
HOUSE BILL 1029

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Armstrong, Hurst, Haigh, Shea, Crouse, Johnson, Miloscia, Kretz, Eddy, Haler, Fagan, Klippert, Alexander, Asay, Condotta, Pearson, Bailey, Taylor, Finn, Angel, Warnick, Rodne, Walsh, Nealey, McCune, Short, Smith, Ross, Parker, Hope, Schmick, Kristiansen, Blake, Dammeier, Takko, Chandler, Kelley, Hunt, and Moeller

Prefiled 12/14/10. Read first time 01/10/11. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to the department of social and health services;
2 amending RCW 43.17.010, 43.17.020, 42.17A.705, 43.17.010, 43.17.020,
3 and 42.17A.705; adding new sections to chapter 43.20A RCW; adding new
4 sections to chapter 41.06 RCW; adding new chapters to Title 43 RCW;
5 creating new sections; providing effective dates; and declaring an
6 emergency.

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

8 NEW SECTION. **Sec. 1.** (1) The legislature finds that the
9 department of social and health services has become so large that it:
10 (a) Is difficult to administer; (b) needs to better focus on critical
11 functions, such as protecting children and other vulnerable persons;
12 (c) needs to improve the delivery of the services and programs it is
13 responsible for; and (d) is difficult to measure the performance of the
14 agency in meeting its goals and responsibilities.

15 (2) The legislature finds that these problems are most visible in
16 the delivery of children's services, a functional area that the
17 legislature continues to address in a series of reform directives,
18 including the implementation of performance-based contracts and
19 redesigning the delivery of child welfare services as a result of

1 legislation passed in 2009. The legislature also notes that the
2 experience of best and promising practices strongly points to the
3 importance of delivering social services on an integrated, coordinated
4 basis and that modern information technologies and organizational
5 strategies suggest that smaller functional units can perform better
6 than large traditional hierarchical organizations. The legislature
7 finds that although the effectiveness of the department of social and
8 health services has continued to improve in recent years, further rapid
9 and substantial improvement must be achieved. Two principal factors in
10 this subsection compel this judgment.

11 (a) Cost control. The department now absorbs about one-third of
12 the state's operating budget, a share of state resources that has grown
13 over the past decade despite a stated policy of investing in evidence-
14 based and promising practices, each chosen to reduce net taxpayer
15 costs. Further, both the number and proportion of the state's citizens
16 receiving services from the department has continued to grow, in part
17 because the state is now experiencing a historically severe recession.
18 The legislature assumes that economic recovery will be very slow and
19 that the concomitant demand for services will remain high while
20 revenues remain extremely constrained.

21 (b) Outcomes. Without exception, none of the department's major
22 programs is achieving completely satisfactory outcomes despite a stated
23 policy of employing only evidence-based and promising practices, each
24 chosen to deliver measurable improvement in program effectiveness and
25 to reduce gradually the dependency of the state's citizens on social
26 and health services toward a reasonable, safety net minimum. Noting
27 again that resources are expected to be severely limited for the
28 foreseeable future, the legislature finds that immediate gains in
29 program effectiveness are needed to achieve improvement in outcomes.

30 (3) Therefore, the legislature finds that the state's overall
31 delivery of health and human services through the department of social
32 and health services and allied agencies must be restructured to respond
33 to the current recession, to achieve cost-effectiveness of operations,
34 and to organize the delivery of health and human services through an
35 integrated services model which includes relevant agencies and
36 organizations including those at the local service delivery level.

1 (3) All employees of the department of social and health services
2 performing the powers, duties, and functions transferred are
3 transferred to the jurisdiction of the realignment team established
4 under section 507 of this act to be transferred to the appropriate
5 department. All employees classified under chapter 41.06 RCW, the
6 state civil service law, are assigned to their respective departments
7 to perform their usual duties upon the same terms as formerly, without
8 any loss of rights, subject to any action that may be appropriate
9 thereafter in accordance with the laws and rules governing state civil
10 service.

11 (4) All rules and all pending business before the department of
12 social and health services pertaining to the powers, duties, and
13 functions transferred shall be continued and acted upon by the
14 appropriate department created under this act. All existing contracts
15 and obligations shall remain in full force and shall be performed by
16 the appropriate department.

17 (5) The transfer of the powers, duties, functions, and personnel of
18 the department of social and health services shall not affect the
19 validity of any act performed before the effective date of this
20 section.

21 (6) If apportionments of budgeted funds are required because of the
22 transfers directed by this section, the director of financial
23 management shall certify the apportionments to the agencies affected,
24 the state auditor, and the state treasurer. Each of these shall make
25 the appropriate transfer and adjustments in funds and appropriation
26 accounts and equipment records in accordance with the certification.

27 (7) Nothing contained in this section may be construed to alter any
28 existing collective bargaining unit or the provisions of any existing
29 collective bargaining agreement until the agreement has expired or
30 until the bargaining unit has been modified by action of the public
31 employment relations commission as provided by law.

32 NEW SECTION. **Sec. 102.** A new section is added to chapter 43.20A
33 RCW to read as follows:

34 The social and health care authority has the following
35 responsibilities that were previously the responsibility of the
36 department of social and health services.

1 (1) Economic services activities. The social and health care
2 authority shall make eligibility determinations for assistance
3 programs; coordinate child support recovery and enforcement activities;
4 manage federal and state food assistance programs; administer federal
5 and state cash assistance programs for needy families and individuals;
6 and administer payment programs that provide child care services.

7 (2) State health care purchasing functions. The social and health
8 care authority shall administer the medical assistance, medical care
9 services, and children's health programs under chapter 74.09 RCW, the
10 basic health plan under chapter 70.47 RCW, and health benefit programs
11 for public employees under chapter 41.05 RCW; coordinate the purchase
12 of health care services under the programs that it administers using
13 cost control and service delivery strategies; and establish common
14 billing, purchasing, and auditing practices, including the development
15 of practices related to pharmacy audits and billing in consultation
16 with the Washington state pharmacy association and other interested
17 parties.

18 (3) Systems oversight functions. The social and health care
19 authority has oversight responsibility for the new departments of
20 mental health and chemical dependency services, children and family
21 services, and long-term care and rehabilitative services pertaining to
22 systems oversight, including performance and quality management;
23 performance and financial audits; investigations and enforcement; and
24 client advocacy. The authority must ensure that quality management
25 plans, including Washington state quality award assessments, are put in
26 place by the new departments.

27 **PART II**

28 **DEPARTMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY SERVICES**

29 NEW SECTION. **Sec. 201.** There is created a department of state
30 government to be known as the department of mental health and chemical
31 dependency services. The department is vested with all powers and
32 duties transferred to it under this chapter, section 507 of this act,
33 and such other powers and duties as may be authorized by law.

34 NEW SECTION. **Sec. 202.** The definitions in this section apply
35 throughout this chapter unless the context clearly requires otherwise.

1 (1) "Department" means the department of mental health and chemical
2 dependency services.

3 (2) "Director" means the director of mental health and chemical
4 dependency services.

5 NEW SECTION. **Sec. 203.** The executive head and appointing
6 authority of the department is the director. The director shall be
7 appointed by the governor, with the consent of the senate, and shall
8 serve at the pleasure of the governor. The director shall be paid a
9 salary to be fixed by the governor in accordance with RCW 43.03.040.
10 If a vacancy occurs in the position while the senate is not in session,
11 the governor shall make a temporary appointment until the next meeting
12 of the senate.

13 NEW SECTION. **Sec. 204.** It is the intent of the legislature
14 wherever possible, except as provided in sections 101 and 102 of this
15 act, to place the internal affairs of the department under the control
16 of the director in order that the director may institute therein the
17 flexible, alert, and intelligent management of its business that
18 changing contemporary circumstances require. Therefore, whenever the
19 director's authority is not specifically limited by law, the director
20 has complete charge and supervisory powers over the department. The
21 director may create such administrative structures as the director
22 considers appropriate, except as otherwise specified by law. The
23 director may employ such assistants and personnel as necessary for the
24 general administration of the department. This employment shall be in
25 accordance with the state civil service law, chapter 41.06 RCW, except
26 as otherwise provided.

27 NEW SECTION. **Sec. 205.** The director shall appoint a deputy
28 director and such assistant directors as may be needed to administer
29 the department. The deputy director shall have charge and general
30 supervision of the department in the absence or disability of the
31 director and, in case of a vacancy in the office of director, shall
32 continue in charge of the department until a successor is appointed and
33 qualified, or until the governor appoints an acting director.

1 transferred to it under this chapter, section 507 of this act, and such
2 other powers and duties as may be authorized by law.

3 NEW SECTION. **Sec. 302.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires otherwise.

5 (1) "Department" means the department of children and family
6 services.

7 (2) "Director" means the director of children and family services.

8 NEW SECTION. **Sec. 303.** The executive head and appointing
9 authority of the department is the director. The director shall be
10 appointed by the governor, with the consent of the senate, and shall
11 serve at the pleasure of the governor. The director shall be paid a
12 salary to be fixed by the governor in accordance with RCW 43.03.040.
13 If a vacancy occurs in the position while the senate is not in session,
14 the governor shall make a temporary appointment until the next meeting
15 of the senate.

16 NEW SECTION. **Sec. 304.** It is the intent of the legislature
17 wherever possible, except as provided in sections 101 and 102 of this
18 act, to place the internal affairs of the department under the control
19 of the director in order that the director may institute therein the
20 flexible, alert, and intelligent management of its business that
21 changing contemporary circumstances require. Therefore, whenever the
22 director's authority is not specifically limited by law, the director
23 has complete charge and supervisory powers over the department. The
24 director may create such administrative structures as the director
25 considers appropriate, except as otherwise specified by law. The
26 director may employ such assistants and personnel as necessary for the
27 general administration of the department. This employment shall be in
28 accordance with the state civil service law, chapter 41.06 RCW, except
29 as otherwise provided.

30 NEW SECTION. **Sec. 305.** The director shall appoint a deputy
31 director and such assistant directors as may be needed to administer
32 the department. The deputy director shall have charge and general
33 supervision of the department in the absence or disability of the

1 director and, in case of a vacancy in the office of director, shall
2 continue in charge of the department until a successor is appointed and
3 qualified, or until the governor appoints an acting director.

4 NEW SECTION. **Sec. 306.** Any power or duty vested in or transferred
5 to the director by law or executive order may be delegated by the
6 director to the deputy director or to any other assistant or
7 subordinate; but the director shall be responsible for the official
8 acts of the officers and employees of the department.

9 NEW SECTION. **Sec. 307.** In furtherance of the policy of the state
10 to cooperate with the federal government in all of the programs under
11 the jurisdiction of the department, such rules as may become necessary
12 to entitle the state to participate in federal funds may be adopted,
13 unless expressly prohibited by law. Any internal reorganization
14 carried out under the terms of this chapter shall meet federal
15 requirements that are a necessary condition to state receipt of federal
16 funds. Any section or provision of law dealing with the department
17 that may be susceptible to more than one construction shall be
18 interpreted in favor of the construction most likely to comply with
19 federal laws entitling this state to receive federal funds for the
20 various programs of the department. If any law dealing with the
21 department is ruled to be in conflict with federal requirements that
22 are a prescribed condition of the allocation of federal funds to the
23 state, or to any departments or agencies thereof, the conflicting part
24 is declared to be inoperative solely to the extent of the conflict.

25 NEW SECTION. **Sec. 308.** A new section is added to chapter 41.06
26 RCW to read as follows:

27 In addition to the exemptions under RCW 41.06.070, the provisions
28 of this chapter shall not apply in the department of children and
29 family services to the director, the director's personal secretary, the
30 deputy director, all division directors and assistant directors, and
31 one confidential secretary for each of these officers.

32 **PART IV**
33 **DEPARTMENT OF LONG-TERM CARE AND REHABILITATIVE SERVICES**

1 NEW SECTION. **Sec. 401.** There is created a department of state
2 government to be known as the department of long-term care and
3 rehabilitative services. The department is vested with all powers and
4 duties transferred to it under this chapter, section 507 of this act,
5 and such other powers and duties as may be authorized by law.

6 NEW SECTION. **Sec. 402.** The definitions in this section apply
7 throughout this chapter unless the context clearly requires otherwise.

8 (1) "Department" means the department of long-term care and
9 rehabilitative services.

10 (2) "Director" means the director of long-term care and
11 rehabilitative services.

12 NEW SECTION. **Sec. 403.** The executive head and appointing
13 authority of the department is the director. The director shall be
14 appointed by the governor, with the consent of the senate, and shall
15 serve at the pleasure of the governor. The director shall be paid a
16 salary to be fixed by the governor in accordance with RCW 43.03.040.
17 If a vacancy occurs in the position while the senate is not in session,
18 the governor shall make a temporary appointment until the next meeting
19 of the senate.

20 NEW SECTION. **Sec. 404.** It is the intent of the legislature
21 wherever possible, except as provided in sections 101 and 102 of this
22 act, to place the internal affairs of the department under the control
23 of the director in order that the director may institute therein the
24 flexible, alert, and intelligent management of its business that
25 changing contemporary circumstances require. Therefore, whenever the
26 director's authority is not specifically limited by law, the director
27 has complete charge and supervisory powers over the department. The
28 director may create such administrative structures as the director
29 considers appropriate, except as otherwise specified by law. The
30 director may employ such assistants and personnel as necessary for the
31 general administration of the department. This employment shall be in
32 accordance with the state civil service law, chapter 41.06 RCW, except
33 as otherwise provided.

1 NEW SECTION. **Sec. 405.** The director shall appoint a deputy
2 director and such assistant directors as may be needed to administer
3 the department. The deputy director shall have charge and general
4 supervision of the department in the absence or disability of the
5 director and, in case of a vacancy in the office of director, shall
6 continue in charge of the department until a successor is appointed and
7 qualified, or until the governor appoints an acting director.

8 NEW SECTION. **Sec. 406.** Any power or duty vested in or transferred
9 to the director by law or executive order may be delegated by the
10 director to the deputy director or to any other assistant or
11 subordinate; but the director shall be responsible for the official
12 acts of the officers and employees of the department.

13 NEW SECTION. **Sec. 407.** In furtherance of the policy of the state
14 to cooperate with the federal government in all of the programs under
15 the jurisdiction of the department, such rules as may become necessary
16 to entitle the state to participate in federal funds may be adopted,
17 unless expressly prohibited by law. Any internal reorganization
18 carried out under the terms of this chapter shall meet federal
19 requirements that are a necessary condition to state receipt of federal
20 funds. Any section or provision of law dealing with the department
21 that may be susceptible to more than one construction shall be
22 interpreted in favor of the construction most likely to comply with
23 federal laws entitling this state to receive federal funds for the
24 various programs of the department. If any law dealing with the
25 department is ruled to be in conflict with federal requirements that
26 are a prescribed condition of the allocation of federal funds to the
27 state, or to any departments or agencies thereof, the conflicting part
28 is declared to be inoperative solely to the extent of the conflict.

29 NEW SECTION. **Sec. 408.** A new section is added to chapter 41.06
30 RCW to read as follows:

31 In addition to the exemptions under RCW 41.06.070, the provisions
32 of this chapter shall not apply in the department of long-term care and
33 rehabilitative services to the director, the director's personal
34 secretary, the deputy director, all division directors and assistant
35 directors, and one confidential secretary for each of these officers.

1 Such officers, except the director of fish and wildlife, shall be
2 appointed by the governor, with the consent of the senate, and hold
3 office at the pleasure of the governor. The director of fish and
4 wildlife shall be appointed by the fish and wildlife commission as
5 prescribed by RCW 77.04.055.

6 **Sec. 503.** RCW 42.17A.705 and 2010 c 204 s 902 are each amended to
7 read as follows:

8 For the purposes of RCW 42.17A.700, "executive state officer"
9 includes:

10 (1) The chief administrative law judge, the director of
11 agriculture, the director of the department of services for the blind,
12 the director of the state system of community and technical colleges,
13 the director of commerce, the secretary of corrections, the director of
14 early learning, the director of ecology, the commissioner of employment
15 security, the chair of the energy facility site evaluation council, the
16 secretary of the state finance committee, the director of financial
17 management, the director of fish and wildlife, the executive secretary
18 of the forest practices appeals board, the director of the gambling
19 commission, the director of general administration, the secretary of
20 health, the administrator of the Washington state health care
21 authority, the executive secretary of the health care facilities
22 authority, the executive secretary of the higher education facilities
23 authority, the executive secretary of the horse racing commission, the
24 executive secretary of the human rights commission, the executive
25 secretary of the indeterminate sentence review board, the director of
26 the department of information services, the executive director of the
27 state investment board, the director of labor and industries, the
28 director of licensing, the director of the lottery commission, the
29 director of the office of minority and women's business enterprises,
30 the director of parks and recreation, the director of personnel, the
31 executive director of the public disclosure commission, the executive
32 director of the Puget Sound partnership, the director of the recreation
33 and conservation office, the director of retirement systems, the
34 director of revenue, the ((~~secretary~~)) director of the social and
35 health ((~~services~~)) care authority, the chief of the Washington state
36 patrol, the executive secretary of the board of tax appeals, the
37 secretary of transportation, the secretary of the utilities and

1 transportation commission, the director of veterans affairs, the
2 president of each of the regional and state universities and the
3 president of The Evergreen State College, (~~and~~) each district and
4 each campus president of each state community college, and the director
5 of children and family services;

- 6 (2) Each professional staff member of the office of the governor;
- 7 (3) Each professional staff member of the legislature; and
- 8 (4) Central Washington University board of trustees, the boards of
9 trustees of each community college and each technical college, each
10 member of the state board for community and technical colleges, state
11 convention and trade center board of directors, Eastern Washington
12 University board of trustees, Washington economic development finance
13 authority, Washington energy northwest executive board, The Evergreen
14 State College board of trustees, executive ethics board, fish and
15 wildlife commission, forest practices appeals board, forest practices
16 board, gambling commission, Washington health care facilities
17 authority, higher education coordinating board, higher education
18 facilities authority, horse racing commission, state housing finance
19 commission, human rights commission, indeterminate sentence review
20 board, board of industrial insurance appeals, information services
21 board, state investment board, commission on judicial conduct,
22 legislative ethics board, life sciences discovery fund authority board
23 of trustees, liquor control board, lottery commission, Pacific
24 Northwest electric power and conservation planning council, parks and
25 recreation commission, Washington personnel resources board, board of
26 pilotage commissioners, pollution control hearings board, public
27 disclosure commission, public employees' benefits board, recreation and
28 conservation funding board, salmon recovery funding board, shorelines
29 hearings board, board of tax appeals, transportation commission,
30 University of Washington board of regents, utilities and transportation
31 commission, Washington State University board of regents, and Western
32 Washington University board of trustees.

33 **Sec. 504.** RCW 43.17.010 and 2011 c ... s 501 (section 501 of this
34 act) are each amended to read as follows:

35 There shall be departments of the state government which shall be
36 known as (1) the social and health care authority, (2) the department
37 of ecology, (3) the department of labor and industries, (4) the

1 department of agriculture, (5) the department of fish and wildlife, (6)
2 the department of transportation, (7) the department of licensing, (8)
3 the department of general administration, (9) the department of
4 commerce, (10) the department of veterans affairs, (11) the department
5 of revenue, (12) the department of retirement systems, (13) the
6 department of corrections, (14) the department of health, (15) the
7 department of financial institutions, (16) the department of
8 archaeology and historic preservation, (17) the department of early
9 learning, (18) the Puget Sound partnership, (~~and~~) (19) the department
10 of children and family services, (20) the department of mental health
11 and chemical dependency services, and (21) the department of long-term
12 care and rehabilitative services, which shall be charged with the
13 execution, enforcement, and administration of such laws, and invested
14 with such powers and required to perform such duties, as the
15 legislature may provide.

16 **Sec. 505.** RCW 43.17.020 and 2011 c ... s 502 (section 502 of this
17 act) are each amended to read as follows:

18 There shall be a chief executive officer of each department to be
19 known as: (1) The director of the social and health care authority,
20 (2) the director of ecology, (3) the director of labor and industries,
21 (4) the director of agriculture, (5) the director of fish and wildlife,
22 (6) the secretary of transportation, (7) the director of licensing, (8)
23 the director of general administration, (9) the director of commerce,
24 (10) the director of veterans affairs, (11) the director of revenue,
25 (12) the director of retirement systems, (13) the secretary of
26 corrections, (14) the secretary of health, (15) the director of
27 financial institutions, (16) the director of the department of
28 archaeology and historic preservation, (17) the director of early
29 learning, (18) the executive director of the Puget Sound partnership,
30 (~~and~~) (19) the director of children and family services, (20) the
31 director of mental health and chemical dependency services, and (21)
32 the director of long-term care and rehabilitative services.

33 Such officers, except the director of fish and wildlife, shall be
34 appointed by the governor, with the consent of the senate, and hold
35 office at the pleasure of the governor. The director of fish and
36 wildlife shall be appointed by the fish and wildlife commission as
37 prescribed by RCW 77.04.055.

1 **Sec. 506.** RCW 42.17A.705 and 2011 c ... s 503 (section 503 of this
2 act) are each amended to read as follows:

3 For the purposes of RCW 42.17.240, the term "executive state
4 officer" includes:

5 (1) The chief administrative law judge, the director of
6 agriculture, the administrator of the Washington basic health plan, the
7 director of the department of services for the blind, the director of
8 the state system of community and technical colleges, the director of
9 commerce, the secretary of corrections, the director of early learning,
10 the director of ecology, the commissioner of employment security, the
11 chair of the energy facility site evaluation council, the secretary of
12 the state finance committee, the director of financial management, the
13 director of fish and wildlife, the executive secretary of the forest
14 practices appeals board, the director of the gambling commission, the
15 director of general administration, the secretary of health, the
16 administrator of the Washington state health care authority, the
17 executive secretary of the health care facilities authority, the
18 executive secretary of the higher education facilities authority, the
19 executive secretary of the horse racing commission, the executive
20 secretary of the human rights commission, the executive secretary of
21 the indeterminate sentence review board, the director of the department
22 of information services, the executive director of the state investment
23 board, the director of labor and industries, the director of licensing,
24 the director of the lottery commission, the director of the office of
25 minority and women's business enterprises, the director of parks and
26 recreation, the director of personnel, the executive director of the
27 public disclosure commission, the executive director of the Puget Sound
28 partnership, the director of the recreation and conservation office,
29 the director of retirement systems, the director of revenue, the
30 director of the social and health care authority, the chief of the
31 Washington state patrol, the executive secretary of the board of tax
32 appeals, the secretary of transportation, the secretary of the
33 utilities and transportation commission, the director of veterans
34 affairs, the president of each of the regional and state universities
35 and the president of The Evergreen State College, each district and
36 each campus president of each state community college, (~~and~~) the
37 director of children and family services, the director of mental health

1 and chemical dependency services, and the director of long-term care
2 and rehabilitative services;

3 (2) Each professional staff member of the office of the governor;

4 (3) Each professional staff member of the legislature; and

5 (4) Central Washington University board of trustees, the boards of
6 trustees of each community college and each technical college, each
7 member of the state board for community and technical colleges, state
8 convention and trade center board of directors, committee for deferred
9 compensation, Eastern Washington University board of trustees,
10 Washington economic development finance authority, The Evergreen State
11 College board of trustees, executive ethics board, forest practices
12 appeals board, forest practices board, gambling commission, life
13 sciences discovery fund authority board of trustees, Washington health
14 care facilities authority, each member of the Washington health
15 services commission, higher education coordinating board, higher
16 education facilities authority, horse racing commission, state housing
17 finance commission, human rights commission, indeterminate sentence
18 review board, board of industrial insurance appeals, information
19 services board, recreation and conservation funding board, state
20 investment board, commission on judicial conduct, legislative ethics
21 board, liquor control board, lottery commission, marine oversight
22 board, Pacific Northwest electric power and conservation planning
23 council, parks and recreation commission, board of pilotage
24 commissioners, pollution control hearings board, public disclosure
25 commission, public pension commission, shorelines hearings board,
26 public employees' benefits board, salmon recovery funding board, board
27 of tax appeals, transportation commission, University of Washington
28 board of regents, utilities and transportation commission, Washington
29 state maritime commission, Washington personnel resources board,
30 Washington public power supply system executive board, Washington State
31 University board of regents, Western Washington University board of
32 trustees, and fish and wildlife commission.

33 NEW SECTION. **Sec. 507.** (1) A realignment team shall be formed by
34 July 1, 2011, to direct the details of administration of this act. The
35 governor shall appoint representatives from the office of financial
36 management, the divisions of the department of social and health

1 services, and other agency representatives as warranted. Leadership
2 from each of the two major caucuses in the house of representatives and
3 the senate shall appoint a member to the realignment team.

4 (2) The realignment team shall determine which functions of the
5 department of social and health services shall be transferred into the
6 new departments under this act after the effective date of this
7 section. The realignment team may propose an alternative structural
8 plan if it finds that such a change would be more efficient and
9 effective.

10 (3) The realignment team shall fully involve the office of the
11 state auditor and relevant stakeholders, including local government and
12 community service providers. The realignment team shall consult
13 regularly with the chairs and ranking minority members, or their
14 designees of the relevant policy and fiscal committees in the house of
15 representatives and the senate.

16 NEW SECTION. **Sec. 508.** (1) The realignment team created in
17 section 507 of this act shall, by December 1, 2011, submit a plan and
18 necessary implementing legislation to the legislature for the
19 restructuring of the department of social and health services. The
20 plan shall be designed so that the department of children and family
21 services will be operating by July 1, 2012, and the department of
22 mental health and chemical dependency services and the department of
23 long-term care and rehabilitative services, or similar structure will
24 be operating by July 1, 2013.

25 (2) The plan shall include, but is not limited to, the following
26 elements:

27 (a) Strategies for dividing the functions and responsibilities of
28 the department into the appropriate new agencies including a strategic
29 plan for each new agency created in this act that includes
30 implementation steps, performance measures, evaluation measures, and
31 methods for functional collaboration among programs and agencies;

32 (b) Recommendations for changes in existing programs and functions
33 of the department of social and health services; and

34 (c) Implementation steps necessary to bring about operation of the
35 new agencies.

1 NEW SECTION. **Sec. 509.** Sections 201 through 207 of this act
2 constitute a new chapter in Title 43 RCW.

3 NEW SECTION. **Sec. 510.** Sections 301 through 307 of this act
4 constitute a new chapter in Title 43 RCW.

5 NEW SECTION. **Sec. 511.** Sections 401 through 407 of this act
6 constitute a new chapter in Title 43 RCW.

7 NEW SECTION. **Sec. 512.** Section 507 of this act is necessary for
8 the immediate preservation of the public peace, health, or safety, or
9 support of the state government and its existing public institutions,
10 and takes effect immediately.

11 NEW SECTION. **Sec. 513.** Sections 101, 102, 301 through 308, and
12 501 through 503 of this act take effect July 1, 2012.

13 NEW SECTION. **Sec. 514.** Sections 201 through 208, 401 through 408,
14 and 504 through 506 of this act take effect July 1, 2013.

15 NEW SECTION. **Sec. 515.** If any provision of this act or its
16 application to any person or circumstance is held invalid, the
17 remainder of the act or the application of the provision to other
18 persons or circumstances is not affected.

--- END ---