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**SUBSTITUTE HOUSE BILL 2347**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Reeves, Harris, Chambers, Davis, Bateman, Doglio, Macri, and Reed)

READ FIRST TIME 01/31/24.

1 AN ACT Relating to website information published by the  
2 department of social and health services regarding adult family  
3 homes; and amending RCW 70.128.280.

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

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

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

18 (2)(a) The disclosure forms that the department develops must be  
19 standardized, reasonable in length, and easy to read. The form  
20 setting forth the scope of an adult family home's care, services, and  
21 activities must be available from the adult family home through a

1 link to the department's website developed pursuant to this section.  
2 This form must indicate, among other categories, the scope of  
3 personal care and medication service provided, the scope of skilled  
4 nursing services or nursing delegation provided or available, any  
5 specialty care designations held by the adult family home, the  
6 customary number of caregivers present during the day and whether the  
7 home has awake staff at night, any particular cultural or language  
8 access available, and clearly state whether the home admits medicaid  
9 clients or retains residents who later become eligible for medicaid.  
10 The adult family home shall provide or arrange for the care,  
11 services, and activities disclosed in its form.

12 (b) The department must also develop a second standardized  
13 disclosure form with stakeholders' input for use by adult family  
14 homes to set forth an adult family home's charges for its care,  
15 services, items, and activities, including the charges not covered by  
16 the home's daily or monthly rate, or by medicaid, medicare, or other  
17 programs. This form must be available from the home and disclosed to  
18 residents and their representatives, if any, prior to admission, and  
19 to interested prospective residents and their representatives upon  
20 request.

21 (3)(a) If the adult family home decreases the scope of care,  
22 services, or activities it provides, due to circumstances beyond the  
23 home's control, the home shall provide a minimum of thirty days'  
24 written notice to the residents, and the residents' representative if  
25 any, before the effective date of the decrease in the scope of care,  
26 services, or activities provided.

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

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

37 (4) When the care needs of a resident exceed the disclosed scope  
38 of care or services that the adult family home provides, the home may  
39 exceed the care or services previously disclosed, provided that the  
40 additional care or services are permitted by the adult family home's

1 license, and the home can safely and appropriately serve the resident  
2 with available staff or through the provision of reasonable  
3 accommodations required by state or federal law. The provision of  
4 care or services to a resident that exceed those previously disclosed  
5 by the home does not mean that the home is capable of or required to  
6 provide the same care or services to other residents, unless required  
7 as a reasonable accommodation under state or federal law.

8 (5) An adult family home may deny admission to a prospective  
9 resident if the home determines that the needs of the prospective  
10 resident cannot be met, so long as the adult family home operates in  
11 compliance with state and federal law, including RCW 70.129.030(3)  
12 and the reasonable accommodation requirements of state and federal  
13 antidiscrimination laws.

14 (6) The department shall work with consumers, advocates, and  
15 other stakeholders to combine and improve existing web resources to  
16 create a more robust, comprehensive, and user-friendly website for  
17 family members, residents, and prospective residents of adult family  
18 homes in Washington. The department may contract with outside vendors  
19 and experts to assist in the development of the website. The website  
20 should be easy to navigate and have links to information important  
21 for residents, prospective residents, and their family members or  
22 representatives including, but not limited to: (a) Explanations of  
23 the types of licensed long-term care facilities, levels of care, and  
24 specialty designations; (b) lists of suggested questions when looking  
25 for a care facility; (c) warning signs of abuse, neglect, or  
26 financial exploitation; and (d) contact information for the  
27 department and the long-term care (~~(ombudsman [ombuds])~~) ombuds. In  
28 addition, the consumer oriented website should include a searchable  
29 list of all adult family homes in Washington, with links to  
30 (~~(inspection and investigation reports and any enforcement actions by~~  
31 ~~the department for the previous three years)) the following documents  
32 and information for the previous three years: (i) Deficiency-free  
33 inspection letters; (ii) statements of deficiency related to  
34 inspection visits requiring an attestation of correction; (iii)  
35 statements of deficiency related to enforcement actions; (iv) notices  
36 of return to compliance related to (ii) and (iii) of this subsection;  
37 and (v) enforcement action notices issued by the department. If a  
38 violation or enforcement remedy is deleted, rescinded, or modified  
39 under RCW 70.128.167 or chapter 34.05 RCW, the department shall make  
40 the appropriate changes to the information on the website as soon as~~

1 reasonably feasible, but no later than thirty days after the  
2 violation or enforcement remedy has been deleted, rescinded, or  
3 modified. To facilitate the comparison of adult family homes, the  
4 website should also include a link to each licensed adult family  
5 home's disclosure form required by subsection (2)(a) of this section.  
6 The department's website should also include periodically updated  
7 information about whether an adult family home has a current vacancy,  
8 if the home provides such information to the department, or may  
9 include links to other consumer-oriented websites with the vacancy  
10 information.

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