

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5467

60th Legislature
2007 Regular Session

Passed by the Senate April 14, 2007
YEAS 48 NAYS 0

President of the Senate

Passed by the House April 5, 2007
YEAS 97 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5467** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5467

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

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 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 act shall be construed to
22 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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