

RFP S202307

Continuing Care Retirement Community Authority Assessment and Report Addendum 2 – Questions and Answers

1. In our review of this RFP for CCRCs, I notice that you don't mention a similar concept know as Continuing Care at Home or CCRCs without Walls. It's a type of CCRC contract that is offered to persons over age-65 to provide services in their homes and promotes aging-in-place. In many states these contracts are regulated under the same rules as CCRCs. Is this concept allowed in the state of Washington, and if so, should the contractor build into their proposal consideration for CCaHs?

Answer:

Washington provides many different types of homes or facilities where a person can live and get long-term care services in a residential setting. These include CCRCs, retirement communities/independent living facilities, assisted living facilities, adult family homes, and nursing home facilities. The type of care needed, and funding required, are important considerations to determine the proper setting for the individual. However, in Washington only traditional CCRCs are recognized by the Washington State Department of Social and Health Services. For additional information on these long-term care residential options please visit the Washington State Department of Social and Health Services Aging and Long-Term Care Services & Information, Long-Term Care Residential Options website, located [here](https://www.dshs.wa.gov/altsa/residential-care-services/long-term-care-residential-options) (<https://www.dshs.wa.gov/altsa/residential-care-services/long-term-care-residential-options>).

The legislation that appropriated funding for OIC to contract a study on this issue requires that the selected vendor's assessment consider federal and state authorities to provide recommendations *within which continuing care retirement community products under Chapter 18.390 RCW may achieve heightened consumer protections through shared regulatory oversight (Chapter 297, Laws of 2022)*. This means the primary focus for this contract will be reviewing authorities that apply to CCRC products under Chapter 18.390 RCW. This also means that the selected vendor is able to assess any federal and state authorities they believe are associated to CCRC products under Chapter 18.390 RCW, which may benefit the study or resulting recommendations. Therefore, if potential contractors or bidders believe assessing authorities associated with other entities that are similar to CCRCs will be responsive and responsible for this solicitation, then they can build it into their bid, and if selected, include consideration for these authorities in the study, report, and recommendations.

2. In reading the RFP section 1.2.2 regarding recommendations, is your expectation that these will be selected from the "best" of current legislation identify in the 1.2.1 survey, or are you willing to accept new concepts to address any and all regulatory issues such as financial reserves, refund protection, resident rights, transparent disclosure, simple English contract provisions, and so forth?

Answer:

The section referenced in this question is drafted in the RFP as follows:

*"The recommendations need to also outline which state agencies in Washington offer the **best** potential to achieve the highest consumer protections in shared regulation of CCRCs."*

Here the agency is expecting the selected vendor to use their assessment and findings to make an informed and professional recommendation on which state agency in Washington possesses the greatest ability, offers the most promise, or demonstrates the fullest capabilities of being able to implement a shared regulatory oversight system for CCRCs. The agency expects the selected vendor to make recommendations that align with their assessment and findings in the other states, and that offer achieving the highest levels of consumer protections for CCRC residents in Washington. This means the agency is willing to accept new concepts or regulatory theories on how to best address any regulatory issues identified by the assessment, including but not limited to financial management of CCRCs, financial solvency and standards (reserves, surplus, and liquidity), refund protections, resident rights, transparent disclosures or notices, and contract requirements.

Therefore, the agency expects the selected vendor to explain what regulatory systems and authorities in other states would offer the best and highest levels of consumer protections for CCRC residents in Washington, and which state agency in Washington is best able to implement a similar system of shared regulatory oversight. The agency does not expect the vendor to be limited to the non-exhaustive lists outlined in Section 1.2.2 to do this work. For example, the last sentence in Section 1.2.2 reads as follows:

*"The recommendations will detail which aspects of CCRCs would benefit from a shared regulatory oversight paradigm, whether it is related to fiduciary duties, financial operations, management practices, **or other important considerations**, and will include information indicating the actual additional consumer protections that will be accomplished by increasing regulatory oversight of certain CCRC business practices."*