
SUBSTITUTE SENATE BILL 6448

State of Washington

60th Legislature

2008 Regular Session

By Senate Ways & Means (originally sponsored by Senators Marr, Zarelli, Keiser, Delvin, Kline, Brown, Brandland, Kohl-Welles, Fairley, Shin, Pflug, McAuliffe, Rasmussen, and Kilmer)

READ FIRST TIME 02/12/08.

1 AN ACT Relating to intensive behavior support services for children
2 with developmental disabilities; adding a new chapter to Title 71A RCW;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that nationally the
6 use of institutions for adults with developmental disabilities has
7 declined dramatically, and that the use of institutions for children
8 with developmental disabilities is extremely rare. However, the
9 legislature finds that since 2005 an increasing number of children in
10 Washington state have been admitted to the state's residential
11 habilitation centers.

12 The legislature recognizes that sufficient community-based support
13 services have not been provided in Washington state for children with
14 developmental disabilities with intense behaviors and their families.

15 Within funds appropriated for this specific purpose, the
16 legislature directs the division of developmental disabilities to
17 create an intensive behavior support services program. The legislature
18 intends for these services to be locally based and offered as early as
19 possible to avoid family disruption and out-of-home placement.

1 NEW SECTION. **Sec. 2.** Within funds appropriated for this specific
2 purpose, intensive behavior support services may be provided to
3 children and their families only when the department has determined
4 that:

5 (1) The child is under the age of eighteen;

6 (2) The child has a developmental disability and has been
7 determined eligible for these services;

8 (3) The child/family score is substantially high enough on the
9 behavior sections of the assessment conducted by the division of
10 developmental disabilities within the department to indicate the
11 child's behavior puts the child or family at significant risk and/or is
12 very likely to require an out-of-home placement;

13 (4) The child meets eligibility for the home and community waiver
14 or waivers;

15 (5) The child resides in his or her family home or is temporarily
16 in an out-of-home placement with a plan to return home;

17 (6) The family demonstrates the ability and willingness to learn
18 the skills necessary to participate in the care outlined in the
19 completed individual support plan; and

20 (7) The family is not subject to a pending child protective
21 services referral.

22 NEW SECTION. **Sec. 3.** The intensive behavior support services
23 program shall be designed to enhance the child's and parent's skills to
24 manage behaviors, increase family and personal self-sufficiency,
25 improve functioning of the family, reduce stress on children and
26 families, assist the family to locate and use other community services,
27 and to reduce the use of more costly out-of-home placement or other
28 more costly services. Intensive behavior support services must utilize
29 best practices and evidence-based practices, and may include:

30 (1) Coordination and planning;

31 (2) Intensive behavior management training of families and other
32 individuals and partners working with the child in all domains,
33 including the school and individualized education plan team;

34 (3) Behavior consultation;

35 (4) Minor home adaptations;

36 (5) Motor vehicle adaptations;

37 (6) Goods, services, and supplies;

- 1 (7) In-home personal care;
- 2 (8) Therapies; and
- 3 (9) In-home respite and planned out-of-home respite.

4 NEW SECTION. **Sec. 4.** The department shall be the lead
5 administrative agency for intensive behavior support services and shall
6 contract for the delivery of intensive behavior support services. The
7 department shall also:

8 (1) Collaborate with appropriate stakeholders to develop and
9 implement the intensive behavior support services program within the
10 division of developmental disabilities;

11 (2) Provide coordination and planning for the implementation of
12 intensive behavior support services;

13 (3) Collect data regarding the number of families served, and cost
14 and outcomes of the program;

15 (4) License out-of-home placements on a timely basis;

16 (5) Assess the child for out-of-home placement in a waiver program
17 if the child has more complex needs and the family is unable to care
18 for the child at home; and

19 (6) Adopt the necessary rules to implement the program.

20 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
21 a new chapter in Title 71A RCW.

22 NEW SECTION. **Sec. 6.** If specific funding for the purposes of this
23 act, referencing this act by bill or chapter number, is not provided by
24 June 30, 2008, in the omnibus appropriations act, this act is null and
25 void.

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