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HOUSE BILL 1792

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State of Washington

65th Legislature

2017 Regular Session

By Representative Kagi; by request of Department of Social and Health Services

1 AN ACT Relating to investigative costs for residential services  
2 and supports programs; adding new sections to chapter 71A.12 RCW;  
3 providing an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** INTENT. The legislature finds that  
6 Washington's system to support persons with developmental and  
7 intellectual disabilities in chapter 388-101 WAC of the supported  
8 living program of the residential services and supports program  
9 should more aggressively investigate and resolve complaints of abuse  
10 or neglect for the vulnerable populations it serves. The legislature  
11 intends to address current funding levels that limit the department  
12 of social and health services' ability to promote vulnerable adult  
13 protections in the program. The legislature further intends that the  
14 cost of complaint investigation should be supported by an appropriate  
15 certification fee paid by the regulated businesses.

16 NEW SECTION. **Sec. 2.** RESIDENTIAL SERVICES AND SUPPORTS  
17 CERTIFICATION FEES. (1) Before the issuance of initial certification  
18 for the residential services and supports program, the applicant  
19 shall pay a certification fee. After initial certification, the  
20 certified provider must also pay an annual certification fee.

1 Beginning July 1, 2017, and thereafter, the initial and annual  
2 certification fees must be established in the omnibus appropriations  
3 act and any amendment or additions made to that act. The  
4 certification fees established in the omnibus appropriations act and  
5 any amendment or additions made to that act may not exceed the  
6 department's costs for investigation of complaints about provider  
7 practice and individuals alleged to have abused, neglected,  
8 abandoned, or exploited clients. The certification fees must include  
9 all of the department's cost of paying providers for the amount of  
10 the certification fee attributed to medicaid clients.

11 (2) No fee may be required of government-operated programs, the  
12 portion of certified residential services and supports clients for  
13 whom the program pays licensing fees under chapter 70.128 or 18.20  
14 RCW, or court-appointed receivers.

15 NEW SECTION. **Sec. 3.** DEPARTMENT DUTIES. The department shall  
16 use additional investigative resources to address a significant  
17 growth in the residential services and supports program complaint  
18 workload. The department shall use the resources to intervene for  
19 clients in a timelier manner when there is possible abuse or neglect.  
20 "Complaints," as used in this section, include both complaints about  
21 provider practice, under this chapter, and complaints about  
22 individuals alleged to have abused, neglected, abandoned, or  
23 exploited clients, under chapter 74.34 RCW.

24 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are each  
25 added to chapter 71A.12 RCW.

26 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
27 preservation of the public peace, health, or safety, or support of  
28 the state government and its existing public institutions, and takes  
29 effect July 1, 2017.

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