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ENGROSSED SUBSTITUTE HOUSE BILL 2163

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State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Human Services (originally sponsored by Representatives Ogden, Silver, Valle, Dunshee, Fuhrman, Carlson, H. Myers and Leonard; by request of Legislative Budget Committee)

Read first time 02/04/94.

1 AN ACT Relating to residential habilitation centers; adding new  
2 sections to chapter 71A.20 RCW; creating new sections; and declaring an  
3 emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 71A.20 RCW  
6 to read as follows:

7 The legislature recognizes that living in home and community-based  
8 settings is most conducive to personal growth and independence for  
9 people with developmental disabilities and is generally more cost-  
10 effective than institutional care. The legislature also recognizes  
11 that state institutions for people with developmental disabilities are  
12 needed for special populations who require care, treatment, or  
13 supervision that cannot be provided in a safe and cost-effective manner  
14 in home and community-based settings. The legislature intends that the  
15 residential habilitation centers shall develop into specialized  
16 resources to assure public safety, provide assessments and treatment  
17 plans for specialized disabling conditions, or provide specialized  
18 support that cannot be provided in a cost-effective manner through home  
19 or community-based services. The legislature also affirms its support

1 for cost-effective publicly and privately operated community-based  
2 services.

3 NEW SECTION. **Sec. 2.** The secretary shall establish an appropriate  
4 methodology, including use of a standardized assessment instrument, and  
5 assess each current resident of a residential habilitation center. The  
6 secretary shall analyze the data and report the score distributions and  
7 appropriate summary information. In addition, for each assessment the  
8 secretary shall:

9 (1) Identify the client-specific barriers to a community placement,  
10 including:

11 (a) Parent or guardian opposition to a community placement;

12 (b) Significant risks to public safety if the resident moves to a  
13 community placement;

14 (c) Significant risks to the resident's personal safety if the  
15 resident moves to a community placement;

16 (d) Need for intensive medical services not available at reasonable  
17 cost in a community placement;

18 (e) Need for other supports or supervision not available at  
19 reasonable cost in a community placement; and

20 (f) Other client-specific barriers to a community placement.

21 (2) Analyze all placement options and comparable costs in order to  
22 determine the most cost-effective type of placement in which the  
23 resident can receive needed supports and services.

24 The secretary shall report the information required under this  
25 section to the appropriate legislative committees by November 15, 1994.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 71A.20 RCW  
27 to read as follows:

28 By December 15, 1994, the secretary shall transmit to the  
29 appropriate legislative committees a plan regarding the future public  
30 and private service delivery system for people with developmental  
31 disabilities. The plan shall include:

32 (1) The examination of the future use of residential habilitation  
33 centers;

34 (2) Specific criteria for residence in a residential habilitation  
35 center consistent with the intent of chapter --, Laws of 1994 (this  
36 act);

1 (3) An estimate of the number of people who are expected to meet  
2 the criteria for residence in a residential habilitation center;

3 (4) A plan outlining safe, cost-effective community care for the  
4 current residents who do not meet residential habilitation center  
5 placement criteria;

6 (5) Proposed uses for excess residential habilitation center  
7 grounds and buildings by other governmental or private entities in ways  
8 that the proceeds will benefit people with developmental disabilities;

9 (6) Strategies to retrain and/or provide new jobs in developmental  
10 disability community care or in other public service for any staff not  
11 needed in the residential habilitation centers. The strategies shall  
12 include but not be limited to options for development of cost-effective  
13 publicly operated community-based residential and other support  
14 services. The legislature recognizes the commitments that have been  
15 made to the state-operated living arrangements; and

16 (7) An examination of data concerning service delivery need by  
17 geographic area, public and private capacity to provide services,  
18 funding mechanisms and federal reimbursement formulas, and other  
19 factors affecting quality services for people with developmental  
20 disabilities.

21 NEW SECTION. **Sec. 4.** To assist in preparation of the plan  
22 required under section 3 of this act, the secretary shall convene a  
23 task force consisting of representatives from the advocacy round table,  
24 developmental disabilities planning council, and state employee unions.  
25 The task force shall advise and make recommendations to the secretary  
26 on the plan and related issues for people with developmental  
27 disabilities. To the extent possible, the task force shall examine  
28 existing studies and data concerning service delivery and need by  
29 geographic area, public and private capacity to deliver services,  
30 funding mechanisms, reimbursement formulas, state regulations, and  
31 other factors affecting costs and quality of services for people with  
32 developmental disabilities. This section shall expire on December 15,  
33 1994.

34 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
35 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take  
2 effect immediately.

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