



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

May 12, 2015

ALTSA: ALF #2015-009
REPORTING NON-CONSENSUAL SEXUAL CONTACT

Dear Assisted Living Facility Administrator:

Intimate and sexual relationships are a natural, positive, and healthy experience between consenting adults. However, in long-term care settings, when one or more adult is cognitively impaired, determining consensual and non-consensual sexual contact and/or relationships becomes difficult.

As defined by Washington State law, it is your obligation to protect the health and safety of residents by reporting all concerns of suspected non-consensual sexual contact and/or relationships.

When there is reason to suspect sexual contact and/or relationships between residents is non-consensual, a report must be made pursuant to Chapter 74.34 RCW <http://app.leg.wa.gov/RCW/default.aspx?cite=74.34>.

Facilities who fail to report are subject to civil penalties pursuant to WAC 388-78A-3160 <http://app.leg.wa.gov/WAC/default.aspx?cite=388-78A-3160>.

If you, or your staff, have any reason to suspect that non-consensual sexual contact and/or relationships have occurred, you must contact the Department's Complaint Resolution Unit hotline at 1-800-562-6078. In the event that an incident occurs at your facility and the Department is not notified, you may be faced with significant fines and other enforcement actions including, but not limited to, stop placement as applicable by law.

Thank you for your continued collaboration and attention to protecting the residents in your care.

Sincerely,


Carl I. Walters II., Director
Residential Care Services

"Transforming Lives"