

SENATE BILL REPORT

SB 5766

As Reported By Senate Committee On:
Health & Long-Term Care, March 1, 1999
Ways & Means, March 8, 1999

Title: An act relating to the long-term care ombudsman program.

Brief Description: Modifying the duties of a long-term care ombudsman.

Sponsors: Senators Wojahn, Long, Franklin, Winsley, Rasmussen and Costa.

Brief History:

Committee Activity: Health & Long-Term Care: 2/18/99, 3/1/99 [DPS-WM].
Ways & Means: 3/5/99, 3/8/99 [DP2S].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5766 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Thibaudeau, Chair; Wojahn, Vice Chair; Costa, Deccio, Franklin, Johnson and Winsley.

Staff: Rhoda Jones (786-7198)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5766 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Loveland, Chair; Bauer, Vice Chair; Brown, Vice Chair; Fairley, Fraser, Honeyford, Kline, Kohl-Welles, Long, McDonald, Rasmussen, Roach, Rossi, B. Sheldon, Snyder, Spanel, Thibaudeau, West, Winsley, Wojahn and Zarelli.

Staff: Michael Groesch (786-7434)

Background: The Long-Term Care Ombudsman program advocates for and resolves complaints on behalf of residents of nursing homes and other long-term care facilities. The Department of Social and Health Services administers the program and oversees the State Ombudsman, who is an employee of a private nonprofit agency selected by a competitive bidding process. The services are delivered by a network of regional ombudsmen who supervise activities of volunteers.

The ombudsman program currently has 350 volunteers. With its current staffing, the program is only able to have direct contact with 37 percent of the 61,000 residents in long-term care facilities in the state.

Current state statute does not reflect the same duties and responsibilities as are provided for in the federal law which authorizes the ombudsman program. State law does not address the full range of volunteer activities directed under federal law.

Summary of Second Substitute Bill: Long-term care ombudsmen are given explicit authority to inform residents, their representatives and others about their rights as clients of long-term care facilities under state law. They are also authorized to investigate and resolve complaints made by or on behalf of residents of long-term care facilities.

Further language brings all duties and authority authorized under the federal Older Americans Act into state law.

The program is directed to increase the number of volunteers to serve long-term care settings across the state.

Second Substitute Bill Compared to Substitute Bill: The appropriation and language related to the expenditure of funds are deleted.

Substitute Bill Compared to Original Bill: Language was added clarifying that the bill does not expand volunteer duties beyond current law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For (Health & Long-Term Care): This assures Washington State is in compliance with federal law.

Testimony Against (Health & Long-Term Care): Adult family homes would like to be involved in rules related to ombudsman practices.

Testified (Health & Long-Term Care): PRO: Kary Hyre, LTC Ombudsman; Bruce Reeves, Senior Lobby; Nick Federici, WAHSA; Tom Stanley, NDRALFA; CON: Jeff Larsen, WSRCC.

Testimony For (Ways & Means): Each dollar invested in providing volunteer ombudsmen provides \$3 in savings to the state by avoiding the direct intervention by DSHS. The volunteers provide services to a broad range of clients besides the elderly and include the developmental disabilities community. The department urges enactment of the changes to conform to federal law. The additional funds are necessary to keep pace with the growing population and maintenance of decent and proper care.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): PRO: Jeff Collard, Long Term Care Ombudsman Program; Nancy Hanna, DCTED; Donna Patrick, Developmental Disabilities Council.