

Getting started: How Assisted Living is regulated

If a senior community offers care services, then a Boarding Home license is required by the State of Washington through the Department of Social and Health Services (DSHS)

A community's license is based on the provider's ability to follow the regulations, laws, and codes on the Federal, State and Local City level, as well as their own written policies and procedures.

In addition to Washington State Administrative Code (WACs) and Washington State Regulations (RCWs), communities must also follow the Federal Fair Housing ACT, HIPPA (Privacy Act), Employment and Safety Laws and Fire and Health codes. In other words, there is a tremendous amount of effort involved in operating an assisted living community.

The Licensor of a Boarding Home pays unannounced visits (called inspections) to the community. DSHS also pays visits to communities whenever there is a specific type of complaint filed by a resident, a resident's representative or friend, a staff member; or when the community visited reports an incident or concern.

The senior housing and care industries in Washington have become highly regulated in how they must operate. Quality resident care is a must, and involving the senior and or their legal representative in decision-making is critical to a home' operating within the regulations set by DSHS.

If a senior or family member is unhappy with a service, or if a concern occurs, it is best for the older adult as well as the legal representative to ask to speak with the management of the assisted living community. Because we all want the very best for our loved ones, we can sometimes become overly emotional and respond negatively when something goes wrong with the care received or when services fall short of expectations. It is important for consumers to realize that they are not purchasing one-on-one care, and that assisted living cannot protect an older adult from every injury, harm, or problem that can arise. Assisted Living communities have interactions with anywhere from a hundred to three hundred residents, staff members, family members, and visitors. With all of those human interactions, problems will arise.

If a community has concern regarding the rights of a resident, it will contact the Ombudsman in the county where the senior is living. Seniors or anyone in the community can also place a phone call to the Ombudsman's office to file a concern or to share information with these offices. The Ombudsman office has some paid staff, but other representatives are trained volunteers. Their job is to help with lines of communication as they relate to the rights of residents. They are advocates for

older adults.

[Complaints & Advocacy](#)

Family advocates are also important. When moving into an assisted living community, the entire family should inquire as to how they can be of help and assistance to the senior provider. Although assisted living is an expensive service, not every need of older adults can be met by the paid staff. Family members or friends also need to remain involved to help the management and staff to understand the personalities and preferences of the older adult and to meet other psychosocial and spiritual needs of the resident.

Each community operates under his own written policies and procedures. DSHS ensures that these policies and procedures comply with regulations, and they ensure through periodic review and complaint investigations that a community is complying with their written policies and procedures.

It's understandable that consumers are wary of assisted living providers. They do exist as a business, and therefore, they are seeking to derive a profit from offering housing and care. Even not-for-profits still seek to earn a surplus to allow for growth, renovation of the physical building and replacement of equipment. These are businesses. It is easy for consumers to view operators as social services agencies and sometimes even miracle workers, and they are not.

Consumers sometimes take the stance that if they are paying for a service, they want to see everything go absolutely correctly, and they want to see everything operating at peak efficiency. The reality is, though, that the communities are operated by people who are attracted to helping and giving, but they cannot possibly meet every single need. They do their best to ensure the safety, well-being, and happiness of each resident; yet they do make mistakes and older adults do become frail, and falls and incidents do happen.

Assisted Living is not intended to offer skilled or acute care. It was designed to be for people who are not in need of nursing care, but do want or need socialization, help with meals, and assistance with the daily chores of life.

If you are unhappy with a service, or if you have a concern about the operation of an assisted living community, please speak with the management or ownership of the community.

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If you have concerns regarding the rights of a resident, please contact the Ombudsman's office within the county where the older adult resides:

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If you have concern regarding possible abuse, neglect or fraudulent activity affecting an older adult call the automated DSHS Hot Line at **800-562-6078** or fax your complaint to **360-725-2644**. Or, if you have concerns that are more emergency-related, please call Adult Protective Services:

Snohomish, Skagit, Island, San Juan and Whatcom Counties

King County 866-221-4909

Pierce County 800-442-5129

Kitsap County 888-833-4925

Thurston, Clallam, Lewis, Jefferson, Grays Harbor, Pacific

Mandatory reports (by individuals working in the senior housing, senior care, and health care industries) call the Mandatory Reporter Hot Line at **800-562-6078, TDD, TYY 800-737-7931**.

Please note: Government and regulatory agencies will not necessarily be of help to you with concerns regarding services or complaints. These agencies exist to protect vulnerable adults from very real and possible dangers. Before you file a complaint with the State of Washington, be certain to ask yourself if you feel a law has been broken or if abuse or neglect has occurred. Many adult children are far too quick about filing a complaint against providers who are doing their very best to care for seniors with ever-changing needs. The filing of such complaints is frequently unjustified, and they take important time of management and health care staff to resolve with regulatory agencies – time that could be much better spent with residents in a more positive light.

CHOICE Advisory has the advantage of having helped thousands of families with the process of selecting an Assisted Living provider. Older adults and family members still keep in touch with us

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for years after making their move. For this reason, CHOICE is a good source of information as to which communities do well with various aspects of providing services and following their own written guidelines.

CHOICE does not make suggestions regarding which community to select; however, CHOICE can listen to your specific needs and narrow down the list to two or three of the very best options that meet your specific needs.

Call **800-361-0138** for our free assistance.

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