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**SENATE BILL 5879**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Billig, McAuliffe, and Kohl-Welles; by request of Department of Early Learning

AN ACT Relating to early intervention services for infants and toddlers with disabilities and their families; amending RCW 70.195.010, 70.195.020, and 28A.155.065; adding new sections to chapter 43.215 RCW; and recodifying RCW 70.195.005, 70.195.010, 70.195.020, and 70.195.030.

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

**Sec.**  RCW 70.195.010 and 1998 c 245 s 125 are each amended to read as follows:

For the purposes of implementing this chapter, the governor shall appoint a state ((~~birth-to-six~~))birth-to-three interagency coordinating council and ensure that state agencies involved in the provision of, or payment for, early intervention services to infants and toddlers with disabilities and their families shall coordinate and collaborate in the planning and delivery of such services.

No state or local agency currently providing early intervention services to infants and toddlers with disabilities may use funds appropriated for early intervention services for infants and toddlers with disabilities to supplant funds from other sources.

All state and local agencies shall ensure that the implementation of this chapter will not cause any interruption in existing early intervention services for infants and toddlers with disabilities.

Nothing in this chapter shall be construed to permit the restriction or reduction of eligibility under Title V of the Social Security Act, P.L. 90-248, relating to maternal and child health or Title XIX of the Social Security Act, P.L. 89-97, relating to medicaid for infants and toddlers with disabilities.

**Sec.**  RCW 70.195.020 and 1992 c 198 s 17 are each amended to read as follows:

The state ((~~birth-to-six~~))birth-to-three interagency coordinating council shall identify and work with county early childhood interagency coordinating councils to coordinate and enhance existing early intervention services and assist each community to meet the needs of infants and toddlers with disabilities and their families.

**Sec.**  RCW 28A.155.065 and 2007 c 115 s 7 are each amended to read as follows:

(1) By September 1, 2009, each school district shall provide or contract for early intervention services to all eligible children with disabilities from birth to three years of age. Eligibility shall be determined according to Part C of the federal individuals with disabilities education ((~~improvement~~)) act or other applicable federal and state laws, and as specified in the Washington Administrative Code adopted by the state lead agency, which is the department of early learning. School districts shall provide or contract, or both, for early intervention services in partnership with local birth-to-three lead agencies and birth-to-three providers. Services provided under this section shall not supplant services or funding currently provided in the state for early intervention services to eligible children with disabilities from birth to three years of age. The state-designated birth-to-three lead agency shall be payor of last resort for birth-to-three early intervention services provided under this section.

(2) The services in this section are not part of the state's program of basic education pursuant to Article IX of the state Constitution.

NEW SECTION. **Sec.**  RCW 70.195.005, 70.195.010, 70.195.020, and 70.195.030 are each recodified as sections in chapter 43.215 RCW.

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