
SUBSTITUTE HOUSE BILL 1429

State of Washington

61st Legislature

2009 Regular Session

By House Human Services (originally sponsored by Representatives O'Brien, Bailey, Sells, Hinkle, Cody, Kessler, Hudgins, Ericks, Moeller, Morrell, and Ormsby)

READ FIRST TIME 02/16/09.

1 AN ACT Relating to respite care for primary care providers of
2 persons with developmental disabilities; amending RCW 71A.12.161; and
3 adding a new section to chapter 71A.12 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 71A.12.161 and 2007 c 283 s 2 are each amended to read
6 as follows:

7 (1) The individual and family services program for individuals
8 eligible to receive services under this title is established. This
9 program replaces family support opportunities, traditional family
10 support, and the flexible family support pilot program. The department
11 shall transfer funding associated with these existing family support
12 programs to the individual and family services program and shall
13 operate the program within available funding. The services provided
14 under the individual and family services program shall be funded by
15 state funding without benefit of federal match.

16 (2) The department shall adopt rules to implement this section.
17 The rules shall provide:

18 (a) That eligibility to receive services in the individual and

1 family services program be determined solely by an assessment of
2 individual need;

3 (b) For service priority levels to be developed that specify a
4 maximum amount of dollars for each person per level per year;

5 (c) That the dollar caps for each service priority level be
6 adjusted by the vendor rate increases authorized by the legislature;
7 and

8 (d) That the following services be available under the program:

9 (i) Respite care;

10 (ii) Therapies;

11 (iii) Architectural and vehicular modifications;

12 (iv) Equipment and supplies;

13 (v) Specialized nutrition and clothing;

14 (vi) Excess medical costs not covered by another source;

15 (vii) Copays for medical and therapeutic services;

16 (viii) Transportation;

17 (ix) Training;

18 (x) Counseling;

19 (xi) Behavior management;

20 (xii) Parent/sibling education;

21 (xiii) Recreational opportunities; and

22 (xiv) Community services grants.

23 (3) In addition to services provided for the service priority
24 levels under subsections (1) and (2) of this section, the department
25 shall provide for:

26 (a) One-time exceptional needs and emergency needs for individuals
27 and families not receiving individual and family services annual grants
28 to assist individuals and families who experience a short-term crisis;
29 and

30 (b) Respite services based on the department's assessment for a
31 ~~((parent))~~ family member who resides with and is the primary caregiver,
32 sibling, grandparent, or other primary care provider who provides
33 personal care in the home to ~~((his or her))~~ an adult ~~((son or~~
34 ~~daughter))~~ with developmental disabilities.

35 (4) If a person has more complex needs, a family is experiencing a
36 more prolonged crisis, or it is determined a person needs additional
37 services, the department shall assess the individual to determine if
38 placement in a waiver program would be appropriate.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 71A.12 RCW
2 to read as follows:

3 For adults with developmental disabilities who are on the basic,
4 basic plus, or core waivers and assessed as needing respite services,
5 the department shall provide for respite services for a family member
6 who resides with the adult, is the primary caregiver, and provides
7 personal care to the adult in the home.

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