CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1980**

Chapter 142, Laws of 2022

67th Legislature

2022 Regular Session

DEVELOPMENTAL DISABILITIES—CONCURRENT EMPLOYMENT SERVICES AND COMMUNITY ACCESS SERVICES

EFFECTIVE DATE: June 9, 2022

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| Passed by the House February 14, 2022  Yeas 97 Nays 0  LAURIE JINKINS  **Speaker of the House of Representatives**  Passed by the Senate March 3, 2022  Yeas 46 Nays 0  DENNY HECK  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1980** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved March 24, 2022 9:01 AM | March 24, 2022 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE HOUSE BILL 1980**

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Passed Legislature - 2022 Regular Session

**State of Washington 67th Legislature 2022 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Taylor, Caldier, Davis, Frame, Leavitt, Lekanoff, Ryu, Santos, Simmons, Ramel, Robertson, Bronoske, Paul, Peterson, Fitzgibbon, Goodman, Wicks, J. Johnson, Valdez, Bateman, Macri, and Chopp)

AN ACT Relating to removing the prohibition on providing employment services and community access services concurrently; amending RCW 71A.12.290; and creating new sections.

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

NEW SECTION. **Sec.**  The legislature finds that individuals with intellectual and developmental disabilities have the right to choose how they engage in their community, while having the necessary supports to do so. The dual services prohibition between individual supported employment and community inclusion has prevented individuals with intellectual and developmental disabilities from engaging in the supported activities, volunteerism, and social and practical skill-building offered by community inclusion while employed or waiting for job placement. This lack of dual services has left many individuals with intellectual and developmental disabilities unengaged, isolated, and without the freedom to choose between services. By removing this prohibition, the legislature intends to enhance and supplement individual supported employment and give back an individual's right to participate in multiple services that best meet their needs for community growth and engagement.

**Sec.**  RCW 71A.12.290 and 2012 c 49 s 1 are each amended to read as follows:

(1) Clients age ((~~twenty-one~~)) 21 and older who are receiving employment services must be offered the choice to transition to a community access program after nine months of enrollment in an employment program, and the option to transition from a community access program to an employment program at any time. Enrollment in an employment program begins at the time the client is authorized to receive employment.

(2) Prior approval by the department shall not be required to effectuate the client's choice to transition from an employment program to community access services after verifying nine months of participation in employment-related services.

(3) The department shall inform clients and their legal representatives of all available options for employment and day services, including the opportunity to request an exception from enrollment in an employment program. Information provided to the client and the client's legal representative must include the types of activities each service option provides, and the amount, scope, and duration of service for which the client would be eligible under each service option. ((~~An individual client may be authorized for only one service option, either employment services or community access services. Clients may not participate in more than one of these services at any given time.~~))

(4) The department shall work with counties and stakeholders to strengthen and expand the existing community access program, including the consideration of options that allow for alternative service settings outside of the client's residence. The program should emphasize support for the clients so that they are able to participate in activities that integrate them into their community and support independent living and skills.

(5) The department shall develop rules to allow for an exception to the requirement that a client participate in an employment program for nine months prior to transitioning to a community access program.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2022, in the omnibus appropriations act, this act is null and void.

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Passed by the House February 14, 2022.

Passed by the Senate March 3, 2022.

Approved by the Governor March 24, 2022.

Filed in Office of Secretary of State March 24, 2022.