



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

November 17, 2021

AMENDED March 18, 2022

AL TSA: AFH #2021-063
AL TSA: ALF #2021-063
AL TSA: CCRSS #2021-057
AL TSA: ESF #2021-055
AL TSA: ICF/IID #2021-052
AL TSA: NH #2021-089

**NEW NOTIFICATION POLICY REGARDING PEOPLE REGISTERED AS SEX OFFENDERS
LIVING IN LONG-TERM CARE SETTINGS OR RECEIVING LONG-TERM CARE SERVICES
AND SUPPORTS**

Dear Provider / Administrator / Superintendent:

This letter is amended to clarify a provider should *consider* notifying residents that a person registered as a sex offender is or will be living in the home or facility, and to clarify where to find information about how sex offender laws are implemented in the State of Washington.

As part of routine communications with the Washington State Patrol, the Department of Social and Health Services (the department) periodically receives information about individuals who are registered as a sex offender with a registered address that is the same as a licensed long-term care facility or home.

You may receive notification from the department that a resident of your facility or home is registered as a sex offender. You may also learn from a department case manager through the CARE assessment and placement process that a potential resident is a registered sex offender. As a licensee, you should *consider* notifying all residents residing in your facility or home and their representatives that a person registered as a sex offender is or will be living with them. You are also obligated to comply with the laws that apply to your long-term care setting and take the actions you decide are appropriate for operation of your home or facility consistent with those requirements.

Please remember the following for all the residents and clients you serve including a resident who is registered as a sex offender:

- You must only admit or continue to provide services to a resident when you can safely and appropriately meet their needs.¹
- You must have a complete and current assessment for each resident and that assessment must contain information about the resident, including known behaviors, that is relevant to providing appropriate care to the resident while protecting the health and safety of the other residents.²

¹ AFH: WAC 388-76-10390, ALF: WAC 388-78A-2050, ESF: WAC 388-107-0300, NH: WAC 388-97-0860

² AFH: WACs 388-76-10330 – 10350, ALF: WACs 388-78A-2060 – 2120, ESF: WACs 388-107-0030 – 0090, NH: WAC 388-97-1000 – 1040

ALTSA Provider Letter: **NEW NOTIFICATION POLICY REGARDING SEX OFFENDERS LIVING IN LTC SETTINGS OR RECEIVING LTC SERVICES AND SUPPORTS**

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- You are required to use the assessment to develop a plan of care that reflects the needs and preferences of the resident, and, when appropriate, that includes details on behavioral interventions and how you will address any safety concerns.³
- You have the duty to protect residents from abandonment, verbal, sexual, physical and mental abuse, exploitation, financial exploitation, neglect, and involuntary seclusion.⁴

If you receive notification from the department either through a letter or through the CARE assessment and placement process that a person who is required to register as a sex offender is or will be living in your facility or home, you should *consider* notifying all residents of the person's sex offender status and consider the following:

- Is it new information to you?
- Is it reflected in the resident's assessment and care plan?
- Can you safely and appropriately meet the resident's needs?
- Do you have adequate safeguards in place to protect residents?
- Do you need additional information from the resident or from law enforcement?

You can find more publicly available information about how sex offender laws are implemented in the State of Washington by following this link: [Washington Association of Sheriffs and Police Chiefs](#).

Thank you for your continued commitment to resident health and safety. If you have questions about this new process, please send them to so.notifications@dshs.wa.gov.

Sincerely,



Mike Anbesse, Director
Residential Care Services

DSHS: "Transforming Lives"

cc: Alec Graham, Office Chief, Home and Community Services

3 AFH: WACs 388-76-10355 – 10385, ALF: WACs 388-78A-2130 – 2160, ESF: WAC 388-107-0130, NH: WAC 388-97-1020

⁴ AFH: WAC 388-76-10670, ALF: WAC 388-78A-2600, ESF: WAC 388-107-1580