
SECOND SUBSTITUTE SENATE BILL 5467

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Pflug, Parlette, Kastama, Franklin, Fairley, Weinstein, Marr, Tom, Brown, Hargrove, Zarelli, McAuliffe, Regala, Clements, Kilmer, Oemig, Pridemore, Rasmussen, Kohl-Welles, Benton, Kline and Roach)

READ FIRST TIME 03/05/07.

1 AN ACT Relating to creating the individual and family services
2 program for people with developmental disabilities; adding a new
3 section to chapter 71A.12 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) A developmental disability is a natural part of human life, and
7 the presence of a developmental disability in the life of a person does
8 not diminish the person's rights or opportunity to participate fully in
9 the life of the local community;

10 (b) Investing in family members who have children and adults living
11 in the family home preserves a valuable natural support system for the
12 individual with a developmental disability and is also cost-effective
13 for the state of Washington;

14 (c) Providing support services to families can help maintain the
15 well-being of the family and stabilize the family unit.

16 (2) It is the intent of the legislature:

17 (a) To partner with families as care providers for children with
18 developmental disabilities and adults who choose to live in the family
19 home;

1 (b) That individual and family services be centered on the needs of
2 the person with a developmental disability and the family;

3 (c) That, to the maximum extent possible, individuals and families
4 must be given choice of services and exercise control over the
5 resources available to them.

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

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

17 (2) The department shall adopt rules to implement this section.
18 The rules shall include:

19 (a) That eligibility for families with children under the age of
20 eighteen to receive services in the individual and family services
21 program be determined and prioritized by an assessment of individual
22 need and financial eligibility that is based upon the combined taxable
23 income of the parents and children with developmental disabilities.
24 Taxable income must be at or below four hundred percent of the federal
25 poverty level;

26 (b) That eligibility for adults with developmental disabilities who
27 live with their families to receive services in the individual and
28 family services program be determined and prioritized by an assessment
29 of individual need and financial eligibility that is based upon the
30 earned and unearned income of the adult with the developmental
31 disability. Taxable income must be at or below four hundred percent of
32 the federal poverty level;

33 (c) For service priority levels to be developed that specify a
34 maximum amount of dollars for each person per level per year. When
35 defining service priority levels the department shall consider the
36 amount of supervision an individual needs, behavioral challenges, and
37 caregiver stress;

1 (d) That the dollar caps for each service priority level be
2 adjusted by the vendor rate increases authorized by the legislature;

3 (e) That the following services be available under the program:

4 (i) Respite care including respite care for a parent who provides
5 paid personal care to his or her adult son or daughter with
6 developmental disabilities who resides in the home;

7 (ii) Therapies;

8 (iii) Architectural and vehicular modifications;

9 (iv) Equipment and supplies;

10 (v) Specialized nutrition and clothing;

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

12 (vii) Copays for medical and therapeutic services;

13 (viii) Transportation;

14 (ix) Training;

15 (x) Counseling;

16 (xi) Behavior management;

17 (xii) Parent/sibling education;

18 (xiii) Recreational opportunities; and

19 (xiv) Community services grants; and

20 (f) Other standards or requirements consistent with this section.

21 (3) Funding, in addition to funding for the service priority
22 levels, shall be provided for one-time exceptional needs and emergency
23 needs for eligible individuals and families not receiving individual
24 and family services annual grants to assist individuals and families
25 who experience a short-term crisis.

26 NEW SECTION. **Sec. 3.** No later than January 1, 2008, the
27 department of social and health services shall report to the
28 appropriate policy committees of the legislature on the following:

29 (1) The number of people receiving services under the individual
30 and family services program, and the type of services;

31 (2) The number of respite hours for paid parent providers and the
32 cost for those services;

33 (3) Reasons why people were denied for services, including how many
34 people were denied due to income, and their level of income, if
35 available;

36 (4) The service priority levels and income of people receiving
37 services;

1 (5) Any recommendations on how to improve the program that would
2 need additional legislation.

3 NEW SECTION. **Sec. 4.** This act may be known and cited as the Lance
4 Morehouse, Jr. memorial individual and family services act.

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