

SHB 1218 Potential Rule Recommendations

SHB 1218 Language	Existing rules (Just content relevant to statute)	Gaps	Potential Recommendations
<p>Sec. 4. A new section is added to chapter 18.20 RCW to read as follows:                      (1) Each assisted living facility shall be responsive to incoming communications and respond within a reasonable time to phone and electronic messages.</p>	<p>WAC 388-78A-2930                      Communication system.                      (c) Provide residents, families, and other visitors with a means to contact a staff person inside the building from outside the building after hours.</p>	<p>respond within a reasonable time to phone and electronic messages.</p>	<p>New Section if doesn't cleanly fit within 2930                      Flexibility to allow designee off site to respond to emergency contacts                      Reasonable is situational; instead of defining in rule use language as written in bill</p>
<p>Sec. 9. A new section is added to chapter 18.51 RCW to read as follows:                      (1) Each nursing home must be responsive to incoming communications and respond within a reasonable time to phone and electronic messages.</p>	<p>Look at SOM Appendix PP</p>	<p>respond within a reasonable time to phone and electronic messages.</p>	<p>NH: New section for communication systems and include bill language in this section</p>
<p>Sec. 15. A new section is added to chapter 70.97 RCW to read as follows:                      (1) Each enhanced services facility must be responsive to incoming communications and respond within a reasonable time to phone and electronic messages.</p>	<p>WAC 388-107-1005                      Call systems on resident care units.                      (6) Provide residents, families, and other visitors with a means to contact a staff person inside the building from outside the building after hours.</p>	<p>respond within a reasonable time to phone and electronic messages.</p>	<p>ESF: New section for communication systems and include bill language in this section</p>

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<p>Sec 4. (2) Each assisted living facility must have a communication system, including a sufficient quantity of working telephones and other communication equipment, to ensure that residents have 24-hour access to communications with family, medical providers, and others, and also to allow for emergency contact to and from facility staff.</p>	<p>WAC 388-78A-2930 Communication system. (1) The assisted living facility must: (2) The assisted living facility must provide one or more nonpay telephones: (a) In each building located for ready access for staff persons; and (b) On the premises with reasonable access and privacy by residents. (3) The assisted living facility must equip each resident room with access to telephone service. (5) The facility must provide wireless internet access.</p>	<p>other communication equipment, to ensure that residents have 24-hour access to communications with family, medical providers, and others,  to allow for emergency contact to and from facility staff.</p>	<p>Repeating language in 1218 may make most sense  ALF: Incorporate into 2930 adding requirements to the communication "including a sufficient quantity of working telephones and other communication equipment, to ensure that residents have 24-hour access to communications with family, medical providers, and others, and also to allow for emergency contact to and from facility staff."  ALF: Incorporate into 2930 a requirement to describe how the communication system described above allows for emergency contact to and from facility staff</p>
<p>Sec. 9. (2) Each nursing home must have a communication system, including a sufficient quantity of working telephones and other communication equipment to ensure that residents have 24-hour access to communications with family, medical providers, and others, and also to allow for emergency contact to and from facility staff.</p>	<p>WAC 388-97-2300 Telephones on resident care units. The nursing home must provide twenty-four hour access to a telephone for resident use which: (1) Provides auditory privacy; (2) Is accessible to a person with a disability and accommodates a person with sensory impairment; (3) Is not located in a staff office or at a nurse's station; and (4) Does not require payment for local calls.</p>	<p>other communication equipment, to ensure that residents have 24-hour access to communications with family, medical providers, and others,  to allow for emergency contact to and from facility staff.</p>	<p>NH: New communication system section that includes requirements for "a sufficient quantity of working telephones and other communication equipment, to ensure that residents have 24-hour access to communications with family, medical providers, and others, and also to allow for emergency contact to and from facility staff."  NH: New communication system section that includes a requirement to describe how the communication system described above allows for emergency contact to and from facility staff</p>
<p>Sec. 15. (2) Each enhanced services facility must have a communication system, including a sufficient quantity of working telephones and other communication equipment to assure that residents have 24-hour access to communications with family, medical providers, and others, and also to allow for emergency contact to and from facility staff.</p>	<p>WAC 388-107-1010 Telephone on resident care units. The facility must provide twenty-four hour access to a telephone for resident use which: (1) Provides auditory privacy; (2) Is accessible to a resident with a disability and accommodates a resident with sensory impairment; (3) Is not located in a staff office or at a nurse's station; (4) Does not require payment for local calls; and (5) Does not utilize any cords.</p>	<p>other communication equipment, to ensure that residents have 24-hour access to communications with family, medical providers, and others,  to allow for emergency contact to and from facility staff.</p>	<p>ESF: New communication system section that includes requirements for "a sufficient quantity of working telephones and other communication equipment, to ensure that residents have 24-hour access to communications with family, medical providers, and others, and also to allow for emergency contact to and from facility staff."  ESF: New communication system section that includes a requirement to describe how the communication system described above allows for emergency contact to and from facility staff</p>

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<p>Sec. 25. RCW 70.129.080 and 1994 c 214 s 9 are each amended to read as follows: The resident has the right to privacy in communications, including the right to:</p> <p>(1) Send and promptly receive mail that is unopened; (2) Have access to stationery, postage, and writing implements at the resident's own expense; and (3) Have reasonable access within a <u>reasonable time</u> to the use of a telephone and <u>other communication equipment</u> where calls can be made without being overheard.</p>	<p>WAC 388-76-10600 Resident rights—Mail and telephone privacy. The adult family home must ensure each resident's right to privacy in communications, including the right to:</p> <p>(1) Send and receive unopened mail without delay; (2) Have writing paper, postage, and pens or pencils available that have been paid for by the resident; and (3) Have twenty-four hour per day access to a telephone to make and receive confidential calls.</p>	<p>Have reasonable access within a reasonable time to the use of a telephone and other communication</p>	<p>Internet, to the extent available to the facility For the ability to make phone calls on other devices over internet. Can keep language close to statute AFH: Update 10600</p>
	<p>WAC 388-78A-2930 Communication system. (1) The assisted living facility must: (c) Provide residents, families, and other visitors with a means to contact a staff person inside the building from outside the building after hours. (2) The assisted living facility must provide one or more nonpay telephones: (a) In each building located for ready access for staff persons; and (b) On the premises with reasonable access and privacy by residents. (3) The assisted living facility must equip each resident room with access to telephone service.</p>	<p>Have reasonable access within a reasonable time to the use of a telephone and other communication</p>	<p>ALF: Update 2930 Internet, to the extent available to the facility For the ability to make phone calls on other devices over internet. Can keep language close to statute</p>
	<p>WAC 388-97-0540 Telephone. The resident has the right to have twenty-four hour access to a telephone which: (1) Provides auditory privacy; (2) Is accessible to an individual with a disability and accommodates an individual with sensory impairment; and (3) Does not include the use of telephones in staff offices and at the nurses station(s).</p>	<p>Have reasonable access within a reasonable time to the use of a telephone and other communication</p>	<p>NH: Update 0540 Internet, to the extent available to the facility For the ability to make phone calls on other devices over internet. Can keep language close to statute</p>
	<p>WAC 388-107-1010 Telephone on resident care units. The facility must provide twenty-four hour access to a telephone for resident use which: (1) Provides auditory privacy; (2) Is accessible to a resident with a disability and accommodates a resident with sensory impairment; (3) Is not located in a staff office or at a nurse's station; (4) Does not require payment for local calls; and (5) Does not utilize any cords.</p>	<p>Have reasonable access within a reasonable time to the use of a telephone and other communication</p>	<p>ESF: Update 1010 Internet, to the extent available to the facility For the ability to make phone calls on other devices over internet. Can keep language close to statute</p>

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<p>Sec. 5. A new section is added to chapter 18.20 RCW to read as follows: (2) The department shall adopt rules governing the comprehensive disaster preparedness plan. At a minimum, the rules must address:</p> <ul style="list-style-type: none"> <li>- Timely communication with the residents' emergency contacts;</li> <li>- timely communication with state and local agencies, long-term care ombuds, and developmental disabilities ombuds;</li> <li>- contacting and requesting emergency assistance;</li> </ul>	<p>WAC 388-78A-2700 Emergency and disaster preparedness. <del>(1)</del> The assisted living facility must: <del>(a)</del> Develop and maintain a current disaster plan describing measures to take in the event of internal or external disasters, including, but not limited to: <del>(vi)</del> Emergency communication plan.</p>	Timely communication with the residents' emergency contacts	ALF: Updating communications plan in 2700 to describe means and process for communicating with residents' emergency contacts
	<p>388-78A-2650 Reporting fires and incidents. The assisted living facility must immediately report to the department's aging and disability services administration:</p>	Timely communication with state and local agencies (not including department)	ALF: updating communications plan in 2700 to describe means and process for communicating with state and local agencies
	<p><del>(1)</del> Any accidental or unintended fire, or any deliberately set but improper fire, such as arson, in the assisted living facility; <del>(2)</del> Any unusual incident that required implementation of the assisted living facility's disaster plan, including any evacuation of all or part of the residents to another area of the assisted living facility or to another address; and <del>(3)</del> Circumstances which threaten the assisted living facility's ability to ensure continuation of services to residents.</p>	Timely communication with ombuds, DD ombuds	ALF: updating communications plan in 2700 to describe means and process for communicating with LTC ombuds and DD ombuds
		contacting and requesting emergency assistance;	ALF: updating communications plan in 2700 to describe means and process for contacting and requesting emergency assistance
<p>Sec. 11. A new section is added to chapter 18.51 RCW to read as follows: (2) The department shall adopt rules governing the comprehensive disaster preparedness plan. At a minimum, the rules must address the following if not already adequately addressed by federal requirements for emergency planning: Timely communication with the residents' emergency contacts; timely communication with state and local agencies, long-term care ombuds, and developmental disabilities ombuds; contacting and requesting emergency assistance;</p>	<p>WAC 388-97-1640 Required notification and reporting. (1) The nursing home must immediately notify the department's aging and disability services administration of: (b) Any unusual event, having an actual or potential negative impact on residents, requiring the actual or potential implementation of the nursing home's disaster plan. These unusual events include but are not limited to those listed under WAC 388-97-1740 (1)(a) through (k), and could include the evacuation of all or part of the residents to another area of the nursing home or to another address; and (c) Circumstances which threaten the nursing home's ability to ensure continuation of services to residents. (7) The nursing home must report any case or suspected case of a reportable disease to the appropriate department of health officer and must also notify the appropriate department(s) of other health and safety issues, according to state and local laws.</p>	Timely communication with the residents' emergency contacts	NH: Add subsection for communication plan under 1740 that describes means/process and procedures that describes how NH will communicate with emergency contacts during emergency
	<p>WAC 388-97-1740 Disaster and emergency preparedness. (1) The nursing home must develop and implement detailed written plans and procedures to meet potential emergencies and disasters.</p>	Timely communication with state and local agencies (not including department)	NH: Add subsection for communication plan under 1740 that describes means/process and procedures that describes how NH will communicate with state and local agencies during emergency
		Timely communication with ombuds, DD ombuds	NH: Add subsection for communication plan under 1740 that describes means/process and procedures that describes how NH will communicate with ombuds during emergency
		contacting and requesting emergency assistance;	NH: Add subsection for communication plan under 1740 that describes means/process and procedures that describes who NH will contact and request emergency assistance from and how they will contact them

<p>Sec. 16. A new section is added to chapter 70.97 16RCW to read as follows:  (2) The department shall adopt rules governing the comprehensive disaster preparedness plan. At a minimum, the rules must address:  Timely communication with the residents' emergency contacts;  timely communication with state and local agencies, long-term care ombuds, and developmental disabilities ombuds; contacting and requesting emergency assistance;</p>	<p>WAC 388-107-0610  Reporting fires and incidents.  The enhanced services facility must immediately report to the department:  (1) Any accidental or unintended fire, or any deliberately set but improper fire, such as arson, in the enhanced services facility;  (2) Any missing resident, once the initial search for the resident is completed and 911 is notified;  (3) Any unusual incident that requires implementation of the enhanced services facility's disaster plan, including any evacuation of all or part of the residents to another area of the enhanced services facility or to another address; and  (4) Circumstances which threaten the enhanced services facility's ability to ensure continuation of services to residents.</p>	<p>Timely communication with the residents' emergency contacts</p>	<p>ESF: Add subsection for communication plan under 1600 that describes means/process and procedures that describes how NH will communicate with emergency contacts during emergency</p>
	<p>WAC 388-107-1600  Emergency disaster plan.  (1) The enhanced services facility must develop and implement detailed written plans and procedures to meet potential emergencies and disasters.</p>	<p>Timely communication with state and local agencies (not including department)</p>	<p>ESF: Add subsection for communication plan under 1600 that describes means/process and procedures that describes how NH will communicate with state and local agencies during emergency</p>
		<p>Timely communication with ombuds, DD ombuds</p>	<p>ESF: Add subsection for communication plan under 1600 that describes means/process and procedures that describes how NH will communicate with ombuds during emergency</p>
		<p>contacting and requesting emergency assistance</p>	<p>ESF: Add subsection for communication plan under 1600 that describes means/process and procedures that describes who NH will contact and request emergency assistance from and how they will contact them</p>