



SHB 1218 Rule Updates AFH Q & A Session September 2025

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Background

House Bill 1218 passed in the 2021 legislative session requiring new sections and amendments to WAC 388-76, WAC 388-78A, WAC 388-97, and WAC 388-107 regarding:

- Communication
- Disaster Preparedness (coming soon- separate project)
- Infection control (coming soon-separate project)
- Visitation
- Stop placement
- Resident information

 **DSHS**

Review of WAC Changes: Adult Family Home

- **WAC 388-76-10000: Definitions**
- **WAC 388-76-10221: Resident Roster – Requirements**
- **WAC 388-76-10596: Essential Support Persons**
- **WAC 388-76-10980: Remedies – Specific – Stop Placement – admissions prohibited.**

AMENDED

WAC 388-76-10000 Definitions

"Essential Support Person" means an individual who is:

- (1) At least 18 years of age;
- (2) Designated by the resident, or by the resident's representative, if the resident is determined to be incapacitated or otherwise legally incapacitated; and
- (3) Necessary for the resident's emotional, mental, or physical well-being during situations that include, but are not limited to:
 - (a) Circumstances involving compassionate care or end-of-life care;
 - (b) Circumstances where visitation from a familiar person will assist with important continuity of care or the reduction of confusion and anxiety for residents with cognitive impairments; or
 - (c) Other circumstances where the presence of an essential support person will prevent or reduce significant emotional distress to the resident.

NEW SECTION

WAC 388-76-10221 Resident roster-Requirements.

(1) The adult family home must create, maintain, and regularly update a resident roster. The roster must include:

(a) The list of current resident names; and

(b) Room identifier assigned to each resident.

(2) The adult family home will provide a written copy immediately upon an in-person request from any long-term care ombud or department staff.

(3) The adult family home must comply with RCW 70.128.155(1), and all related statutory requirements.

NEW SECTION

WAC 388-76-10596 Essential support persons.

- (1) In circumstances in which limitations must be placed on resident visitation due to a public health emergency or other threat to the health and safety of the residents and staff of a facility or nursing home, residents must still be allowed access to an essential support person, subject to reasonable limitations on such access tailored to protecting the health and safety of essential support persons, residents, and staff.
- (2) The facility must comply with RCW 70.129.190, and all related statutory requirements.

AMENDED:

WAC 388-76-10980 Remedies—Specific—Stop placement—Admissions prohibited.

(1) The department may order stop placement and prohibit the admission of residents if the home does not meet the requirements of chapters 70.128, 70.129, ((74.32)) 74.34 RCW or this chapter.

(2) Once imposed, the adult family home must:

(a) Post the stop placement order or limited stop placement order per requirements listed in RCW 70.128.306; and

(b) Not admit any person until the stop placement order is terminated.

(3) If the home requests, the department may approve readmission of a resident to the home from a hospital or nursing home during the stop placement.

(4) The department must end the stop placement only after the department finds the:

(a) Deficiencies necessitating the stop placement have been corrected; and

(b) Home can show it has the capacity to maintain adequate care and service.

Reference

RCW [70.128.306](#)

Stop placement orders and limited stop placement orders.

The department must require an adult family home that is subject to a stop placement order or limited stop placement order under RCW [70.128.160](#) to publicly post in a conspicuous place at the adult family home a standardized notice that the department has issued a stop placement order or limited stop placement order for the adult family home. The standardized notice shall be developed by the department to include the date of the stop placement order or limited stop placement order, any conditions placed upon the adult family home's license, contact information for the department, contact information for the administrator or provider of the adult family home, and a statement that anyone may contact the department or the administrator or provider for further information. The notice must remain posted until the department has terminated the stop placement order or limited stop placement order.

SUMMARY

- Essential support person defined and added to WAC, must allow access during a public health emergency or other threat. WAC 388-76-10596.
- Create and maintain a resident roster with room identifier. Provide to LTC Ombuds or DSHS staff immediately upon request. Comply with related statutory requirements in RCW 70.128.155. WAC 388-76-10221.
- Post Stop Placement notices in the AFH. WAC 388-76-10980.

QUESTIONS

Questions

Can the essential support persons (ESP) be a family member that is under the age of 18?

See WAC 388-76-1000:

The ESP must be 18 or older.

Where do we have to post the stop placement notice, and for how long?

See RCW 70.128.306:

- In a conspicuous place
- Until the order is lifted



REFERENCES

- [1218-S.SL.pdf](#)
- [Chapter 70.129 RCW: LONG-TERM CARE RESIDENT RIGHTS](#)
- [Chapter 70.128 RCW: ADULT FAMILY HOMES](#)
- [Chapter 388-76 WAC:](#)



Thank you

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