The department has taken no enforcement actions against the  
34 applicant's currently licensed adult family homes during the twenty-  
35 four months prior to application;

36 (c) The home has been licensed for six residents for at least  
37 twelve months prior to application;

1 (d) The home has submitted an attestation that an increase in the  
2 number of beds will not adversely affect the health, safety, or  
3 quality of life of current residents of the home; and

4 (e) The home has paid any fees associated with licensure or  
5 additional inspections.

6 (3) Prior to issuing a license to operate a seven or eight bed  
7 adult family home, the department may conduct an inspection to  
8 determine compliance with licensing standards and the ability to meet  
9 the needs of eight residents.

10 (4) Upon application or issuance of an initial seven or eight bed  
11 adult family home capacity, a home must provide at least thirty days'  
12 notice to all residents and designated guardians of residents that  
13 the home has been licensed to admit up to seven or eight residents  
14 before admitting a seventh resident.

15 (5) In the event of serious noncompliance in a seven or eight bed  
16 adult family home, in addition to, or in lieu of, the imposition of  
17 one or more actions listed in RCW 70.128.160(2), the department may  
18 revoke the adult family home's authority to accept more than six  
19 residents.

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