

HOUSE BILL REPORT

SB 6122

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to enacting planning measures and strategies that provide for future long-term service and support needs of people with intellectual and developmental disabilities in Washington state.

Brief Description: Concerning long-term planning for developmental disabilities services.

Sponsors: Senators O'Ban, Conway, Dammeier, Darneille, Angel, Litzow and McAuliffe.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/24/14, 2/26/14 [DP].

Brief Summary of Bill

- Makes various legislative findings based on the July 31, 2013, State Auditor's Developmental Disabilities Program Evaluation.
- Requires that the Developmental Disability Administration identify stakeholders to participate in work groups at their own expense and report to the appropriate committees of the Legislature on issues raised by the Auditor's Evaluation by January 1, 2015.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass. Signed by 12 members: Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Fagan, Goodman, Ortiz-Self, Roberts, Sawyer, Senn, Young and Zeiger.

Staff: Luke Wickham (786-7146).

Background:

There are a number of services available to individuals with developmental disabilities in Washington. The Developmental Disability Administration (DDA) provides services such as housing, medical care, personal care, and job training.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Some individuals receive care in Residential Habitation Centers (RHCs) and others receive services in community living situations or their own homes. There are four RHCs in Washington including Lakeland Village, Yakima Valley School, Fircrest School, and Rainer School.

Intermediate Care Facility services and Medicaid Personal Care services are guaranteed under Medicaid if people meet financial and disability eligibility criteria. However, other services available under the Medicaid waiver for Home and Community Based Services depend on additional eligibility criteria and the availability of funds.

The State Auditor released a Developmental Disabilities Program Evaluation (Evaluation) on July 31, 2013. This Evaluation reported that of the 35,150 individuals who have applied and are eligible for services, 15,100 individuals are on the waitlist, 7,800 individuals receive partial services, and 12,500 individuals receive full services. Those on the waitlist have been waiting an average of three and a half years. The report found that supporting a client in a RHC incurs twice the average cost of the most expensive community-based residential service option. It found that there are virtually no crisis stabilization programs at the community care level near the majority of clients. It also found that the opportunities for integrated employment depends largely on where a person lives.

The Evaluation also made recommendations that the Legislature set policy that directs the DDA to develop strategies to maximize cost-effective service options and set policy to reduce the number of eligible people awaiting services. It also recommended that the DDA should provide financial incentives to counties to encourage equal access to integrated individual employment for clients regardless of where they live in the state.

Summary of Bill:

The DDA shall identify stakeholders to participate in work groups, at their own expense, to report to the appropriate committees of the Legislature by January 1, 2015, on issues raised in the Evaluation. This report must include:

- providing community funding scenarios to phase in the 15,000 people who are on the no paid services waitlist;
- expanding data gathered during the initial developmental disabilities application process to improve waitlist management;
- streamlining the eligibility and assessment processes;
- providing options for more community crisis and respite support;
- expanding community peer support networks;
- reviewing how other states use shared support hours for community living;
- identifying additional community residential options;
- strategies to increase employment hours and wages;
- reviewing community access rules;
- retaining an adequate workforce;
- streamlining the developmental disabilities system;
- mechanisms for improved contract monitoring;

- researching and analyzing moving the developmental disabilities system to a managed care approach; and
 - identifying Medicaid waiver and state plan options that could make better use of state funds while making the service delivery system more accessible to people in need of the service.
-

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The developmental disability community advocated for building on the findings of the Evaluation to keep the momentum going and address the waitlist of individuals who are eligible but not receiving developmental disability services. The tasks of the work group identified in this bill are very important. One of the specific tasks of the work group relates to self-directed services for individuals with developmental disabilities. The intention is that individuals with developmental disabilities could serve on the work groups. The intent behind the bill is that there would be multiple work groups to allow for the participation needed to tackle all of the issues. The Evaluation highlighted the importance of peer support networks. These networks provide an opportunity to reach individuals at minimal cost. The work groups will look at the community supports and improve them. It is important to focus on the community options to respond to the findings of the Evaluation so that individuals can understand the options that they have.

(Other) This bill is based on an agenda opposed to RHCs. The charts and graphs provided by the Auditor's Evaluation only show the costs provided by the DDA, and not external costs. There were problems with the Auditor's Evaluation and a work group should not be formed based on a flawed evaluation. The work group lacks definition. The history of work groups and task forces related to developmental disabilities is a history of poor results.

(With concerns) Planning is needed, but there is a need for planning without discussion of the closure of RHCs. There should be language in the bill that prevents discussion of closure of RHCs. There should also be participation in the work groups from a representative of the RHCs. The RHCs can and should be an economical part of the system. The requirement that individuals participate in the work groups at their own expense creates an equity issue, and transportation funding should be included to help individuals who are not paid by the state to attend these workgroups.

(Opposed) None.

Persons Testifying: (In support) Senator O'Ban, prime sponsor; Emily Rogers, Self-Advocates in Leadership; Sue Elliott, The Arc of Washington State; Diana Stadden; and Ed Holen, Developmental Disabilities Council.

(Other) Paul Strand, Advocates for People with Developmental Disabilities.

(With concerns) Saskia Davis.

Persons Signed In To Testify But Not Testifying: None.