

SENATE BILL REPORT

ESHB 1552

AS OF MARCH 22, 1993

Brief Description: Modifying provisions regarding persons with developmental disabilities.

SPONSORS: House Committee on Human Services (originally sponsored by Representatives Leonard, Sommers, Ogden, Riley, Talcott, Flemming, Silver, H. Myers, Thibaudeau, Padden, Karahalios, Johanson and Quall)

HOUSE COMMITTEE ON HUMAN SERVICES

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Staff: Martin Lovinger (786-7443)

Hearing Dates: March 26, 1993

BACKGROUND:

Current state law requires the state to assist individuals with developmental disabilities through a uniform, coordinated system of services to enable them to achieve a greater measure of independence and fulfillment. The Department of Social and Health Services (DSHS) operates six institutions known as residential habilitation centers (RHCs), which are permanently established to provide services to persons with developmental disabilities, and delivers community services through six state regional offices.

Current statutes governing services to people with developmental disabilities do not contain clear policy relating to the type and location of services to be provided. Statutes restrict the ability of DSHS to place residents of RHCs in community settings when the Secretary of DSHS determines that a community placement is appropriate. If such a decision is appealed under current law, the secretary has the burden of proving that the placement decision is in the best interest of the resident. The Secretary of DSHS does not have specific authority to close RHCs when it is cost-effective to do so.

SUMMARY:

State policy for people with developmental disabilities is modified to state that services should be provided in the most normal, least restrictive, cost-effective setting. Residents of RHCs who are transferred to community settings may appeal the DSHS decision to transfer them. Their appeal will be governed by the Administrative Procedure Act. The Secretary of DSHS is authorized to close RHCs if it is cost-effective to do so.

If a RHC is closed, funds appropriated for the RHC will be used for ongoing support of the residents transferred to community-based settings, and to serve currently eligible unserved people with developmental disabilities living in the community. If RHCs or portions of RHCs are closed under this act, DSHS must notify the appropriate policy and fiscal committees of the Senate and House of Representatives of the decision.

Appropriation: none

Revenue: none

Fiscal Note: available