

6160-S

Sponsor(s): Senate Committee on Health & Long-Term Care (originally sponsored by Senators Parlette, Keiser and Pflug)

Brief Description: Regarding fairness and accuracy in the distribution of risk in boarding homes and nursing homes.

SB 6160-S - DIGEST

(DIGEST AS ENACTED)

Finds that quality assurance efforts will promote compliance with regulations by providers and achieve the goal of providing high quality of care to citizens residing in licensed boarding homes, and may reduce property and liability insurance premium costs for such facilities.

Provides that, to ensure the proper delivery of services and the maintenance and improvement in quality of care through self-review, any boarding home licensed under chapter 18.20 RCW may maintain a quality assurance committee.

Provides that, when established, the quality assurance committee shall meet at least quarterly to identify issues that may adversely affect quality of care and services to residents and to develop and implement plans of action to correct identified quality concerns or deficiencies in the quality of care provided to residents.

Provides that, to promote quality of care through self-review without the fear of reprisal, and to enhance the objectivity of the review process, the department shall not require, and the long-term care ombudsman program shall not request, disclosure of any quality assurance committee records or reports, unless the disclosure is related to the committee's compliance with this act, if: (1) The records or reports are not maintained pursuant to statutory or regulatory mandate; and

(2) The records or reports are created for and collected and maintained by the committee.

Declares that good faith attempts by the committee to identify and correct quality deficiencies shall not be used as a basis for sanctions.

Provides that any records that are created for and collected and maintained by the quality assurance committee shall not be discoverable or admitted into evidence in a civil action brought against a boarding home.

Declares that financial records of the boarding home may be examined when the department has reasonable cause to believe that a financial obligation related to resident care or services will not be met, such as a complaint that staff wages or utility costs have not been paid, or when necessary for the department to investigate alleged financial exploitation of a resident.

Provides that, if during an inspection, reinspection, or complaint investigation by the department, a boarding home corrects a violation or deficiency that the department discovers, the department shall record and consider such violation or deficiency for purposes of the facility's compliance history, however the

licensor or complaint investigator shall not include in the facility report the violation or deficiency if the violation or deficiency: (1) Is corrected to the satisfaction of the department prior to the exit conference;

(2) Is not recurring; and

(3) Did not pose a significant risk of harm or actual harm to a resident.