

SENATE BILL REPORT

SHB 1023

As Reported by Senate Committee On:
Health & Long Term Care, March 20, 2019

Title: An act relating to allowing certain adult family homes to increase capacity to eight beds.

Brief Description: Allowing certain adult family homes to increase capacity to eight beds.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Macri, Harris, Cody, MacEwen, Pollet, DeBolt, Springer, Kretz, Appleton, Caldier, Slatter, Vick, Stanford, Fitzgibbon, Riccelli, Robinson, Kloba, Valdez, Ryu, Tharinger, Jinkins, Wylie, Goodman, Bergquist, Doglio, Chambers, Senn, Ortiz-Self, Stonier, Frame, Ormsby and Reeves).

Brief History: Passed House: 2/07/19, 96-0.

Committee Activity: Health & Long Term Care: 3/15/19, 3/20/19 [DPA].

Brief Summary of Amended Bill

- Allows adult family homes to increase their bed capacity from six to seven or eight beds if they meet specified licensing standards.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Randall, Vice Chair; O'Ban, Ranking Member; Bailey, Becker, Conway, Frockt, Keiser and Van De Wege.

Staff: LeighBeth Merrick (786-7445)

Background: An adult family home is a residential home that provides personal care, specialty care, necessary supervision, laundry, and room and board for up to six adults who need long-term care.

Adult family homes are licensed by the Department of Social and Health Services (DSHS) and must meet facility standards, and training requirements for resident managers and caregivers. An adult family home may only admit residents whose needs and preferences the home is able to meet through available staff and reasonable accommodations. Each resident

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must receive identified care and services in a manner and environment that supports, maintains, or improves the resident's quality of life. The services must be provided by appropriate professionals based upon the resident's assessment and negotiated care plan.

Summary of Amended Bill: An adult family home provider may increase the home's bed capacity to seven or eight beds. A provider may apply for a license to operate with seven or eight beds if:

- the provider has held the initial adult family home license for at least 24 months;
- the home has been licensed for six residents for at least 12 months;
- the provider has completed two full inspections without any enforcement actions;
- the provider attests an increase will not adversely affect the health, safety, or quality of life of the home's current residents;
- the home is in compliance with DSHS rules regarding emergency evacuation;
- the home has a residential sprinkler system in place for residents who require assistance during an evacuation;
- the provider has paid any required fees; and
- the home attests to not serving individuals who have been committed to a state hospital after committing acts constituting a violent felony or individuals that have been committed to the state's Special Commitment Center as a sexually violent predator.

The home must demonstrate financial solvency and the ability to meet safety, health, and operating standards related to the operation of a seven or eight bed adult family home, including the mitigation of potential traffic impacts. DSHS must consider current residents' comments related to quality of care, quality of life, and their views on adding more residents to the home.

DSHS must provide written notification to the local jurisdiction in which the adult family home is located regarding the applicant's request to increase bed capacity, and allow the adult family home's local jurisdiction to provide recommendations as to whether or not DSHS should approve the adult family home's request to increase its bed capacity to seven or eight beds. In addition, DSHS must conduct an inspection of the home prior to issuing a license to determine if the home is able to meet the needs of eight residents. DSHS may reduce the maximum number of beds to six if there has been serious noncompliance with licensing standards.

To change ownership of a seven or eight bed adult family home, the new provider must be a provider of an adult family home that has been licensed for at least 24 months and have had at least six residents for at least 12 months. The adult family home must have also completed at least two full inspections, the most recent two inspections must not have resulted in any enforcement actions, and the home must attest to not serving individuals who have been committed to a state hospital after committing acts constituting a violent felony or individuals that have been committed to the state's Special Commitment Center as a sexually violent predator.

The adult family home must notify all residents and their designated representatives about the increase in licensed beds, at least 60 days prior to admitting a seventh resident. The

notice must be in writing and in a manner or language understood by the residents and their designated representatives.

DSHS is only required to consider the interests of applicants, licensees, residents, or prospective residents when it takes action regarding adult family home licensing.

EFFECT OF HEALTH & LONG TERM CARE COMMITTEE AMENDMENT(S):

- Prohibits adult family homes that attest to serving individuals who have been committed to a state hospital after committing acts constituting a violent felony or individuals that have been committed to the Special Commitment Center as a sexually violent predator from increasing their capacity to seven or eight beds.
- Requires DSHS to allow the adult family home's local jurisdiction to provide recommendations as to whether or not DSHS should approve the adult family home's request to increase its bed capacity to seven or eight beds.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill passed the house unanimously and has been improved since last year's bill with feedback from numerous stakeholders including DSHS and fire marshals. There is a need for people to get care in their communities and this bill seeks to find a way for experienced adult family home providers to increase their capacity, which is much needed. DSHS has safety requirements for adult family homes that ensure the home can only accept individuals that they are able to adequately care for.

CON: This bill should require sprinkler systems for all homes that seek to increase the number of residents that they serve. This bill is premature. There are numerous issues with the way adult family homes currently operate. These issues should be resolved before they are able to increase their capacity in order to protect community safety. Adult family homes are intended to provide quality, individualized care in a home like environment, and this would not be possible in an eight-bed adult family home. This would not be good for the people they are serving.

Persons Testifying: PRO: Representative Nicole Macri, Prime Sponsor; John Ficker, Adult family Home Council; Madonna Maxaner, Dayspring Memory Care and Sunrie AFHs; Alyssa Arley, A2Z Elite Services.

CON: Tracy Ingram, Oakbrook Community Voice; Loren Freeman, citizen; Cris Shardelaman, citizen.

Persons Signed In To Testify But Not Testifying: No one.