



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

June 10, 2020

ALTSA: AFH #2020-026
IMPLEMENTATION OF PASSED LEGISLATION ESHB 1023 ALLOWING CERTAIN
ADULT FAMILY HOMES TO INCREASE BED CAPACITY TO SEVEN OR EIGHT

Dear Adult Family Home Provider:

The Washington State Legislature passed ESHB 1023 in the 2020 legislative session. This bill amends Chapter 70.128 RCW to allow adult family homes (AFHs) that meet certain criteria to increase their licensed capacity to seven or eight. The amended statute will go into effect on June 11. Homes wishing to increase their capacity to seven or eight must:

- Demonstrate financial solvency and management experience for the home and the ability to meet other relevant safety, health, and operating standards pertaining to the operation of an adult family home, including the ability to meet the needs of all current and prospective residents and ways to mitigate the potential impact of vehicular traffic related to the operation of the home.
- Have held the license for the adult family home for which they are requesting the capacity increase for at least 24 months.
- Have been licensed for six residents for at least 12 months prior to applying to increase to seven or eight beds.
- Have received at least two full inspections and have received no enforcement actions during the period of the last two inspections.
- Submit an attestation that an increase in the number of beds will not adversely affect the health, safety, or quality of life of the current residents in the home.
- Demonstrate the ability to comply with the emergency evacuation standards established in rule.
- Have a residential sprinkler system in place.
- Have paid any fees associated with licensure or additional inspections.
- Provide at least sixty days' notice in writing at the time of application to all residents and their representatives in a manner or language that they understand that the home has applied for a license capacity increase to admit up to seven or eight residents before admitting the seventh resident.

The full legislation as passed can be found [here](#). The statute change will not be reflected online for several weeks while the Code Reviser is working on this update. Chapter 388-76 WAC will be updated to reflect these changes.

Homes wishing to apply for a capacity increase to seven or eight must submit an application on or after June 11 to the Business Analysis and Applications Unit (BAAU). Once the application has been processed, a licensor will contact the AFH to schedule a time to complete an inspection of the home to ensure all of the statutory requirements are in place. A home may not admit a seventh resident until they receive a revised license and letter from the department stating that the capacity increase is approved. The passed legislation requires homes to give a sixty-day notification to residents and their representatives upon application to increase the capacity. The soonest a home could be approved for a capacity increase and admit an additional resident in compliance with the passed legislation is August 10, 2020.

Dear AFH Provider: ESHB 1023 Capacity Increase

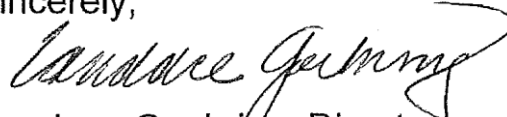
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Qualified providers can apply for the capacity increase using the AFH Change in Licensed Bed Capacity - Increase form ([DSHS 06-168](#)); a link to this form is also available on the [Adult Family Home Provider web page](#).

If you have any questions, please contact [Libby Wagner](#), AFH Policy Program Manager, at (253) 234-6061.

Sincerely,

A handwritten signature in black ink, appearing to read "Candace Goehring". The signature is fluid and cursive, with a large loop at the end.

Candace Goehring, Director
Residential Care Services

DSHS: *"Transforming Lives"*