
HOUSE BILL 1482

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By Representatives Prentice, Moyer, Braddock, Morris, Heavey, Winsley, Orr, Wineberry and Anderson; by request of Department of Health.

Read first time January 30, 1991. Referred to Committee on Health Care.

1 AN ACT Relating to AIDS service networks; amending RCW 70.24.400;
2 and adding new sections to chapter 70.24 RCW.

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

4 **Sec. 1.** RCW 70.24.400 and 1988 c 206 s 801 are each amended to
5 read as follows:

6 The department shall establish a state-wide system of regional
7 acquired immunodeficiency syndrome (AIDS) service networks as follows:

8 (1) The secretary of (~~social and health services~~) health shall
9 direct that all state or federal funds, excluding those from federal
10 Title XIX for services or other activities authorized in this chapter,
11 shall be allocated to the office on AIDS established in RCW 70.24.250.
12 The secretary shall further direct that all funds for services and
13 activities specified in subsection (3) of this section shall be
14 provided to lead counties through contractual agreements based on plans

1 developed as provided in subsection (2) of this section, unless
2 direction of such funds is explicitly prohibited by federal law,
3 federal regulation, or federal policy. The department shall deny
4 funding allocations to lead counties only if the denial is based upon
5 documented incidents of nonfeasance, misfeasance, or malfeasance.
6 However, the department shall give written notice and thirty days for
7 corrective action in incidents of misfeasance or nonfeasance before
8 funding may be denied. The department shall designate six AIDS service
9 network regions encompassing the state. In doing so, the department
10 shall use the boundaries of the regional structures in place for the
11 community services administration on January 1, 1988.

12 (2) The department shall request that a lead county within each
13 region, which shall be the county with the largest population, prepare,
14 through a cooperative effort of local health departments within the
15 region, ((a)) an annual regional organizational and service plan, which
16 meets the requirements set forth in subsection (3) of this section and
17 is prepared in a common format jointly developed by the regions and the
18 department. Efforts should be made to use existing plans, where
19 appropriate. The plan should place emphasis on contracting with
20 existing hospitals, major voluntary organizations, or health care
21 organizations within a region that have in the past provided quality
22 services similar to those mentioned in subsection (3) of this section
23 and that have demonstrated an interest in providing any of the
24 components listed in subsection (3) of this section. Plans shall be
25 submitted to the department by September 1 of each year. If any of the
26 counties within a region do not participate, it shall be the lead
27 county's responsibility to develop the part of the plan for the
28 nonparticipating county or counties. If all of the counties within a
29 region do not participate, the department shall assume the
30 responsibility.

1 (3) The regional AIDS service network plan shall include the
2 following components:

3 (a) A designated single administrative or coordinating agency;

4 (b) A complement of services to include:

5 (i) Voluntary and anonymous counseling and
6 testing;

7 (ii) Mandatory testing and/or counseling
8 services for certain individuals, as required by law;

9 (iii) Notification of sexual partners of infected persons, as
10 required by law;

11 (iv) Education for the general public, health professionals, and
12 high-risk groups;

13 (v) Intervention strategies to reduce the incidence of HIV
14 infection among high-risk groups, possibly including needle
15 sterilization and methadone maintenance;

16 (vi) Related community outreach services for runaway
17 youth;

18 (vii) Case management;

19 (viii) Strategies for the development of volunteer networks;

20 (ix) Strategies for the coordination of related agencies within the
21 network; and

22 (x) Other necessary information, including needs particular to the
23 region;

24 (c) A service delivery model that includes:

25 (i) Case management services; and

26 (ii) A community-based continuum-of-care model encompassing both
27 medical, mental health, and social services with the goal of
28 maintaining persons with AIDS in a home-like setting, to the extent
29 possible, in the least-expensive manner; and

30 (d) Budget, caseload, and staffing projections.

1 (4) Efforts shall be made by both the counties and the department
2 to use existing service delivery systems, where possible, in developing
3 the networks.

4 (5) The University of Washington health science program, in
5 cooperation with the office on AIDS may, within available resources,
6 establish a center for AIDS education, which shall be linked to the
7 networks. The center for AIDS education is not intended to engage in
8 state-funded research related to HIV infection, AIDS, or HIV-related
9 conditions. Its duties shall include providing the office on AIDS with
10 the appropriate educational materials necessary to carry out that
11 office's duties.

12 (6) The department shall implement this section, consistent with
13 available funds, by October 1, 1988, by establishing six regional AIDS
14 service networks whose combined jurisdictions shall include the entire
15 state.

16 ~~((a) Until June 30, 1991, available funding for each regional AIDS
17 service network shall be allocated as follows:~~

18 ~~(i) Seventy five percent of the amount provided for regional AIDS
19 service networks shall be allocated per capita based on the number of
20 persons residing within each region, but in no case less than one
21 hundred fifty thousand dollars for each regional AIDS service network
22 per fiscal year. This amount shall be expended for testing,
23 counseling, education, case management, notification of sexual partners
24 of infected persons, planning, coordination, and other services
25 required by law, except for those enumerated in (ii) of this
26 subsection.~~

27 ~~(ii) Twenty five percent of the amount provided for regional AIDS
28 service networks shall be allocated for intervention strategies
29 specifically addressing groups that are at a high risk of being
30 infected with the human immunodeficiency virus. The allocation shall~~

1 be made by the office on AIDS based on documented need as specified in
2 regional AIDS network plans.

3 ~~(b) After June 30, 1991, the funding shall be allocated as provided~~
4 ~~by law. By December 15, 1990, the department shall report to the~~
5 ~~appropriate committees of the legislature on proposed methods of~~
6 ~~funding regional AIDS service networks.))~~

7 (7) The regional AIDS service networks shall be the official state
8 regional agencies for AIDS information education and coordination of
9 services. The state ((~~public~~)) health officer, as designated by the
10 secretary of ((~~social and health services~~)) health, shall make adequate
11 efforts to publicize the existence and functions of the networks.

12 (8) If the department is not able to establish a network by an
13 agreement solely with counties, it may contract with nonprofit agencies
14 for any or all of the designated network responsibilities.

15 (9) The department, in establishing the networks, shall study
16 mechanisms that could lead to reduced costs and/or increased
17 access to services. The methods shall include capitation.

18 (10) The department shall reflect in its departmental biennial
19 budget request the funds necessary to implement this section.

20 ~~(11) ((The department shall submit an implementation plan to the~~
21 ~~appropriate committees of the legislature by July 1, 1988.~~

22 ~~(12))~~) The use of appropriate materials may be authorized by
23 regional AIDS service networks in the prevention or control of HIV
24 infection.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.24 RCW
26 to read as follows:

27 The department shall coordinate the state-wide HIV/AIDS effort to
28 ensure integration and smooth operation between the regions and a
29 comprehensive state-wide approach to the epidemic. The department is

1 authorized to take such actions as are necessary to carry out
2 responsibilities identified in this chapter including, the authority to
3 adopt rules, conduct audits, and establish and require compliance with
4 standards.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.24 RCW
6 to read as follows:

7 The department shall review and approve regional plans to ensure
8 that they are in compliance with RCW 70.24.400. The department shall
9 adopt policies for the review and approval of amended plans. Each
10 region shall expend funds allocated under this chapter in a manner
11 consistent with approved plans. The department shall adopt requirements
12 for fiscal and service level reporting on plan implementation. Failure
13 to comply with requirements contained in this section shall constitute
14 misfeasance, malfeasance, or nonfeasance on the part of the region as
15 outlined in RCW 70.24.400(1), and shall be grounds for denial of funds.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.24 RCW
17 to read as follows:

18 For state fiscal years 1991-93, available funding for regional AIDS
19 service networks shall be allocated as outlined in the 1991-93 budget
20 legislation. The department shall adopt rules governing allocation of
21 subsequent appropriations. Input from the regional AIDS service
22 networks shall be considered by the department in review of the
23 allocation formula. Each region shall determine the appropriate
24 allocation of funds to counties within that region as outlined in the
25 region's plan required by RCW 70.24.400. Lead counties within each
26 region shall monitor plans and expenditures to ensure that funds are
27 used for the purposes intended.