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**SUBSTITUTE HOUSE BILL 1548**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** House Committee on Human Services (originally sponsored by Representatives Pettigrew, Miloscia, Jarrett, O'Brien, Haler, Priest, Ormsby, Roberts, Eddy, Darneille, Appleton, Walsh, Sells, Barlow, Kenney, Conway, Kristiansen, Ericks, P. Sullivan, Goodman, Linville, Wood, Pearson, Moeller, Springer, Lovick, Lantz, Morrell and Santos)

READ FIRST TIME 02/08/07.

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 provide:

19 (a) That eligibility to receive services in the individual and  
20 family services program be determined solely by an assessment of  
21 individual need;

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

24 (c) That the dollar caps for each service priority level be  
25 adjusted by the vendor rate increases authorized by the legislature;  
26 and

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

- 28 (i) Respite care;
- 29 (ii) Therapies;
- 30 (iii) Architectural and vehicular modifications;
- 31 (iv) Equipment and supplies;
- 32 (v) Specialized nutrition and clothing;
- 33 (vi) Excess medical costs not covered by another source;
- 34 (vii) Copays for medical and therapeutic services;
- 35 (viii) Transportation;
- 36 (ix) Training;
- 37 (x) Counseling;

- 1 (xi) Behavior management;
- 2 (xii) Parent/sibling education;
- 3 (xiii) Recreational opportunities; and
- 4 (xiv) Community services grants.

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

8 (a) One-time exceptional needs and emergency needs for individuals  
9 and families not receiving individual and family services annual grants  
10 to assist individuals and families who experience a short-term crisis;  
11 and

12 (b) Respite services based on the department's assessment for a  
13 parent who provides personal care in the home to his or her adult son  
14 or daughter with developmental disabilities.

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

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

21 NEW SECTION. **Sec. 4.** Nothing in this section shall be construed  
22 to create an entitlement to services or to create judicial authority to  
23 order the provision of services to any person or family if the services  
24 are unavailable or unsuitable, the child or family is not eligible for  
25 such services, or sufficient funding has not been appropriated for this  
26 program.

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