



**Washington State Senate**

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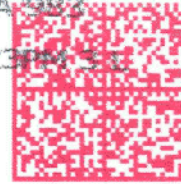
**Senator Sam Hunt**

22nd Legislative District



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The Honorable Bob Ferguson  
Office of the Attorney General  
PO Box 40100  
Olympia, WA 98504-0100



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By Attorney General's Office - GSE/HLB at 8:52 am, Mar 17, 2023



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## Washington State Senate

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**Senator Sam Hunt**  
22nd Legislative District

March 13, 2023

The Honorable Bob Ferguson  
Office of the Attorney General  
PO Box 40100  
Olympia, WA 98504-0100

Re: Request for informal opinion on rights of non-residents in licensed long-term care facilities

Dear Attorney General Ferguson,

I am requesting an informal opinion from the Attorney General's office about the state of the current rights of non-residents of licensed long-term care facilities (i.e. independent living status) in Washington state. I am seeking an informal opinion to help identify what rights already exist for these citizens in order to more precisely understand if and how these rights are insufficient.

I ask that your office answer the following question about our current laws in Washington that could apply to individuals in this living situation:

1. *Do any of the following laws, in whole or in part, protect the non-residents from any potentially harmful actions by the owners, operators, or staff of the long-term care setting in which they live?*
  - Chapter 70.129 RCW – Long-Term Care Resident Rights
  - Chapter 18.20 RCW – Assisted living Facilities; Chapter 388-78A WAC – Assisted Living Facilities Licensing Rules
  - Chapter 70.128 RCW – Adult Family Homes; Chapter 388-76 WAC – Adult Family Home Minimum Licensing Requirements
  - Chapter 59.18 RCW – Residential Landlord-Tenant Act
  - Chapter 59.12 RCW – Forcible Entry and Forcible and Unlawful Detainer
  - Chapter 74.34 RCW – Abuse of Vulnerable Adults

Additionally, I would like to pose this broader question to your office, in the event I have not captured all potentially applicable state laws in my question above:

2. *What other rights do non-residents who live in long-term care settings have against discharge and eviction?*

I appreciate your attention to this request and look forward to receiving responses to these questions. Your review will assist in my evaluation of what this constituency needs the Legislature to act on in the future.

Sincerely,

  
Senator Sam Hunt  
22<sup>nd</sup> Legislative District