

SHB 2347 - S COMM AMD

By Committee on Health & Long Term Care

ADOPTED 03/01/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 70.128.280 and 2013 c 300 s 3 are each amended to
4 read as follows:

5 (1) In order to enhance the selection of an appropriate adult
6 family home, all adult family homes licensed under this chapter shall
7 disclose the scope of, and charges for, the care, services, and
8 activities provided by the home or customarily arranged for by the
9 home. The disclosure must be provided to the home's residents and the
10 residents' representatives, if any, prior to admission, and to
11 interested prospective residents and their representatives upon
12 request, using standardized disclosure forms developed by the
13 department with stakeholders' input. The home may also disclose
14 supplemental information to prospective residents and other
15 interested persons.

16 (2)(a) The disclosure forms that the department develops must be
17 standardized, reasonable in length, and easy to read. The form
18 setting forth the scope of an adult family home's care, services, and
19 activities must be available from the adult family home through a
20 link to the department's website developed pursuant to this section.
21 This form must indicate, among other categories, the scope of
22 personal care and medication service provided, the scope of skilled
23 nursing services or nursing delegation provided or available, any
24 specialty care designations held by the adult family home, the
25 customary number of caregivers present during the day and whether the
26 home has awake staff at night, any particular cultural or language
27 access available, and clearly state whether the home admits medicaid
28 clients or retains residents who later become eligible for medicaid.
29 The adult family home shall provide or arrange for the care,
30 services, and activities disclosed in its form.

1 (b) The department must also develop a second standardized
2 disclosure form with stakeholders' input for use by adult family
3 homes to set forth an adult family home's charges for its care,
4 services, items, and activities, including the charges not covered by
5 the home's daily or monthly rate, or by medicaid, medicare, or other
6 programs. This form must be available from the home and disclosed to
7 residents and their representatives, if any, prior to admission, and
8 to interested prospective residents and their representatives upon
9 request.

10 (3)(a) If the adult family home decreases the scope of care,
11 services, or activities it provides, due to circumstances beyond the
12 home's control, the home shall provide a minimum of thirty days'
13 written notice to the residents, and the residents' representative if
14 any, before the effective date of the decrease in the scope of care,
15 services, or activities provided.

16 (b) If the adult family home voluntarily decreases the scope of
17 care, services, or activities it provides, and any such decrease will
18 result in the discharge of one or more residents, then ninety days'
19 written notice must be provided prior to the effective date of the
20 decrease. Notice must be given to the residents and the residents'
21 representative, if any.

22 (c) If the adult family home increases the scope of care,
23 services, or activities it provides, the home shall promptly provide
24 written notice to the residents, and the residents' representative if
25 any, and shall indicate the date on which the increase is effective.

26 (4) When the care needs of a resident exceed the disclosed scope
27 of care or services that the adult family home provides, the home may
28 exceed the care or services previously disclosed, provided that the
29 additional care or services are permitted by the adult family home's
30 license, and the home can safely and appropriately serve the resident
31 with available staff or through the provision of reasonable
32 accommodations required by state or federal law. The provision of
33 care or services to a resident that exceed those previously disclosed
34 by the home does not mean that the home is capable of or required to
35 provide the same care or services to other residents, unless required
36 as a reasonable accommodation under state or federal law.

37 (5) An adult family home may deny admission to a prospective
38 resident if the home determines that the needs of the prospective
39 resident cannot be met, so long as the adult family home operates in
40 compliance with state and federal law, including RCW 70.129.030(3)

1 and the reasonable accommodation requirements of state and federal
2 antidiscrimination laws.

3 (6) The department shall work with consumers, advocates, and
4 other stakeholders to combine and improve existing web resources to
5 create a more robust, comprehensive, and user-friendly website for
6 family members, residents, and prospective residents of adult family
7 homes in Washington. The department may contract with outside vendors
8 and experts to assist in the development of the website. The website
9 should be easy to navigate and have links to information important
10 for residents, prospective residents, and their family members or
11 representatives including, but not limited to: (a) Explanations of
12 the types of licensed long-term care facilities, levels of care, and
13 specialty designations; (b) lists of suggested questions when looking
14 for a care facility; (c) warning signs of abuse, neglect, or
15 financial exploitation; and (d) contact information for the
16 department and the long-term care (~~ombudsman [ombuds]~~) ombuds. In
17 addition, the consumer oriented website should include a searchable
18 list of all adult family homes in Washington, with links to
19 (~~inspection and investigation reports and any enforcement actions by~~
20 ~~the department for the previous three years~~) the following documents
21 and information for the previous three years: (i) Deficiency-free
22 inspection letters; (ii) statements of deficiency related to
23 inspection visits; (iii) statements of deficiency related to
24 complaint investigations requiring an attestation of correction; (iv)
25 notices of return to compliance related to (ii) and (iii) of this
26 subsection; and (v) enforcement action notices issued by the
27 department. If a violation or enforcement remedy is deleted,
28 rescinded, or modified under RCW 70.128.167 or chapter 34.05 RCW, the
29 department shall make the appropriate changes to the information on
30 the website as soon as reasonably feasible, but no later than thirty
31 days after the violation or enforcement remedy has been deleted,
32 rescinded, or modified. To facilitate the comparison of adult family
33 homes, the website should also include a link to each licensed adult
34 family home's disclosure form required by subsection (2)(a) of this
35 section. The department's website should also include periodically
36 updated information about whether an adult family home has a current
37 vacancy, if the home provides such information to the department, or
38 may include links to other consumer-oriented websites with the
39 vacancy information."

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1 On page 1, line 3 of the title, after "homes;" strike the
2 remainder of the title and insert "and amending RCW 70.128.280."

EFFECT: Requires the DSHS website to include statements of deficiency documents related to inspection visits and complaint investigations requiring an attestation of correction rather than statement of deficiency documents related to inspection visits requiring an attestation of correction and enforcement actions.

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