

ORDINANCE NO. 680

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Title 18A, the Land Use and Development Code, defining Adult Family Home Business and Enhanced Services Facility in the code; affirming that Adult Family Homes serve persons with functional limitations; prohibiting the conversion of Adult Family Home Businesses into Enhanced Services Facilities; allowing Enhanced Services Facilities in certain commercial zoning districts, subject to a conditional use permit; and prohibiting Enhanced Service Facilities in all remaining zoning districts.

WHEREAS, **City's Police Power** - the Washington State Constitution Article XI invests the City of Lakewood with police powers to provide for public health, safety and welfare and pursuant to its police powers, the City regulates land use planning, development and the operation of businesses within its jurisdictional boundaries; and

WHEREAS, the **Growth Management Act**, chapter 36.70A RCW, requires the City to adopt a Comprehensive Plan, including a process for identifying and siting essential public facilities; and

WHEREAS, the GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, regional transit authority facilities, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities; and

WHEREAS, the GMA requires each county, in cooperation with cities and towns to adopt county-wide planning policies and the City participated in the development of the Pierce County County-Wide Planning Policies; and

WHEREAS the County-Wide Planning Policies recognize the importance of distributing essential public facilities identified in the GMA among jurisdictions and communities (Pierce County County-Wide Planning Policies, at Page 64-65 EFP-3); and

WHEREAS, the City of Lakewood (City) has adopted a Comprehensive Plan pursuant to the GMA and that plan includes a process for identifying and siting essential public facilities (City of Lakewood

Comprehensive Plan, Chapter 9, page 7 Goal 9.7); and

WHEREAS, **Adult Family Homes** are a type of group home and are considered an essential public facility pursuant to the GMA; and

WHEREAS, Adult Family Homes are meant to be an essential component of the state's long-term care system and are meant to reduce institutionalization of vulnerable people with "functional limitations" pursuant to RCW 70.128.005. Those with "functional limitations" are defined as people who "need personal and special care." RCW 70.128.007 (1); and

WHEREAS, "personal care" is not specifically defined by statute but DSHS's rules state that it "means both physical assistance and/or prompting and supervising the performance of direct personal care tasks as determined by the resident's needs and does not include assistance with tasks performed by a licensed health professional." WAC 388-76-10000; and

WHEREAS, according to both statute and DSHS's rules, "special care" means "care beyond personal care as defined by the department, in rule" (RCW 70.128.010(8)) and "care beyond personal care services as defined in this section." (WAC 388-76-10000); and

WHEREAS, Adult Family Homes must be considered a residential use of property as well as a "permitted use in all areas zoned for residential or commercial purposes" pursuant to RCW 70.128.140; and

WHEREAS, **Enhanced Services Facilities** are also considered to be an essential public facility pursuant to the GMA but are not required to be considered a residential use; and

WHEREAS, Enhanced Services Facilities are designed to assist people with serious issues of substance abuse, mental illness, dangerous behavior or a combination thereof pursuant to chapter 70.97 RCW; and the admission criteria is as follows:

RCW 70.97.030

Admission criteria.

A person, eighteen years old or older, may be admitted to an enhanced services facility if he or she meets the criteria in subsections (1) through (3) of this section:

- (1) The person requires:
 - (a) Daily care by or under the supervision of a mental health professional, chemical dependency professional, or nurse; or
 - (b) assistance with three or more activities of daily living; and

- (2) The person has:
 - (a) A mental disorder, chemical dependency disorder, or both;
 - (b) an organic or traumatic brain injury; or
 - (c) a cognitive impairment that results in symptoms or behaviors requiring supervision and facility services; [and]

- (3) The person has two or more of the following:
 - (a) Self-endangering behaviors that are frequent or difficult to manage;
 - (b) Aggressive, threatening, or assaultive behaviors that create a risk to the health or safety of other residents or staff, or a significant risk to property and these behaviors are frequent or difficult to manage;
 - (c) Intrusive behaviors that put residents or staff at risk;
 - (d) Complex medication needs and those needs include psychotropic medications;
 - (e) A history of or likelihood of unsuccessful placements in either a licensed facility or other state facility or a history of rejected applications for admission to other licensed facilities based on the person's behaviors, history, or security needs;
 - (f) A history of frequent or protracted mental health hospitalizations;
 - (g) A history of offenses against a person or felony offenses that created substantial damage to property; and

WHEREAS, based on the above admission criteria, residents of Enhanced Services Facilities have needs beyond “personal care” or “special care” offered by Adult Family Homes; and

WHEREAS, Enhanced Services Facilities require specialized staffing and facilities above and beyond those required for Adult Family Homes, pursuant to RCW 70.97.080; and

WHEREAS, while residents of Enhanced Services Facilities and Adult Family Homes require substantially different levels of care and facilities, Adult Family Homes may be transformed into Enhanced Services Facilities pursuant to RCW 70.97.060 with little or no notice to affected communities; and

WHEREAS, given that the people served in Enhanced Services Facilities require significantly more care and treatment, as well as far more secure facilities and supervision, than those served in Adult Family Homes, the City finds that Enhanced Services Facilities are incompatible with residential zones and should not be allowed as a permitted use in residential zones; and

WHEREAS, state law provides an exemption from liability for facilities providing care and

treatment for residents placed in Enhanced Services Facilities as well as to the agencies licensing or placing people in these facilities pursuant to RCW 70.97.220; and

WHEREAS, **Washington State Department of Social and Health Services** (DSHS) licenses and regulates Adult Family Homes pursuant to chapter 70.128 RCW and particularly RCW 70.128.060; and

WHEREAS, DSHS also licenses and regulates Enhanced Services Facilities pursuant to chapter 70.97 RCW; and

WHEREAS, Adult Family Homes and Enhanced Services Facilities operate as businesses in that they are licensed and inspected as businesses and they charge fees for services; and

WHEREAS, DSHS places many residents in Adult Family Homes, but it is unknown how much information about prospective residents DSHS shares with Adult Family Home operators, the City and the community; and

WHEREAS, DSHS and other similar agencies are under pressure by both legal requirements and the volume of people needing care to offer placements in facilities that offer the least restrictive alternatives to institutional care (e.g., RCW 71.34.740); and

WHEREAS, DSHS recently attempted to place at least one resident in an Adult Family Home who has spent most of his adult life at Western State Hospital, has a history of violence including murder and assault, and is considered at risk of future danger to himself and others, even when compliant with medications (referred to as “resident A”); and

WHEREAS, the City finds that the above intended placement by DSHS is inappropriate for an Adult Family Home because Adult Family Homes are not required to have, and often do not have, the staff, resources or secure facilities needed to accommodate such residents and may, therefore, risk the safety and security of other Adult Family Home residents, themselves and the general public; and

WHEREAS, DSHS has also recently placed another registered sex offender in a Lakewood Adult Family Home; Steven Leroy Jordan. He joins two other offenders, Ernest Chapell and Shawn Tanzy; and

WHEREAS, resident A and the registered sex offenders do not fit the criteria for residents of an Adult Family Home. Adult Family Homes are not required to have, and do not have, the staff, resources or secure facilities needed to accommodate such residents and those placements may therefore, foreseeably risk the safety and security of other Adult Family Home residents, themselves and the general public; and

WHEREAS, the placements by DSHS of resident A and the registered sex offenders closely fit the admission criteria for Enhanced Services Facilities in that they have a history of violence and/or predation; and

WHEREAS, the above-referenced placements effectively convert, without due and proper legal process, Adult Family Homes into Enhanced Services Facilities, putting at risk the health, safety and welfare of other Adult Family Home residents and the general public; and

WHEREAS, the City did not learn of the placements of the above residents directly from DSHS and the City believes that other, similarly inappropriate placements may have been made and/or may continue to be made by DSHS. DSHS's actions prevent the city from exercising its police powers in that the City cannot effectively provide for the health, safety and security of its residents as long as DSHS is permitted to make placements contrary to the law and basic good judgment; and

WHEREAS, the City has attempted to learn if DSHS has made or intends to make other such placements like the above intended placement through a public record's request pursuant to Chapter 42.56 RCW, which is attached and incorporated herein as **Exhibit A (Request for records)**, but DSHS has provided little information at this time and offers installments over many months; and

WHEREAS, each Adult Family Home is required to "meet applicable local licensing, zoning, building, and housing codes, and state and local fire safety regulations as they pertain to a single-family residence" pursuant to RCW 70.128.140; and

WHEREAS, the City requires Adult Family Homes to submit an application pursuant to the state's Adult Family Home regulatory scheme. Specifically, the state has adopted the International Residential Code, adding a section on Adult Family Homes at IRC Chapter 3, Section R325. The state legislature directed DSHS to adopt rules to regulate Adult Family Homes which DSHS did at WAC 388-76 (Adult Family Homes – Licensing) and WAC 51-51-0325 (repeats International Residential Code as amended by the state with Adult Family Home provisions). The State rules require Adult Family Homes to be “inspected and approved” by the “local building official” before licensing and after certain changes in WAC 388-76-10700; and

WHEREAS, while the City must “inspect and approve()” Adult Family Homes, it does so only at the state's direction and state law preempts attempts by the City to regulate or otherwise control the placement of residents into Adult Family Homes in the City. A copy of the City's Adult Family Home permit application is attached and incorporated herein as **Exhibit B (Adult Family Home Application)**; and

WHEREAS, the City finds that DSHS's placement of dangerous people in Adult Family Homes impedes the intent of chapter 70.128 RCW because it places people with a history of violence or predation in homes ill-equipped to treat and/or supervise them; and

WHEREAS, state agencies are required to comply with county and city comprehensive plans and regulations pursuant to RCW 36.70A.103;

WHEREAS, the City finds that DSHS's placement of dangerous residents in Adult Family Homes violate the comprehensive plans and regulations adopted by Pierce County and the City; and

WHEREAS, the Lakewood City Council directed the Lakewood Planning Commission to consider land use and development code amendments to Title 18A; and

WHEREAS, the Lakewood Planning Commission brought forward Applications LU-17-00254 (ZOA text amendment) & LU-17-00260 (SEPA Checklist); and

WHEREAS, as part of the staff report prepared for the Lakewood Planning Commission, the City's Building Official performed a building code analysis comparing the construction standards of an Adult Family Home with the standards for an Enhanced Services Facility, which is attached and incorporated as **Exhibit C**; and

WHEREAS, this analysis shows that an Enhanced Services Facility is an institutional use and is not residential in character; and

WHEREAS, given the construction standards for an institutional use, it is probably economically impractical to convert an Adult Family Home into an Enhanced Services Facility, and that such a modification would constitute a 'change of use' under the International Building Code; and

WHEREAS, DSHS has stated in a "FAQ for Potential ESF Providers" document available on its website, which is attached and incorporated herein as **Exhibit D**, regarding Enhanced Services Facilities that ". . . development of an ESF along the I-5 corridor is a priority;" and

WHEREAS, Western State Hospital is located within the incorporated limits of the City of Lakewood and Lakewood is also adjacent to the I-5 Corridor with over six miles of freeway frontage; and

WHEREAS, a high incidence of Adult Family Homes/Group Homes are located in the City of Lakewood. As of December 15, 2015, there are 256 Adult Family Homes in Pierce County of which 73, or 29 percent, are located in Lakewood; and

WHEREAS, there are 34 Adult Family Homes located in the Oakbrook Neighborhood, a part of the City, which is adjacent to Western State Hospital; and

WHEREAS, there is a disproportionate number of Adult Family Homes in Lakewood as compared to other Pierce County cities; and

WHEREAS, the high number of Adult Family Homes located in one section of the Oakbrook Neighborhood, six Adult Family Homes which lie within 374 feet of each other, has changed the character of the surrounding neighborhood; and

WHEREAS, Adult Family Homes should not be made available to an individual whose tenancy

would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others; and

WHEREAS, to the best of the City's knowledge, DSHS has not properly performed individual assessments to determine direct threats in Adult Family Home settings in violation of its own rules (WAC 388-76-10390); and

WHEREAS, prohibiting residents who have a history of violence and/or predation from being housed in an Adult Family Home improves public safety; and

WHEREAS, Enhanced Services Facilities are not at all similar to the standard operation of Adult Family Homes, and may impose undue administrative or financial burden on the City of Lakewood if sited in residential areas and built to non-institutional construction standards; and

WHEREAS, the City has attempted to identify the locations of existing Enhanced Services Facilities state-wide; and

WHEREAS, the number of Enhanced Services Facilities is limited; three Enhanced Services Facilities have been permitted in eastern Washington, one in Vancouver, Washington, and a third under construction in Everett, Washington. From the information gleaned so far, none of the Enhanced Services Facilities appear to have been sited within a single family residential setting; most are located within commercial zoning districts, along collector or arterial streets, in areas with transitional land use patterns, or as part of an existing assisted care facility; and

WHEREAS, prohibiting Enhanced Services Facilities and the conversion of Adult Family Homes to Enhanced Services Facilities, prohibits dissimilar uses in single-family residential zoning districts, improves public safety, and potentially reduces public service demands; and

WHEREAS, the Lakewood Planning Commission conducted two public hearings on January 17, 2018 and March 7, 2018; and

WHEREAS, the Lakewood Planning Commission adopted a Resolution No. 2018-03, incorporated herein by this reference, making recommendations to change the land use and development code, Title 18A;

and

WHEREAS, the Lakewood Planning Commission recommended new/revised regulations for Adult Family Homes and Enhanced Service Facilities;

WHEREAS, on March 26, 2018, the Lakewood City Council conducted a Study Session to review the Ordinance; and

WHEREAS, on April 2, 2018, the Lakewood City Council conducted a duly-noticed Public Hearing on the Ordinance; and

WHEREAS, the Lakewood City Council adopts the foregoing as its findings of fact justifying this Ordinance to protect the public health, safety, and welfare of the residents of the City of Lakewood.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY ORDAINS, Lakewood Municipal Code 18A.20.300 (D.) and 18A.20.300 (M.) shall be amended as follows:

Section 1.

18A.20.300 Residential Use Category - Land Use Types and Levels.

The Residential use category includes permanent living accommodations for individuals or families of varying economic means, including those having special needs. The Residential use category has been separated into the following types based upon distinguishing features such as the type and scale of the structure, ownership pattern; number, age and special needs of individuals who reside in the structure; and any applicable state and/or local licensing requirements.

A. Single-Family Residential. A residential dwelling unit that provides living accommodations for a single individual or family. This category includes development with up to two (2) dwelling units per individual lot, except cottage housing development where multiple detached single-family dwellings are required, does not including accessory dwelling units permitted under LMC 18A.70.310.

Level 1: Detached single-family: conventionally built, manufactured, or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation as specified by the manufacturer, where each unit is detached from any other unit and located on its own separate legal lot of record. Manufactured and modular homes are subject to the provisions of LMC 18A.50.180, Manufactured Homes on Individual Lots.

Level 2: Two Family Residential: A legal lot of record containing two units, whether attached or detached from each other (including instances where individual units are held in condominium ownership on a commonly owned parcel), but not including units attached to multiple units on other lots, which are instead classified as Single Family - Level 3

(Attached Single Family-multiple). Two Family Residential also includes attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to one, and only one, other unit on a separate parcel, so that the units are attached in pairs.

Level 3: Attached Single Family-multiple: Attached single-family conventionally built or modular homes permanently constructed on-site to meet applicable uniform codes, and placed on a permanent foundation, where each unit is structurally attached to at least one other unit, usually on a separate parcel. A maximum of two units may be located on any individual parcel. This term includes “townhouses” and “rowhouses.”

Level 4: Manufactured home parks, subject to the provisions of LMC 18A.70.400, Manufactured Home Parks.

Level 5: Cottage Housing, subject to the provisions of LMC 18A.70.700, Cottage Housing.

B. Multifamily Residential. Multiple residential units within a single residential structure, or multiple residential structures, which provide separate living accommodations for multiple individuals or families on a single parcel of land, not including manufactured home parks, which are instead treated as a Level 4 Single-Family Residential use type. Multifamily dwelling units are typically under common ownership and management but may be separately owned condominium units on a commonly owned parcel or cooperatively owned. Modular construction may be utilized.

Level 1: Three (3) or more attached or detached dwelling units on a single parcel of land, in structures comprising six or less units.

Level 2: Seven (7) or more attached or detached dwelling units on a single parcel of land in structures comprising more than six units.

Level 3: Multiple, horizontally and/or vertically attached dwelling units combined vertically with and above an allowed commercial use. Commercial uses shall comprise a minimum of fifty (50) percent of the square footage of the ground floor and shall align with the building’s street frontage.

C. Co-Housing. A variety of housing options in which a community facility is included for the purpose of such things as communal meals, laundry, recreation or socialization, day care, and/or other functions supportive of voluntary communal living by an organized group. Examples include fraternity/sorority houses; intentional communities; and religious orders, whether or not in conjunction with a Religious Assembly use type.

D. Type 1 Group Home. Publicly or privately operated living accommodations for related or unrelated individuals having handicaps, subject to compliance with all applicable federal, state, and/or local licensing requirements. For the purposes hereof, “handicap” shall mean a physical or mental impairment which substantially limits one or more of the person’s major life activities, a record of having such an impairment, or being regarded as having such an impairment; however, the term does not include current, illegal use of or an addiction to a controlled substance.

a. Adult Family Home Business - Defined. An Adult Family Home Business is

a Type 1 Group Home licensed pursuant to RCW 70.128.150 and the City's business licensing requirements. Adult Family Homes shall serve those with functional limitations and are not intended to serve those with a history of violence, including sex offenses.

b. Adult Family Home Business – Shall not be Converted. An Adult Family Home Business which is located in a residential zone shall not be converted or otherwise changed to an Enhanced Services Facility or any other type of use not permitted in a residential zone. Enhanced Services Facilities are not permitted in a residential zoning district.

E. Type 2 Group Home. Publicly or privately operated living accommodations for related or unrelated individuals such as group homes for children, group homes providing an alternate residential setting for families in crisis, and other groups not listed within Type 1, 3, 4, or 5 Group Home Residential use types; all subject to compliance with all applicable federal, state, and/or local licensing requirements.

Level 1: A group home with a maximum of seven (7) residents, plus resident staff.

Level 2: A group home with a maximum of ten (10) residents, plus resident staff.

Level 3: A group home with more than ten (10) residents, plus resident staff.

F. Type 3 Group Home. Publicly or privately operated living accommodations for juveniles under the jurisdiction of DSHS and/or the criminal justice system, including state-licensed group care homes or halfway houses for juveniles which provide residence in lieu of incarceration, and halfway houses providing residence to juveniles needing correction or for juveniles selected to participate in state-operated minimum security facilities as defined in RCW 72.05.150, as hereafter may be amended. A community facility as defined in RCW 72.05.020(1), as hereafter may be amended, is considered to constitute a Type 3 Group Home. All are subject to compliance with all applicable federal, state, and/or local licensing and other requirements.

Level 1: A group home with a maximum of eight (8) residents, plus resident staff.

Level 2: A group home with a maximum of twelve (12) residents, plus resident staff.

Level 3: A group home with more than twelve (12) residents, plus resident staff.

G. Type 4 Group Home. Publicly or privately operated living accommodations for adults under the jurisdiction of the criminal justice system who have entered a pre- or post-charging diversion program or have been selected to participate in state-operated work/training release or other similar programs as provided in Chapters 137-56 and -57 WAC, as may hereafter be amended. All are subject to compliance with all applicable federal, state, and/or local licensing and other requirements.

H. Type 5 Group Home. A secure community transition facility as defined in RCW 71.09.101(14), as hereafter may be amended, which is a residential facility that provides supervision and security for people who have completed their criminal sentences for sexually violent offenses but who remain subject to additional requirements for sexually violent predators under Chapter

71.09 RCW, as hereafter may be amended. All are subject to compliance with all applicable federal, state, and/or local licensing and other regulations.

I. Assisted Living Facilities. A multifamily residential facility serving elderly and/or persons with special needs, which provides its residents with assistance with Activities of Daily Living (ADL) and which are regulated under Chapter 18.20 RCW, subject to compliance with all applicable federal, state, and/or local licensing requirements. This use type may include dementia care but does not include hospitals, nursing homes, medical clinics or offices, medical treatment, or multifamily residences which do not provide ADL assistance.

J. Continuing Care Retirement Community. A residential community for the elderly which operates under a single ownership on a contractual basis and offers a range of living arrangements which may include independent living, assisted living, and/or skilled nursing care, along with a variety of common amenities and ancillary services; subject to all applicable federal, state, and/or local licensure.

K. Nursing Home. Multi-unit or multi-bed facilities that are licensed or approved to provide living accommodations and round-the-clock health care and medical supervision and which are regulated under Chapter 18.51 RCW, subject to compliance with all appropriate federal, state, and/or local licensing requirements.

L. Hospice Care Center. A homelike, non-institutional facility where services such as symptom and pain management are provided to terminally ill individuals and emotional, spiritual, and bereavement support is offered for the individual and family, and which are regulated under Chapter 70.127 RCW, subject to compliance with all appropriate federal, state, and/or local licensing requirements.

M. Enhanced Services Facility – Defined. Pursuant to RCW 70.97.010 (12), an Enhanced Services Facility means a facility that provides treatment and services to persons for whom acute inpatient treatment is not medically necessary and who have been determined by the Department of Social and Health Services to be inappropriate for placement in other licensed facilities due to the complex needs that result in behavioral and security issues. An Enhanced Services Facility is subject to the City’s business licensing requirements.

a. Enhanced Services Facility in Commercial Zoning Districts. An Enhanced Service Facility is permitted in the NC2, TOC, CBD and C2 zoning districts subject to the approval of a conditional use permit and all applicable development permits.

b. Enhanced Services Facility in all other zoning districts. An Enhanced Services Facility is prohibited in all other zoning districts.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance

Section 3. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after publication as required by law.

PASSED by the City Council this 16th day of April, 2018.

CITY OF LAKEWOOD



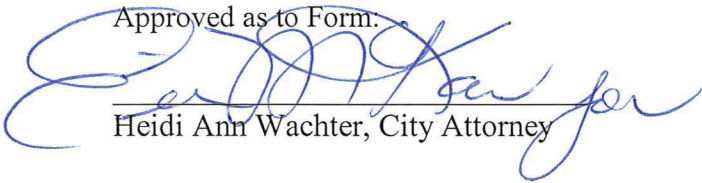
Don Anderson, Mayor

Attest:



Alice M. Bush, MMC, City Clerk

Approved as to Form:



Heidi Ann Wachter, City Attorney

EXHIBIT A

Exhibit A – City’s Public Records Request.

EXHIBIT B

Exhibit B - Adult Family Home permit application.

EXHIBIT C

Exhibit C – Building Official Code Analysis

EXHIBIT D

Exhibit D – DSHS FAQ for Potential ESF Providers



EXHIBIT A

Don Anderson
Mayor

November 7, 2017

Jason Whalen
Deputy Mayor

DSHS Public Records Officer
DSHS Office of Policy and External Relations
PO Box 45135
Olympia WA 98504-5135

Mary Moss
Councilmember

Dear Public Records Officer:

Michael D. Brandstetter
Councilmember

The City of Lakewood requests the following public records from November 1, 2012 through November 1, 2017:

John Simpson
Councilmember

- 1) Any and all documents from any and all Department employee related to the release of any and all patients or residents of Western State Hospital to any adult family home located in Washington State; and
- 2) Any and all documents from any and all Department employee relating to the priorities, policies and guidelines of the Department in investigating and/or evaluating placements of residents of Western State Hospital.

Marie Barth
Councilmember

Terms

Paul Bocchi
Councilmember

“Department” refers to the Washington State Department of Social and Health Services including, but not limited to Western State Hospital.

John J. Caulfield
City Manager

“Document” includes the original or any copy of any material that is handwritten, typed, printed, graphic, electronic or digital, including transcripts, contracts, agreements, spread sheets, work papers of any kind, email or voice mail messages or any other type of media or format used for communication or expression. This request should be interpreted to include all drafts of documents as well as any document bearing commentary or notations on it.

“Employee” refers to any full or part time employee of DSHS or Western State Hospital as well as any interns, volunteers, or contractors of DSHS and Western State Hospital.

“Exemptions” - Please provide a log of all documents identified but withheld for any reason, under the Act or any other law. Describe the document and the nature of the claimed exemption or exemptions relied upon. Identify the person ultimately responsible for authorizing or approving the claimed exemption.

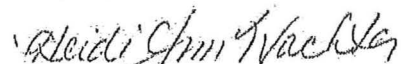
The City of Lakewood is requesting these public records pursuant to the Washington State Public Records Act (Act), chapter 42.56 RCW. As you may know, the Act is to be liberally construed and all exemptions narrowly drawn to effect the Act's important public policy goals.¹

In August 2017, the City of Lakewood was notified by the Pierce County Prosecuting Attorney that Western State Hospital/Department of Social and Health Services intended to place a resident of the hospital in an adult family home located in the City. The resident has spent most of his adult life at the hospital and while he has limited criminal conviction history, there is evidence that he has murdered one person, assaulted others, and is considered at risk of future danger to himself and others, even when compliant with medications. The City is concerned that such placements threaten not only the community but the safety of residents of adult family homes.

We have been asked to review and research adult family homes in the City of Lakewood, as well as state authority, regulations, current use, comparison with other cities and counties, legislative options and recommended policy changes. Our goal is to present the most complete report possible, which necessarily includes information about the role DSHS plays in placing residents in adult family homes.

Thank you for your prompt attention to this request. We will be available to work with you to better refine these requests in a way that meets our requirements, while also not unnecessarily burdening the Department. The City is willing to waive patient identifiers for patients who have resided or continue to reside at the hospital. Please provide, in an electronic format, all requested documents, redacted as necessary to protect patient identity. Compliance with the Act favors redaction over withholding. Please include a full explanation of any redaction and/or withholding done in this request. In the event the cost of duplicating the requested documents exceeds \$500.00, please contact us before exceeding this amount.

Sincerely,


Heidi Ann Wachter
City Attorney

¹ The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. This chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy and to assure that the public interest will be fully protected. In the event of conflict between the provisions of this chapter and any other act, the provisions of this chapter shall govern. RCW 42.56.030.

EXHIBIT B

 <p>Adult Family Home Permit Application</p> <p>Community Development 6000 Main St. SW ♦ Lakewood, WA 98499 Phone (253) 512-2261 ♦ permits@cityoflakewood.us</p>	<i>Office use</i> Permit #: _____ Date rec'd: _____
	Fee: \$132.50

This application must include a completed AFH checklist (attached) with required floor plans and site plan.

SITE ADDRESS:	Parcel #:
APPLICANT:	Phone:
Address (City, State, Zip):	E-Mail Address:
OWNER:	Phone:
Address (City, State, Zip):	E-Mail Address:
AFH LICENSEE:	Phone:
Address (City, State, Zip):	E-Mail Address:

Description: _____ _____ _____ _____ _____ Proposed number of residents _____ Proposed number of employees _____ Number of employees living on-site _____
<p><i>I hereby certify that the information provided is correct and that the construction on the above described property, the occupancy, and use will be in accordance with the laws, rules, and regulations of the State of Washington and the Lakewood Municipal Code. I agree to hold harmless the City of Lakewood as to any claim incurred as a result of this work.</i></p> <p>Print Name: _____ <input type="radio"/> Owner <input type="radio"/> Agent <input type="radio"/> Specify _____</p> <p>Signature: _____ Date: _____</p>

Adult Family Home (AFH) LOCAL BUILDING INSPECTION CHECKLIST

Code References: 2015 IRC Section R325 (WAC 51-51)

APPLICATION NUMBER: _____

SECTIONS 1, 2, 3, AND 4 MUST BE COMPLETED BY APPLICANT BEFORE INSPECTION WILL BE PROCESSED

SECTION 1 – PROPERTY INFORMATION

SITE ADDRESS: _____ ASSESSOR'S TAX/PARCEL#: _____

SECTION 2 – APPLICANT INFORMATION

PROPERTY OWNER NAME: _____ DAYTIME PHONE: _____

AFH LICENSEE NAME (IF DIFFERENT): _____ DAYTIME PHONE: _____

SECTION 3 – FLOOR PLAN

On a separate sheet of paper (8 1/2 x 11) draw a floor plan (including all floors) of your prospective AFH. Include all sleeping rooms (bedrooms) indicating which bedroom is: A, B, C, D, E and F.

Label all components for exiting i.e., stairs, ramps, platforms, lifts and elevators.

SECTION 4 – DISCLAIMER/SIGNATURE BLOCK

I certify under penalty of perjury that the information furnished by me is true and correct to the best of my knowledge, and that I am requesting or I am authorized by the owner of the above premises to request inspection for the operation of an Adult Family Home at this location. I agree to hold harmless the jurisdiction conducting such inspections, at my request, as to any claim (including costs, expenses, and attorneys' fees incurred in the investigation of such claim), which may be made by any person, including the undersigned, and filed against the jurisdiction, but only where such claim arises out of the reliance of the jurisdiction, including its officers and employees, upon the accuracy of the information supplied to the jurisdiction as a part of this application.

NAME/TITLE: _____ DATE: _____

PROPERTY OWNER

APPLICANT

LICENSEE

(Effective July 1, 2013.)

Effective: 2013 July 01
Updated: 2017 February

**SECTION R325
ADULT FAMILY HOMES**

R325.1 General. This section shall apply to all newly constructed adult family homes and all existing single family homes being converted to adult family homes. This section shall not apply to those adult family homes licensed by the state of Washington department of social and health services prior to July 1, 2001.

R325.2 Reserved.

R325.3 Sleeping room classification. Each sleeping room in an adult family home shall be classified as:

1. Type S - Where the means of egress contains stairs, elevators or platform lifts.
2. Type NS1 - Where one means of egress is at grade level or a ramp constructed in accordance with R325.9 is provided.
3. Type NS2 - Where two means of egress are at grade level or ramps constructed in accordance with R325.9 are provided.

R325.4 Types of locking devices and door activation. All bedroom and bathroom doors shall be openable from the outside when locked.

Every closet shall be readily openable from the inside.

Operable parts of door handles, pulls, latches, locks and other devices installed in adult family homes shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist. Pocket doors shall have graspable hardware available when in the closed or open position.

The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum. Required exit doors shall have no additional locking devices.

Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing reentry into the adult family home without the use of a key, tool or special knowledge.

R325.5 Smoke and carbon monoxide alarm requirements. All adult family homes shall be equipped with smoke and carbon monoxide alarms installed as required in Sections R314 and R315.1. Alarms shall be installed in such a manner so that the detection device warning is audible from all areas of the dwelling upon activation of a single alarm.

R325.6 Escape windows and doors. Every sleeping room shall be provided with emergency escape and rescue windows as required by Section R310. No alternatives to the sill height such as steps, raised platforms or other devices placed by the openings will be approved as meeting this requirement.

R325.7 Fire apparatus access roads and water supply for fire protection. Adult family homes shall be served by fire apparatus access roads and water supplies meeting the requirements of the local jurisdiction.

R325.8 Grab bar general requirements. Where facilities are designated for use by adult family home clients, grab bars for water closets, bathtubs and shower stalls shall be installed according to this section.

R325.8.1 Grab bar cross section. Grab bars with a circular cross section shall have an outside diameter of 1 1/4 inches minimum and 2 inches maximum. Grab bars with noncircular cross section shall have a cross section dimension of 2 inches maximum and a perimeter dimension of 4 inches minimum and 4 5/8 inches maximum.

R325.8.2 Grab bar installation. Grab bars shall have a spacing of 1 1/2 inches between the wall and the bar. Projecting objects, control valves and bathtub or shower stall enclosure features above, below and at the ends of the grab bar shall have a clear space of 1 1/2 inches to the grab bar.

EXCEPTION: Swing-up grab bars shall not be required to meet the 1 1/2 inch spacing requirement

Grab bars shall have a structural strength of 250 pounds applied at any point on the grab bar, fastener, mounting device or supporting structural member. Grab bars shall not be supported directly by any residential grade fiberglass bathing or showering unit. Acrylic bars found in bathing units shall be removed.

Fixed position grab bars, when mounted, shall not rotate, spin or move and have a graspable surface finish.

R325.8.3 Grab bars at water closets. Water closets shall have grab bars mounted on both sides. Grab bars can be a combination of fixed position and swing-up bars. Grab bars shall meet the requirements of R325.8. Grab bars shall mount between 33 inches and 36 inches above floor grade. Centerline distance between grab bars, regardless of type used, shall be between 25 inches

minimum and 30 inches maximum.

R325.8.3.1 Fixed position grab bars. Fixed position grab bars shall be a minimum of 36 inches in length and start 12 inches from the rear wall.

R325.8.3.2 Swing-up grab bars. Swing-up grab bars shall be a minimum of 28 inches in length from the rear wall.

R325.8.4 Grab bars at bathtubs. Horizontal and vertical grab bars shall meet the requirements of R325.8.

R325.8.4.1 Vertical grab bars. Vertical grab bars shall be a minimum of 18 inches long and installed at the control end wall and head end wall. Grab bars shall mount within 4 inches of the exterior of the bath tub edge or within 4 inches within the bath tub. The bottom end of the bar shall start between 36 inches and 42 inches above floor grade.

EXCEPTION: The required vertical grab bar can be substituted with a floor to ceiling grab bar meeting the requirements of R325.8 at the control end and head end entry points.

R325.8.4.2 Horizontal grab bars. Horizontal grab bars shall be provided at the control end, head end, and the back wall within the bathtub area. Grab bars shall be mounted between 33 inches and 36 inches above floor grade. Control end and head end grab bars shall be 24 inches minimum in length. Back wall grab bar shall be 36 inches minimum in length.

R325.8.5 Grab bars at shower stalls. Where shower stalls are provided to meet the requirements for bathing facilities, grab bars shall meet the requirements of R325.8.

EXCEPTION: Shower stalls with permanent built-in seats are not required to have vertical or horizontal grab bars at the seat end wall. A vertical floor to ceiling grab bar shall be installed within 4 inches of the exterior of the shower aligned with the nose of the built-in seat.

R325.8.5.1 Vertical grab bars. Vertical grab bars shall be 18 inches minimum in length and installed at the control end wall and head end wall. Vertical bars shall be mounted within 4 inches of the exterior of the shower stall or within 4 inches inside the shower stall. The bottom end of vertical bars mount between 36 inches and 42 inches above floor grade.

R325.8.5.2 Horizontal grab bars. Horizontal grab bars shall be installed on all sides of the shower stall mounted between 33 inches and 36 inches above the floor grade. Horizontal grab bars shall be a maximum of 6 inches from adjacent walls. Horizontal grab bars shall not interfere with shower control valves.

R325.9 Ramps. All interior and exterior ramps, when provided, shall be constructed in accordance with Section R311.8 with a maximum slope of 1 vertical to 12 horizontal. The exception to R311.8.1 is not allowed for adult family homes. Handrails shall be installed in accordance with R325.9.1.

R325.9.1 Handrails for ramps. Handrails shall be installed on both sides of ramps between the slope of 1 vertical to 12 horizontal and 1 vertical and 20 horizontal in accordance with R311.8.3.1 through R311.8.3.3.

R325.10 Stair treads and risers. Stair treads and risers shall be constructed in accordance with R311.7.5. Handrails shall be installed in accordance with R325.10.1.

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R325.11 Shower stalls. Where provided to meet the requirements for bathing facilities, the minimum size of shower stalls for an adult family home shall be 30 inches deep by 48 inches long.

[Statutory Authority: RCW [19.27.031](#) and chapters [19.27](#) and [34.05](#) RCW. 13-04-068, § 51-51-0325, filed 2/1/13, effective 7/1/13. Statutory Authority: Chapter [19.27](#) RCW. 10-18-036, § 51-51-0325, filed 8/25/10, effective 9/25/10. Statutory Authority: RCW [19.27.190](#), [19.27.020](#), and chapters [19.27](#) and [34.05](#) RCW. 09-04-023, § 51-51-0325, filed 1/27/09, effective 7/1/10. Statutory Authority: RCW [19.27.074](#), [19.27.020](#), and chapters [19.27](#) and [34.05](#) RCW. 07-01-090, § 51-51-0325, filed 12/19/06, effective 7/1/07. Statutory Authority: RCW [19.27.031](#) and [19.27.074](#). 04-01-109, § 51-51-0325, filed 12/17/03, effective 7/1/04.]

NAME OF AFH: _____

SECTION 5 **MUST** BE COMPLETED BY THE BUILDING DEPARTMENT IN THE JURISDICTION THE HOME WILL BE LOCATED.
 PLEASE CHECK ALL APPLICABLE BOXES; MATCH THE LIST BELOW TO THE APPLICANT'S FLOOR PLAN – USING THEIR PROSPECTIVE RESIDENT
 BEDROOM DESIGNATIONS OF **A B C D E** AND **F** AND CLASSIFICATION CODE **S, NS1** OR **NS2**.

SECTION 5 – BUILDING INSPECTOR'S INSPECTION CHECKLIST

R325.3 Sleeping Room Classification: Each sleeping room in an Adult family Home shall be classified as:

Type S – where the means of egress contains stairs, elevators or platform lifts to evacuate residents to public area.

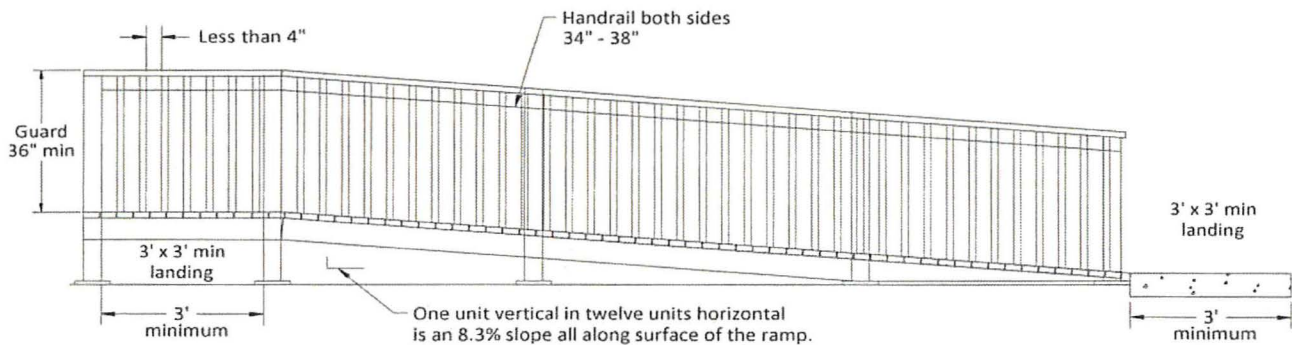
Type NS1 – where 1 means of egress at grade level (has no stairs) or ramp constructed compliant with R325.9 is provided to evacuate residents to public area.

Type NS2 – where 2 means of egress at grade level (both have no stairs) or ramps constructed compliant with R325.9 are provided to evacuate residents to public area.

SLEEPING ROOM A			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM B			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM C			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM D			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM E			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM F			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>

GENERAL	YES	NO
Bathroom doors are easily and quickly openable from the outside when locked	<input type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide alarms are installed as required in R315 on each level of the home.	<input type="checkbox"/>	<input type="checkbox"/>
Smoke alarms are installed on all levels of the dwelling, in each resident sleeping room, outside each separate sleeping area in the immediate vicinity of sleeping rooms (R314).	<input type="checkbox"/>	<input type="checkbox"/>
Smoke and Carbon Monoxide alarms are installed in such a manner so that the audible warning may be heard in all parts of the dwelling upon activation of a single device.	<input type="checkbox"/>	<input type="checkbox"/>
Access road and water supply meet local fire jurisdictional requirements.	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>
Pocket doors shall have graspable hardware available when in the closed or open position.	<input type="checkbox"/>	<input type="checkbox"/>

R311.8 Ramps	YES	NO
Inside Ramp <input type="checkbox"/> N/A <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH)	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.2 Landing Requirements: min. 3X3 foot landing at top/bottom, where doors open onto ramps, and where ramp changes directions.	<input type="checkbox"/>	<input type="checkbox"/>
R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>
Outside Ramp <input type="checkbox"/> N/A <input type="checkbox"/>	YES	NO
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH)	<input type="checkbox"/>	<input type="checkbox"/>
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R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>
Guards below are depicted vertically as an example only. All Ramps must have Guards	<input type="checkbox"/>	<input type="checkbox"/>



R311.2 Means of Egress	YES	NO
R311.2 Door must be side-hinged with min. width of 32 inches between face of door and stop. Height not less than 78 inches.	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing re-entry without use of key, tool or special knowledge.	<input type="checkbox"/>	<input type="checkbox"/>
R311.7 Stairways <input type="checkbox"/> N/A <input type="checkbox"/>	YES	NO
R311.7.5.1 Riser Height: Max riser height shall be 7 7/8 inches (8 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>
R311.7.5.2 Tread Depth: Min. tread depth shall be in 10 inches (9 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>
R325.10.1 Handrails for Treads and Risers shall be installed on both sides of treads and risers numbering from one riser to multiple risers. Handrails shall be installed in accordance with R311.7.8.1 – R311.7.8.4	<input type="checkbox"/>	<input type="checkbox"/>

R325.8 Grab Bars in Bathrooms	N/A <input type="checkbox"/>	YES	NO
Grab bars shall be installed for all water closets (toilets), bathtubs and showers according to R325.8.		<input type="checkbox"/>	<input type="checkbox"/>
Water Closets (toilet) shall have grab bars installed on both sides according to R325.8 – R325.8.3.1 or R325.8.3.2.		<input type="checkbox"/>	<input type="checkbox"/>
Bathtubs shall have two vertical and three horizontal grab bars installed according to R325.8 - R325.8.4 – R325.8.4.2		<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls have two vertical and horizontal grab bars mounted on all sides of shower according to R325.8 – R325.8.5 – R325.8.5.2.		<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls must be minimum size of 30 inches deep by 48 inches long (R325.11)		<input type="checkbox"/>	<input type="checkbox"/>
AG103 – AG105 Swimming Pool, Spa, Hot Tub		YES	NO
AF105.2 Must be surrounded by a barrier that is 48 inches high, may have doors and or gates that must have audible alarms when opened.		<input type="checkbox"/>	<input type="checkbox"/>
AG105.5 EXCEPTION: Pools, Spas or Hot Tubs with a safety cover which complies with ASTM F 1346		<input type="checkbox"/>	<input type="checkbox"/>

PASSED
 CORRECTIONS REQUIRED
 PERMIT REQUIRED

INSPECTOR'S NAME (PRINT) _____

INSPECTOR'S SIGNATURE _____ DATE: _____

INSPECTOR'S OFFICE ADDRESS _____ PHONE NUMBER: _____

Application and inspection checklist developed by Washington Association of Building Officials (WABO), in cooperation with Department of Social and Health Services (DSHS) for use by both departments and licensors. 07/01/2013



**Additional Checklist Copy for DSHS.
Must be provided at time of application
submittal.**

Adult Family Home (AFH) LOCAL BUILDING INSPECTION CHECKLIST

Code References: 2015 IRC Section R325 (WAC 51-51)

APPLICATION NUMBER: _____

SECTIONS 1, 2, 3, AND 4 MUST BE COMPLETED BY APPLICANT BEFORE INSPECTION WILL BE PROCESSED

SECTION 1 – PROPERTY INFORMATION

SITE ADDRESS: _____ ASSESSOR'S TAX/PARCEL#: _____

SECTION 2 – APPLICANT INFORMATION

PROPERTY OWNER NAME: _____ DAYTIME PHONE: _____

AFH LICENSEE NAME (IF DIFFERENT): _____ DAYTIME PHONE: _____

SECTION 3 – FLOOR PLAN

On a separate sheet of paper (8 1/2 x 11) draw a floor plan (including all floors) of your prospective AFH. Include all sleeping rooms (bedrooms) indicating which bedroom is: A, B, C, D, E and F.

Label all components for exiting i.e., stairs, ramps, platforms, lifts and elevators.

SECTION 4 – DISCLAIMER/SIGNATURE BLOCK

I certify under penalty of perjury that the information furnished by me is true and correct to the best of my knowledge, and that I am requesting or I am authorized by the owner of the above premises to request inspection for the operation of an Adult Family Home at this location. I agree to hold harmless the jurisdiction conducting such inspections, at my request, as to any claim (including costs, expenses, and attorneys' fees incurred in the investigation of such claim), which may be made by any person, including the undersigned, and filed against the jurisdiction, but only where such claim arises out of the reliance of the jurisdiction, including its officers and employees, upon the accuracy of the information supplied to the jurisdiction as a part of this application.

NAME/TITLE: _____ DATE: _____

PROPERTY OWNER

APPLICANT

LICENSEE

(Effective July 1, 2013.)

Effective: 2013 July 01
Updated: 2017 February

**SECTION R325
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R325.1 General. This section shall apply to all newly constructed adult family homes and all existing single family homes being converted to adult family homes. This section shall not apply to those adult family homes licensed by the state of Washington department of social and health services prior to July 1, 2001.

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The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum. Required exit doors shall have no additional locking devices.

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R325.8.2 Grab bar installation. Grab bars shall have a spacing of 1 1/2 inches between the wall and the bar. Projecting objects, control valves and bathtub or shower stall enclosure features above, below and at the ends of the grab bar shall have a clear space of 1 1/2 inches to the grab bar.

EXCEPTION: Swing-up grab bars shall not be required to meet the 1 1/2 inch spacing requirement

Grab bars shall have a structural strength of 250 pounds applied at any point on the grab bar, fastener, mounting device or supporting structural member. Grab bars shall not be supported directly by any residential grade fiberglass bathing or showering unit. Acrylic bars found in bathing units shall be removed.

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EXCEPTION: The required vertical grab bar can be substituted with a floor to ceiling grab bar meeting the requirements of R325.8 at the control end and head end entry points.

R325.8.4.2 Horizontal grab bars. Horizontal grab bars shall be provided at the control end, head end, and the back wall within the bathtub area. Grab bars shall be mounted between 33 inches and 36 inches above floor grade. Control end and head end grab bars shall be 24 inches minimum in length. Back wall grab bar shall be 36 inches minimum in length.

R325.8.5 Grab bars at shower stalls. Where shower stalls are provided to meet the requirements for bathing facilities, grab bars shall meet the requirements of R325.8.

EXCEPTION: Shower stalls with permanent built-in seats are not required to have vertical or horizontal grab bars at the seat end wall. A vertical floor to ceiling grab bar shall be installed within 4 inches of the exterior of the shower aligned with the nose of the built-in seat.

R325.8.5.1 Vertical grab bars. Vertical grab bars shall be 18 inches minimum in length and installed at the control end wall and head end wall. Vertical bars shall be mounted within 4 inches of the exterior of the shower stall or within 4 inches inside the shower stall. The bottom end of vertical bars mount between 36 inches and 42 inches above floor grade.

R325.8.5.2 Horizontal grab bars. Horizontal grab bars shall be installed on all sides of the shower stall mounted between 33 inches and 36 inches above the floor grade. Horizontal grab bars shall be a maximum of 6 inches from adjacent walls. Horizontal grab bars shall not interfere with shower control valves.

R325.9 Ramps. All interior and exterior ramps, when provided, shall be constructed in accordance with Section R311.8 with a maximum slope of 1 vertical to 12 horizontal. The exception to R311.8.1 is not allowed for adult family homes. Handrails shall be installed in accordance with R325.9.1.

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NAME OF AFH: _____

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PLEASE CHECK ALL APPLICABLE BOXES; MATCH THE LIST BELOW TO THE APPLICANT'S FLOOR PLAN – USING THEIR PROSPECTIVE RESIDENT BEDROOM DESIGNATIONS OF A B C D E AND F AND CLASSIFICATION CODE S, NS1 OR NS2.

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R325.3 Sleeping Room Classification: Each sleeping room in an Adult family Home shall be classified as:

Type S – where the means of egress contains stairs, elevators or platform lifts to evacuate residents to public area.

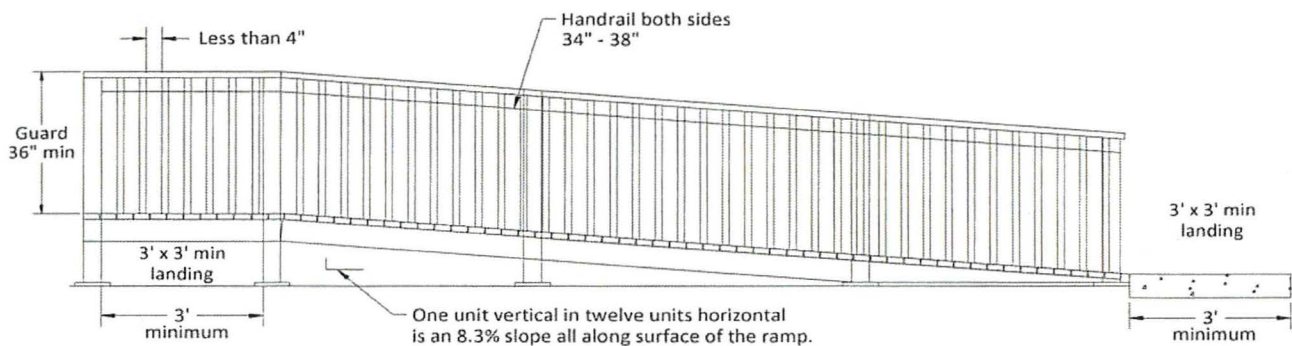
Type NS1 – where 1 means of egress at grade level (has no stairs) or ramp constructed compliant with R325.9 is provided to evacuate residents to public area.

Type NS2 – where 2 means of egress at grade level (both have no stairs) or ramps constructed compliant with R325.9 are provided to evacuate residents to public area.

SLEEPING ROOM A			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM B			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM C			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM D			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM E			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM F			<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO	
Closest door/s are readily openable from the inside	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Smoke alarm is installed in the bedroom			<input type="checkbox"/>	<input type="checkbox"/>	
Bedroom door opens easily and quickly from the outside when locked							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) EXCEPT per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF							<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed							<input type="checkbox"/>	<input type="checkbox"/>

GENERAL	YES	NO
Bathroom doors are easily and quickly openable from the outside when locked	<input type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide alarms are installed as required in R315 on each level of the home.	<input type="checkbox"/>	<input type="checkbox"/>
Smoke alarms are installed on all levels of the dwelling, in each resident sleeping room, outside each separate sleeping area in the immediate vicinity of sleeping rooms (R314).	<input type="checkbox"/>	<input type="checkbox"/>
Smoke and Carbon Monoxide alarms are installed in such a manner so that the audible warning may be heard in all parts of the dwelling upon activation of a single device.	<input type="checkbox"/>	<input type="checkbox"/>
Access road and water supply meet local fire jurisdictional requirements.	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>
Pocket doors shall have graspable hardware available when in the closed or open position.	<input type="checkbox"/>	<input type="checkbox"/>

R311.8 Ramps	YES	NO
Inside Ramp <input type="checkbox"/> N/A <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH)	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.2 Landing Requirements: min. 3X3 foot landing at top/bottom, where doors open onto ramps, and where ramp changes directions.	<input type="checkbox"/>	<input type="checkbox"/>
R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>
Outside Ramp <input type="checkbox"/> N/A <input type="checkbox"/>	YES	NO
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH)	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.2 Landing Requirements: min. 3X3 foot landing at top/bottom, where doors open onto ramps, and where ramp changes directions.	<input type="checkbox"/>	<input type="checkbox"/>
R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>
Guards below are depicted vertically as an example only. All Ramps must have Guards	<input type="checkbox"/>	<input type="checkbox"/>



R311.2 Means of Egress	YES	NO
R311.2 Door must be side-hinged with min. width of 32 inches between face of door and stop. Height not less than 78 inches.	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing re-entry without use of key, tool or special knowledge.	<input type="checkbox"/>	<input type="checkbox"/>
R311.7 Stairways <input type="checkbox"/> N/A <input type="checkbox"/>	YES	NO
R311.7.5.1 Riser Height: Max riser height shall be 7 ¼ inches (8 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>
R311.7.5.2 Tread Depth: Min. tread depth shall be in 10 inches (9 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>
R325.10.1 Handrails for Treads and Risers shall be installed on both sides of treads and risers numbering from one riser to multiple risers. Handrails shall be installed in accordance with R311.7.8.1 – R311.7.8.4	<input type="checkbox"/>	<input type="checkbox"/>

Effective: 2013 July 01
Updated: 2017 February

R325.8 Grab Bars in Bathrooms	N/A <input type="checkbox"/>	YES	NO
Grab bars shall be installed for all water closets (toilets), bathtubs and showers according to R325.8.		<input type="checkbox"/>	<input type="checkbox"/>
Water Closets (toilet) shall have grab bars installed on both sides according to R325.8 – R325.8.3.1 or R325.8.3.2.		<input type="checkbox"/>	<input type="checkbox"/>
Bathtubs shall have two vertical and three horizontal grab bars installed according to R325.8 - R325.8.4 – R325.8.4.2		<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls have two vertical and horizontal grab bars mounted on all sides of shower according to R325.8 – R325.8.5 – R325.8.5.2.		<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls must be minimum size of 30 inches deep by 48 inches long (R325.11)		<input type="checkbox"/>	<input type="checkbox"/>
AG103 – AG105 Swimming Pool, Spa, Hot Tub		YES	NO
AF105.2 Must be surrounded by a barrier that is 48 inches high, may have doors and or gates that must have audible alarms when opened.		<input type="checkbox"/>	<input type="checkbox"/>
AG105.5 EXCEPTION: Pools, Spas or Hot Tubs with a safety cover which complies with ASTM F 1346		<input type="checkbox"/>	<input type="checkbox"/>

PASSED
 CORRECTIONS REQUIRED
 PERMIT REQUIRED

INSPECTOR'S NAME (PRINT) _____

INSPECTOR'S SIGNATURE _____ DATE: _____

INSPECTOR'S OFFICE ADDRESS _____ PHONE NUMBER: _____

Application and inspection checklist developed by Washington Association of Building Officials (WABO), in cooperation with Department of Social and Health Services (DSHS) for use by both departments and licensors. 07/01/2013

EXHIBIT C

City of Lakewood
6000 Main Street SW
Lakewood, WA 98499-1502
Phone: (253) 512-2261
Fax: (253) 512-2268



Interoffice Memo

Date: December 19, 2017
To: Dave Bugher
From: Nancy Craig
Re: Adult Family Home/Enhanced Service Facilities

I went through the various WAC codes to get a better understanding of the differences. I also reviewed sections of WAC 388-76 to understand "Specialty care designation" for AFH (WAC 388-76-10495, 10500, 10505) to determine if that appeared to open the AFH up for an ESF resident. I don't believe it does as an ESF states that it is specifically used for "transitioning" from state or local hospitals and they have different approval processes, staffing and building requirements. The building and staffing requirements for an EFS would make it difficult for an AFH, limited to 6 individuals, to make a profit.

The following table shows some of the differences.

	Adult Family Home	Enhanced Service Facility
Governing WAC	WAC 388-76	WAC 388-107
Approving agencies	DSHS Local Jurisdiction	DSHS DOH Local Jurisdiction
Customers	Individuals needing personal care, special care, room and board	Designed to serve individuals transitioning coming from state or local psychiatric hospitals
Building requirements		
Doors/hardware	Meet WAC 51-51 for residential construction	36" wide Swing out for staff emergency access Door hinges designed to minimize points for hanging Lever handles-anti ligature
Windows	Bedroom egress windows	Windows – tempered Bedrooms - egress
Kitchens/Food Prep	Must comply with WAC 388-112 and meet WAC 51-51 for residential construction	Must comply with WAC 246-215 and WAC 246-217
Bathrooms	1 toilet per 5 persons	1 toilet per 4 persons

# of residents	Maximum 6	Maximum 16
# of residents per room	Max 2	Max 1
Staff	1 qualified caregiver present unless the resident meets the criteria to be left alone per WAC 388-76-10200 #2	2 staff awake and on duty at all times 1 staff per 4 residents Registered nurse at least 20 hrs per week. On-call registered nurse within 30 minutes other times Licensed nurse on duty whenever a registered nurse not on-site Mental health professional on-duty at least 8 hrs per day Available on-call within 30 minutes other times
Training/Special Training	Orientation Basic Training Caregiver has minimum first aid card or certificate and CPR card	De-escalation Training Mental Health Specialty Training Dementia Specialty Training Home and Community Based Services Training

I did find that Adult Family Homes are able to accept mental health patients. WAC 388-76-1050 states "The adult family home must not admit or keep a resident with specialty care needs, such as developmental disability, mental illness, or dementia as defined in WAC 388-76-1000, if the provider entity representative, resident manager and staff have not completed the specialty care training required by WAC chapter 388-112.

WAC 388-76-10500 allows an AFH to accept patients with known mental illnesses when:

- The provider, entity representative and resident manager have successfully completed training in one or more of the specialty designated area;
- The home provides the department with written documentation of successful completion and that specialty care training be provided for all caregivers in the AFH by a person knowledgeable in specialty care.
- The home ensures the specialty care need of each resident is met.

WAC 388-112A-0010 29) "Specialty training" refers to curricula that meets the requirements of RCW [18.20.270](#) and [70.128.230](#) to provide basic core knowledge and skills that caregivers need to learn and understand to effectively and safely provide care to residents living with mental illness, dementia, or developmental disabilities. The specialty training curricula may be DSHS developed or DSHS approved and must be based on the competencies and learning objectives in WAC [388-112A-0430](#), [388-112A-0440](#), or [388-112A-0450](#).

WAC 388-76-1000 uses the following definitions (paraphrased)

Developmental Disability- A severe chronic disability which is attributable to cerebral palsy or epilepsy, or any other condition other than mental illness, found to be related to mental retardation which results in impairment of general intellectual functioning or adaptive behavior similar to that of a

person with mental retardation, and requires treatment or services similar to those required for these person (i.s., autism)

Mental Illness- is defined as an Axis 1 or II diagnosed mental illness as outlined in volume IV of the Diagnostic and Statistical Manual of Mental Disorders (available through the aging and disability services administration)

The following is taken from the Diagnostic and Statistical Manual of Mental Disorders:

- **Axis I:** All psychological diagnostic categories except mental retardation and personality disorder
- **Axis II:** Personality disorders and mental retardation

Mental/Psychiatric/Behavioral/Learning conditions include, but are not limited to: depression, anxiety disorders, bipolar disorder, ADHD, autism spectrum disorders, anorexia nervosa, bulimia nervosa, and schizophrenia.

Personality Disorders include, but are not limited to: paranoid personality disorder, schizoid personality disorder, schizotypal personality disorder, borderline personality disorder, antisocial personality disorder, narcissistic personality disorder, histrionic personality disorder, avoidant personality disorder, dependent personality disorder, obsessive-compulsive personality disorder; and organic intellectual disabilities.

Dementia- Is defined as a condition documented through the assessment process required by WAC 388-76-10335 (Resident Assessment)

I did a sampling of 20 AFS already licensed in Lakewood and found that 19 of their "Disclosure of Service" forms listed "Mental Illness" as a specialty care they provided. I was unable to find anything defining how DSHS labels AFH levels, only the information of how they are certified to offer the specialty care. Nor was I able to find information on who, how or if mentally ill patients are rated for possible danger to staff, other patients or the surrounding community. Patient confidentiality would prohibit the city from getting clear information on the number and nature of current patients.

In conclusion, an Adult Family Home could not be reclassified as an Enhanced Service Facility as they would have to make building modifications which would trigger a change of use from an R-3 to an I-1 by the building department. Current zoning would not allow an institutional type facility in a residential zone. The current rules for Adult Family Homes would allow a patient to transition from an ESF to an AFH as long as the staff has had the required specialty care training.

EXHIBIT D

ESF Licensing- Development, Cost and Bed Rates

Q: Where is the greatest need for ESF development?

A: Our current focus is on finding placements for clients who are ready to discharge from Western State Hospital; development of an ESF along the I-5 corridor is a priority.

Q: How much does it cost to license an ESF bed?

A: \$1,040 per bed at the time of license application and \$1,040 per bed annually at the license renewal.

Q: What is the daily rate?

A: \$425

Q: Are there other fees or costs?

A: ESF providers must pay an application fee to Department of Health/Construction Review Services. This fee is based on the initial project cost associated with your project. More information is available on the [Construction Review Services Website](#) or call 360-236-2944.

Q: Is there funding available for capital costs?

A: Not from DSHS; however, the Legislature has provided grant opportunities through the Department of Commerce.

Q: How long does it take to become licensed and contracted?

A: The timeframe varies from a facility being newly built to a facility being converted. Other factors to consider include local zoning, unique physical plant requirements, required staff trainings, and inspection processes.

Q: Can an ESF be part of another facility or on the same grounds as another facility?

A: An enhanced services facility may hold only one license but, to the extent permitted under state and federal law and Medicaid requirements, a facility may be located in the same building as another licensed facility, provided that:

- (a) The enhanced services facility is in a location that is totally separate and discrete from the other licensed facility; and
- (b) The two facilities maintain separate staffing, unless an exception to this is permitted by the department in rule.

Physical Plant Requirements

Q: What's the maximum number of clients per ESF?

A: 16

Q: How many residents per room?

A: 1

Q: How many bathrooms, showers or tubs must be in the ESF?

A:

- One toilet and handwashing sink for every four residents,
- At least one bathing unit for every four residents, or fraction thereof, who are located in a resident room without an adjoining bathroom,
- Access to at least one bathing device for immersion;

EXHIBIT D

- Access to at least one roll-in shower or equivalent on each resident care unit:

Q: Does an ESF have to include a commercial kitchen?

A: The facility must provide food service on the premises or by contract with a commercial kitchen. If the facility provides food service on-site, the facility must ensure food service areas are in compliance with chapter 246-215 and 246-217 WAC, state board of health rules governing food service sanitation.

Staffing and Operations

Q: What are the staffing expectations?

A:

- At least two staff are awake and on duty in the facility at all times if there are any residents in the facility.
- When residents are in the facility, there must be at least one staff for every four residents present.
- A registered nurse must be available to meet the needs of the residents as follows:
 - On duty in the facility at least twenty hours per week;
 - When not present, available on-call and able to respond within thirty minutes by phone or in person, and must be available to respond in-person at the facility within thirty minutes if needed.
- A licensed nurse must be on duty in the facility whenever a registered nurse is not on site.
- A mental health professional must be available to meet the needs of the residents as follows:
 - On duty in the facility at least eight hours per day; and
 - When not present, available on-call and able to respond within thirty minutes by phone or in person, and must be available to respond in-person at the facility within thirty minutes if needed.

Q: Are there unique training expectations for ESF staff?

A: Many of the ESF training requirements are consistent with what is expected for other residential settings licensed or certified by Residential Care Services. However there are four trainings which must occur prior to the staff working in the facility to include De-escalation Training, Mental Health Specialty Training, Dementia Specialty Training and Home and Community Based Services Training.

ESF Clients and Program Support

Q: Where are potential residents currently living?

A: ESFs are designed to serve individuals transitioning coming from state or local psychiatric hospitals.

Q: How are residents identified?

A: HCS Case Managers will identify and refer potential residents.

Q: Who will provide behavior health services?

A: The behavioral health organization (BHO) or managed care organization (MCO) will provide professional behavior health services through contract with a local community mental health

EXHIBIT D

and/or chemical dependency agency for clients who meet medical eligibility for mental health and/or chemical dependency treatment.

In addition, the ESF staffing model includes on-site mental health professionals, who will provide consultation to other staff members, work with the client and other staff to implement the individualized behavior support plan, and work directly with the client to prevent and respond to crises.

Residents are also eligible to receive assistance with behavior management through the client training waiver service.

Q: Who provides case management services?

A: Each client has an assigned HCS Case Manager.

Q: Are ESF staff and administrators Mandatory reporters?

A: Yes, ESF staff and administrators are mandatory reporters. The facility must ensure that each staff person report to the department's Aging and Long-Term Support Administration Complaint Resolution Unit (CRU) hotline consistent with chapter 74.34 RCW in all cases where the staff person has reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect of a vulnerable adult has occurred.

Q: Does the state provide any additional technical assistance once an ESF is licensed?

A: The state provides a series of technical on-site visits to provide education and support within the first three months of licensure. Contract monitoring is then conducted on a regular basis.