

RCW 18.20.300 Domiciliary care services—Scope of services—

Disclosure form. (1) An assisted living facility, licensed under this chapter, may provide domiciliary care services, as defined in this chapter, and shall disclose the scope of care and services that it chooses to provide.

(2) The assisted living facility licensee shall disclose to the residents, the residents' legal representative if any, and if not, the residents' representative if any, and to interested consumers upon request, the scope of care and services offered, using the form developed and provided by the department, in addition to any supplemental information that may be provided by the licensee. The form that the department develops shall be standardized, reasonable in length, and easy to read. The assisted living facility's disclosure statement shall indicate the scope of domiciliary care assistance provided and shall indicate that it permits the resident or the resident's legal representative to independently arrange for outside services under RCW 18.20.380.

(a) For assisted living facilities certified as memory care facilities or memory care units under RCW 18.20.540, the facility must provide an additional disclosure that includes a description of staffing coverage for the memory care facility or the memory care unit, including the number of awake staff that will be available overnight and the regular direct care staffing level per bed in the memory care facility or memory care unit. Residents of the certified memory care facility or memory care unit and their resident representatives as defined in RCW 70.129.010, when relevant, shall be informed of any significant changes in or staffing within 30 days of the change.

(b) The department shall define significant change in staffing for a certified memory care facility or memory care unit and provide an example of an accepted disclosure form to the facilities and units for their use in rule.

(3) (a) If the assisted living facility licensee decreases the scope of services that it provides due to circumstances beyond the licensee's control, the licensee shall provide a minimum of thirty days' written notice to the residents, the residents' legal representative if any, and if not, the residents' representative if any, before the effective date of the decrease in the scope of care or services provided.

(b) If the licensee voluntarily decreases the scope of services, and any such decrease in the scope of services provided will result in the discharge of one or more residents, then ninety days' written notice shall be provided prior to the effective date of the decrease. Notice shall be provided to the affected residents, the residents' legal representative if any, and if not, the residents' representative if any.

(c) If the assisted living facility licensee increases the scope of services that it chooses to provide, the licensee shall promptly provide written notice to the residents, the residents' legal representative if any, and if not, the residents' representative if any, and shall indicate the date on which the increase in the scope of care or services is effective.

(4) When the care needs of a resident exceed the disclosed scope of care or services that an assisted living facility licensee provides, the licensee may exceed the care or services disclosed consistent with RCW 70.129.030(3) and 70.129.110(3)(a). Providing care

or services to a resident that exceed the care and services disclosed may or may not mean that the provider is capable of or required to provide the same care or services to other residents.

(5) Even though the assisted living facility licensee may disclose that it can provide certain care or services to resident applicants or to their legal representative if any, and if not, to the resident applicants' representative if any, the licensee may deny admission to a resident applicant when the licensee determines that the needs of the resident applicant cannot be met, as long as the provider operates in compliance with state and federal law, including RCW 70.129.030(3).

(6) The disclosure form is intended to assist consumers in selecting assisted living facility services and, therefore, shall not be construed as an implied or express contract between the assisted living facility licensee and the resident. [2025 c 187 s 7; 2012 c 10 s 19; 2004 c 142 s 2.]

Findings—Intent—Construction—Application—Requirements of chapter 70.129 RCW—2025 c 187: See notes following RCW 18.20.540.

Application—2012 c 10: See note following RCW 18.20.010.

Effective dates—2004 c 142: See note following RCW 18.20.020.