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HOUSE BILL 2900

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State of Washington

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By Representatives Dickerson, Walsh, Kagi, Roberts, Haler, Pettigrew, Quall, Santos, Priest, Hinkle, McCoy, Darneille, Cody, Linville, Morrell, Simpson, Goodman, Conway, Kenney, and Wood

Read first time 01/17/08. Referred to Committee on Human Services.

1 AN ACT Relating to early intervention services for children with  
2 disabilities; amending RCW 43.88C.010; adding a new section to chapter  
3 71A.14 RCW; and creating new sections.

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.14 RCW  
6 to read as follows:

7 (1) In coordination with other funding sources for early  
8 intervention services, the department shall contract with each county  
9 through the employment and day program to provide funding for early  
10 intervention services to all eligible children with disabilities from  
11 birth to three years of age who have been identified as needing  
12 services. Eligibility shall be determined according to Part C of the  
13 federal individuals with disabilities education act and as specified in  
14 the Washington infant toddler early intervention program policies and  
15 procedures. Counties shall provide or contract for early intervention  
16 services to all eligible children within the county who have been  
17 identified as needing services in partnership with infant toddler early  
18 intervention program local lead agencies, school districts, and birth-  
19 to-three providers.

1           (2) The department shall contract with each county through the  
2 employment and day program to provide funding for early intervention  
3 services. The contract amount shall be set at the rate specified in  
4 subsection (3) of this section multiplied by the number of active  
5 individualized family service plans in the county. For purposes of  
6 this subsection, the number of active individualized family service  
7 plans is the infant toddler early intervention program day-in-time  
8 count of active plans as taken in May of the previous fiscal year. In  
9 calculating the contract amounts, the department shall include any  
10 amounts provided to a county through the employment and day program in  
11 fiscal year 2008 where that funding was designated for early  
12 intervention services to eligible children with disabilities from birth  
13 to three years of age.

14           (3)(a) For fiscal year 2009, the department shall provide funding  
15 at the rate of two thousand four hundred dollars.

16           (b) For fiscal year 2010 and each fiscal year thereafter, the  
17 department shall provide funding for early intervention services at  
18 the previous fiscal year's rate multiplied by inflation as defined in  
19 RCW 84.55.005, as determined by the department of revenue in September  
20 of the previous fiscal year.

21           (4)(a) Nothing in this section precludes counties from providing  
22 funding at a level higher than the amounts designated in subsection (2)  
23 of this section.

24           (b) Services provided under this section shall be determined  
25 according to Part C of the federal individuals with disabilities  
26 education act and the child's individualized family service plan. The  
27 state designated birth-to-three agency shall be payor of last resort  
28 for birth-to-three early intervention services provided under this  
29 section.

30           **Sec. 2.** RCW 43.88C.010 and 2000 c 90 s 1 are each amended to read  
31 as follows:

32           (1) The caseload forecast council is hereby created. The council  
33 shall consist of two individuals appointed by the governor and four  
34 individuals, one of whom is appointed by the chairperson of each of the  
35 two largest political caucuses in the senate and house of  
36 representatives. The chair of the council shall be selected from among

1 the four caucus appointees. The council may select such other officers  
2 as the members deem necessary.

3 (2) The council shall employ a caseload forecast supervisor to  
4 supervise the preparation of all caseload forecasts. As used in this  
5 chapter, "supervisor" means the caseload forecast supervisor.

6 (3) Approval by an affirmative vote of at least five members of the  
7 council is required for any decisions regarding employment of the  
8 supervisor. Employment of the supervisor shall terminate after each  
9 term of three years. At the end of the first year of each three-year  
10 term the council shall consider extension of the supervisor's term by  
11 one year. The council may fix the compensation of the supervisor. The  
12 supervisor shall employ staff sufficient to accomplish the purposes of  
13 this section.

14 (4) The caseload forecast council shall oversee the preparation of  
15 and approve, by an affirmative vote of at least four members, the  
16 official state caseload forecasts prepared under RCW 43.88C.020. If  
17 the council is unable to approve a forecast before a date required in  
18 RCW 43.88C.020, the supervisor shall submit the forecast without  
19 approval and the forecast shall have the same effect as if approved by  
20 the council.

21 (5) A council member who does not cast an affirmative vote for  
22 approval of the official caseload forecast may request, and the  
23 supervisor shall provide, an alternative forecast based on assumptions  
24 specified by the member.

25 (6) Members of the caseload forecast council shall serve without  
26 additional compensation but shall be reimbursed for travel expenses in  
27 accordance with RCW 44.04.120 while attending sessions of the council  
28 or on official business authorized by the council. Nonlegislative  
29 members of the council shall be reimbursed for travel expenses in  
30 accordance with RCW 43.03.050 and 43.03.060.

31 (7) "Caseload," as used in this chapter, means the number of  
32 persons expected to meet entitlement requirements and require the  
33 services of public assistance programs, state correctional  
34 institutions, state correctional noninstitutional supervision, state  
35 institutions for juvenile offenders, the common school system, long-  
36 term care, medical assistance, infant toddler early intervention  
37 program, foster care, and adoption support.

1 (8) Unless the context clearly requires otherwise, the definitions  
2 provided in RCW 43.88.020 apply to this chapter.

3 NEW SECTION. **Sec. 3.** This act may be known and cited as the  
4 infant and toddler equity act.

5 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this  
6 act, referencing this act by bill or chapter number, is not provided by  
7 June 30, 2008, in the omnibus appropriations act, this act is null and  
8 void.

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