

# HOUSE BILL REPORT

## HB 2439

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**As Reported by House Committee On:**  
Children & Family Services

**Title:** An act relating to services for children with developmental disabilities.

**Brief Description:** Specifying services that should be available for children with developmental disabilities.

**Sponsors:** Representatives O'Brien, Edwards, Schmidt, Benson, Jackley, Ballasiotes, Morris, Simpson, Van Luven, Lovick, Wood, Esser, Darneille, Ogden, Pflug and Haigh.

**Brief History:**

**Committee Activity:**

Children & Family Services: 1/28/02, 2/6/02 [DPS].

**Brief Summary of Substitute Bill**

- Authorizes the Department of Social and Health Services (DSHS), within existing resources, to offer in-home services at the request of a family at risk of putting their child with developmental disabilities into an out-of-home placement.

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### HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Tokuda, Chair; Kagi, Vice Chair; Boldt, Ranking Minority Member; Darneille, Dickerson, Miloscia, Morell, Nixon and Orcutt.

**Staff:** Deborah Frazier (786-7152).

**Background:**

In 1998 the Legislature eliminated the requirement that parents of children with developmental disabilities, who believed they were no longer able to care for the child in the family home, go to court and give up custody of the child to secure an out-of-home placement for the child.

Today, parents can enter into a voluntary placement agreement to secure these services without court action and without relinquishing custody of the child. Under the Voluntary Placement Program (VPP), the Division of Developmental Disabilities (DDD) of the DSHS provides a range of services to its clients. These services include:

- Basic maintenance (room and board, clothing, and personal incidentals)
- Specialized support (for children with exceptional and individualized needs)
- Respite care and childcare
- Professional services (counseling, evaluation, physical therapy, nursing, and medical and dental)
- Other services (transportation and community activities)

The services are provided in three types of out-of-home placements:

- Family Foster Care - a private agency foster home or an individual licensed provider
- Family Group Care - licensed group care facility
- Other Residential - community-based supported living and intensive tenant support

In addition, in-home supports such as intensive supervision, personal care, respite care and childcare are provided.

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### **Summary of Substitute Bill:**

The Legislature recognizes the importance of the Voluntary Placement Program (VPP) for children with developmental disabilities. The Legislature states the intent that services be provided at a level of intensity to children in their own homes so that entry into the VPP occurs only when necessary.

The DSHS is authorized to serve eligible children with developmental disabilities in their own homes at a level comparable to services provided to persons with developmental disabilities who enter the VPP, excluding room and board. The DSHS is authorized to offer these services at the request of a family at risk of placing their child into an out-of-home placement through the VPP.

The VPP statute (RCW 74.13.350) is recodified from the child welfare chapter to the chapter addressing issues related to persons with developmental disabilities.

### **Substitute Bill Compared to Original Bill:**

The original bill required the DSHS to serve children with developmental disabilities at home at a level comparable to services provided to persons who enter the Voluntary Placement Program, excluding room and board. The substitute bill authorizes the DSHS within existing resources, to offer these in-home services at the request of a family at risk

of putting their child into an out-of-home placement.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Parents of persons with developmental disabilities want to raise their children and keep their families together in the family home. The demands placed on these families are incredibly challenging because the needs of these children are so great. Families are ripped apart over these needs, and sometimes families find that the only way to get needed services is to place the child out of the family home. In-home services would allow us to raise our kids. Seventy percent of parents of persons with developmental disabilities end up divorcing because they can't nurture their relationship. Parents are pushed to their physical limits to provide care to growing and adult children who require total care. I would have loved to continue to keep my son at home, but back injuries because of lifting him and years of sleep deprivation have made that impossible for me. Autism is on the rise, so more and more families are going to be needing services for their kids.

**Testimony Against:** The DSHS is supportive of the idea behind this legislation, but cannot support this bill because its provisions are not included in the Governor's budget request.

**Testified:** (In support) Representative O'Brien, prime sponsor; Lori Flood and Shayne Nagel, Parent Family Coalition of Snohomish County; Sue Elliott, The ARC of Washington State; Vicky Miller; and Martha Johnson.

(Opposed) Linda Rolfe, Department of Social and Health Services.