

# Fiscal Note

**BILL #** SB 1512

**TITLE:** ~~vulnerable persons; inspections; neglect~~ NOW:  
vulnerable persons; incident notification; inspections

**SPONSOR:** Rogers

**STATUS:** Senate Engrossed

**PREPARED BY:** Lauren Jorgensen

## Description

The bill would require the Office of the State Long-Term Care Ombudsman to visit long-term care facilities biannually and modifies complaint communication requirements for the Department of Economic Security (DES). The bill makes the Ombudsman's requirement subject to funds being available.

## Estimated Impact

The bill has a \$1.0 million FY 2022 appropriation. Given that the bill makes the Ombudsman's requirements subject to available funds, DES would be expected to administer the program within the \$1.0 million appropriation.

As of publication, DES has not yet provided an estimate of the impact of the complaint communications requirement.

## Analysis

The Area Agencies on Aging (AAAs) are contracted to provide Ombudsman services on behalf of the Office of the State Long-Term Care Ombudsman. Under state and federal law, the Long-Term Care Ombudsman is required to provide services that ensure the health, safety, and well-being of residents, investigate and resolve complaints, and represent the interests of residents and seek remedies to protect their rights – which includes referring cases of abuse and neglect to Adult Protective Services within DES.

Current Long-Term Care Ombudsman program policy requires quarterly visitation schedules for long-term care facilities or as required by contract. There are 2,291 long-term care facilities in the state with a total resident count of 57,511; these facilities are currently monitored by 19 staff and 56 volunteers. DES reports that Skilled Nursing Facilities and large Assisted Living Facilities are currently visited quarterly by AAA staff acting as representatives of the Office of the State Long-Term Care Ombudsman per national guidelines but that due to the size of the state and spread of facilities, particularly in rural areas, smaller Assisted Living Facilities are sometimes visited only once per year.

The bill would require the Office of the State Long-Term Care Ombudsman to conduct visits at least twice per calendar year, subject to the availability of monies. The Ombudsman would be required to speak with residents or their representatives, investigate and attempt to resolve complaints, as well as refer cases involving neglect, abuse, exploitation, or other health and safety concerns to adult protective services or the appropriate licensing agency. To fulfill the bill's requirements, the AAAs estimate a fiscal impact of \$1.0 million. The AAAs report that they will need to hire 13 additional full-time staff to meet the increased visiting requirement.

The bill also changes complaint communication requirements by directing developmental disability service providers to develop and implement procedures regarding communication to responsible individuals (parents, guardians, and others) of a serious incident that affects a resident in a community residential setting within 24 hours of the incident. DES has not yet provided information indicating whether they expect the changes to have a fiscal impact.

## Local Government Impact

None

3/10/21

**JLBC**