**Adult Family Home (AFH) Information Sheet**

Electronic Monitoring

**Where may the adult family home use video monitoring and recording?** See [WAC 388-76-10720](https://app.leg.wa.gov/wac/default.aspx?cite=388-76&full=true#388-76-10720)

The adult family home may video monitor and video record activities, without an audio component, only in the following areas:

* Entrances and exits if the cameras are:
  + Focused only on the entrance and exit doorways; and
  + Not focused on areas where residents gather;
* Outdoor areas accessible to both residents and the public, such as driveways or walkways, with the purpose of preventing theft, property damage, or other crime on the premises;
* Outdoor areas not commonly used by residents; and
* Designated smoking areas, subject to the conditions listed in WAC 388-76-10720 (2)(d).
* Residents must be notified in writing of the use of video monitoring equipment.

**What is required for the adult family home to use audio or video monitoring equipment in the sleeping room of a resident?** See [WAC 388-76-10725](https://app.leg.wa.gov/wac/default.aspx?cite=388-76&full=true#388-76-10725)

The adult family home may use audio and/or video monitoring only if:

* The resident has requested the monitoring;
* The monitoring is used in the sleeping room of the resident who requested the monitoring.

Before electronic monitoring occurs, the home must ensure:

* The monitoring does not violate chapter [9.73 RCW](https://app.leg.wa.gov/RCW/default.aspx?cite=9.73);
* The electronic monitoring equipment is installed in a manner that is safe for residents;
* The resident’s roommate has given written consent to the electronic monitoring; and
* The resident and the home have agreed in writing to a specific length of time to use the electronic monitoring.

For the purpose of consenting to video electronic monitoring, the term “resident” includes the resident’s decision maker.

For the purpose of consenting to audio electronic monitoring, the term “resident” includes only:

* The resident residing in the home; or
* The resident’s court-appointed guardian or attorney-in-fact who has obtained a court order specifically authorizing him or her to consent to audio monitoring of the resident. The adult family home must keep a copy of the court order authorizing the consent for audio monitoring in the resident’s record.

**How often must the adult family home re-evaluate the need for electronic monitoring for the resident?**

The adult family home must:

* Re-evaluate the need for electronic monitoring with the resident at least quarterly; and
* Have the re-evaluation signed and dated by the resident.

**When must the adult family home stop using electronic monitoring for the resident?**

* When the resident no longer wants electronic monitoring;
* If the roommate objects or withdraws the consent to the electronic monitoring; or
* The resident becomes unable to give consent.

*(Updated October, 2021)*