

HOUSE BILL REPORT

2SSB 5672

As Reported by House Committee On:
Health Care & Wellness
Appropriations

Title: An act relating to adult family home specialty services.

Brief Description: Concerning adult family home specialty services.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Cleveland, O'Ban, Walsh, Wellman, Darneille, Dhingra, Hunt, Keiser, Frockt, Kuderer, Nguyen and Saldaña).

Brief History:

Committee Activity:

Health Care & Wellness: 3/19/19, 3/27/19 [DPA];

Appropriations: 4/8/19 [DPA(APP w/o HCW)].

**Brief Summary of Second Substitute Bill
(As Amended by Committee)**

- Directs the Developmental Disabilities Administration and the Aging and Long-Term Support Administration to develop services for: (1) individuals living in adult family homes whose primary care needs relate to a developmental or intellectual disability; or (2) individuals living in adult family homes that are dedicated solely to caring for persons with dementia.
- Establishes an adult family home training network to make required training available for adult family homes.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass as amended. Signed by 9 members: Representatives Cody, Chair; Macri, Vice Chair; Davis, Jinkins, Riccelli, Robinson, Stonier, Thai and Tharinger.

Minority Report: Without recommendation. Signed by 3 members: Representatives Chambers, DeBolt and Harris.

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.

Minority Report: Do not pass. Signed by 2 members: Representatives Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member.

Staff: Chris Blake (786-7392).

Background:

Adult family homes are community-based facilities licensed to care for up to six individuals who need long-term care. These homes provide room, board, laundry, necessary supervision, and assistance with activities of daily living, personal care, and nursing services.

Adult family homes are licensed by the Department of Social and Health Services (Department) and must meet facility standards as well as training requirements for resident managers and caregivers. Adult family home providers or resident managers must complete 75 hours of training before providing care to residents. Adult family home long-term care workers are required to complete 75 hours of training within 120 days of hire. An adult family home may only admit residents whose needs and preferences the home is able to meet through available staff and reasonable accommodations. Adult family homes that serve persons with special needs, such as dementia or developmental disabilities, must provide specialty training to providers, resident managers, and caregivers.

The Department's rules and standards for adult family homes must be appropriate to the different needs and capacities of the various populations served by adult family homes, including persons who are developmentally disabled or elderly. The Department may designate an adult family home to provide specialty care in the areas of developmental disability, mental illness, and dementia.

Summary of Amended Bill:

Adult Family Home Services.

The Developmental Disabilities Administration within the Department of Social and Health Services (Department) must work with stakeholders to design and implement services for individuals living in adult family homes whose primary care needs relate to a developmental or intellectual disability. The services relate to assessment, environment, regulations, provision of care, and training requirements. The services must be designed to improve resident quality of life, increase resident length of stay, clarify regulations, streamline training requirements, reduce the need for institutional settings, and attract more adult family homes to develop needed resources. The recommendations for the services must be completed by June 1, 2020, for consideration and implementation in the 2021-23 biennium.

The Aging and Long-Term Support Administration within the Department must work with stakeholders to design and implement services for individuals living in adult family homes that are dedicated solely to caring for persons with dementia, including Alzheimer's disease. The services relate to assessment, environment, regulations, provision of care, and training requirements. The services must be designed to improve resident quality of life, increase resident length of stay, clarify regulations, streamline training requirements, reduce the need

for institutional settings, and attract more adult family homes to develop needed resources. The recommendations for the services must be completed by June 1, 2020, for consideration and implementation in the 2021-23 biennium.

Adult Family Home Training Network.

An "adult family home training network" is defined as a nonprofit organization, joint partnership, or trust that is established by the exclusive bargaining representative of adult family homes with the capacity to provide training, workforce development, and other services to adult family homes. If the Department has a contract with an adult family home represented by an exclusive bargaining unit for the delivery of personal care services, the Department must make training available through an adult family home training network with contributions made under a collective bargaining unit. The adult family home training network must provide reports to the Department to verify that providers have complied with all training requirements. The collective bargaining representative is responsible for designating the adult family home training network.

Funding for the adult family home training network must be provided through a collective bargaining agreement. For the 2019-2021 biennium, the funding must be within the amount appropriated for the 2019-2021 collective bargaining agreement.

By December 1, 2020, the Department must report to the appropriate committees of the Legislature on the status of the adult family home training network. The report must include the number of trainings provided; the topics of the trainings; the number of caregivers, providers, and resident managers who completed trainings; and the ability of the adult family home training network to provide training in the services recommended for populations with dementia or a developmental or intellectual disability.

Amended Bill Compared to Second Substitute Bill:

The amended bill requires that promoting resident safety, including protecting safety in relationships between residents, be a consideration when designing services to support the intentional environment of the adult family home.

The amended bill requires the Department of Social and Health Services (Department), if it has a contract with an adult family home represented by an exclusive bargaining unit for the delivery of personal care services, to make training available through an adult family home training network with contributions made under a collective bargaining unit. Requires the adult family home training network to be designated by the collective bargaining representative. An "adult family home training network" is defined as a nonprofit organization, joint partnership, or trust that is established by the exclusive bargaining representative of adult family homes with the capacity to provide training, workforce development, and other services to adult family homes. The Department must report to the appropriate committees of the Legislature on the status of the adult family home training network by December 1, 2020.

The amended bill changes terminology related to competency challenge tests.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The quality of care that is being provided by adult family homes for this population is insufficient. There are things that need to be considered that are responsive to this population such as transportation that are needed to get residents out of the home and into the community to make these truly home and community services. Persons with developmental disabilities are a younger population that seeks more community integration and engagement and may require a different level of behavior support and supervision.

This bill recognizes the need to develop care standards for individuals living with developmental or intellectual disabilities, as well as the population that suffers from Alzheimer's disease and other forms of dementia. An intentional environment with thoughtful assessments, careful care planning, meaningful activities, and community integration, will create better resident outcomes. This approach has been proven to dramatically reduce discharges and behaviors and produce longer length of stays and a better quality of life. Some adult families are already doing this kind of work with the developmentally disabled community, however, they are challenged by assessments and regulations that are designed for the care of the elderly. This bill will better align service expectations and better align rate development to ensure that providers are being supported. This bill will help consumers identify homes that are serving the developmentally disabled population, and set an expectation for what this type of specialty means. It is hoped that a better alignment of services and rates will help more providers enter this field. This bill does a good job of engaging the correct stakeholders to make sure the services that are developed are correct and appropriate.

(Opposed) None.

Persons Testifying: Loren Freeman, Freeman and Associates; and John Flicker, Adult Family Home Council.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care & Wellness. Signed by 25 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Cody, Dolan, Fitzgibbon, Hansen, Hudgins, Jinkins, Macri, Pettigrew, Pollet, Ryu, Senn, Springer, Stanford, Steele, Sullivan, Tarleton, Tharinger and Ybarra.

Minority Report: Do not pass. Signed by 7 members: Representatives Chandler, Dye, Hoff, Kraft, Mosbrucker, Schmick and Sutherland.

Staff: Mary Mulholland (786-7391).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Health Care & Wellness:

The amended bill clarifies that the "adult family home training network" (training network) means a nonprofit organization, and not a joint partnership or trust.

Services developed for individuals in adult family homes with dementia or a developmental or intellectual disability must be enhancements in addition to services currently available.

Parties to the collective bargaining agreement for adult family homes must negotiate a memorandum of understanding for contributions to the adult family home training network. The commencement of contributions to the training network is delayed until January 1, 2020, or later. Contributions to the training network for fiscal year 2021 are limited to the amount appropriated for training in the 2019-21 collective bargaining agreement. Contributions to the training network must be provided through a vendor contract with the Department of Social and Health Services (Department). The availability of training provided through the training network is delayed until July 1, 2020.

Specific topics in the Department report due by December 1, 2020, are removed.

The bill is null and void unless funding is provided in the omnibus appropriations act by June 30, 2019.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) It is important that the success of adult family homes helping the long-term care system be recognized. The proposal has the support of many advocates and associations. Thoughtful planning results in better outcomes and longer lengths of stay in adult family homes, which reduces institutional costs. The specialized dementia care model for assisted living facilities has been successful. The Office of Financial Management is suggesting amendments.

(Opposed) None.

Persons Testifying: John Ficker, Adult Family Home Council.

Persons Signed In To Testify But Not Testifying: None.