
HOUSE BILL 1251

State of Washington

57th Legislature

2001 Regular Session

By Representative Boldt

Read first time 01/22/2001. Referred to Committee on Children & Family Services.

1 AN ACT Relating to community-based services for persons with
2 developmental disabilities; amending RCW 71A.12.010, 71A.12.120,
3 71A.14.030, 71A.14.040, 71A.14.050, 71A.14.060, 71A.14.070, 71A.14.080,
4 and 71A.14.090; and adding a new section to chapter 71A.14 RCW.

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

6 **Sec. 1.** RCW 71A.12.010 and 1988 c 176 s 201 are each amended to
7 read as follows:

8 It is declared to be the policy of the state to authorize the
9 secretary to develop and coordinate state services for persons with
10 developmental disabilities; to encourage research and staff training
11 for state and local personnel working with persons with developmental
12 disabilities; and to cooperate with communities to ~~((encourage the
13 establishment and development of))~~ establish and develop services to
14 persons with developmental disabilities through locally administered
15 and locally controlled programs.

16 The complexities of developmental disabilities require the services
17 of many state departments as well as those of the community. Services
18 should be planned and provided as a part of a continuum. A pattern of
19 facilities and services should be established, within appropriations

1 designated for this purpose, which is sufficiently complete to meet the
2 needs of each person with a developmental disability regardless of age
3 or degree of handicap, and at each stage of the person's development.

4 **Sec. 2.** RCW 71A.12.120 and 1988 c 176 s 212 are each amended to
5 read as follows:

6 (1) The governor may take whatever action is necessary to enable
7 the state to participate in the manner set forth in this title in any
8 programs provided by any federal law and to designate state agencies
9 authorized to administer within this state the several federal acts
10 providing federal moneys to assist in providing services and training
11 at the state or local level for persons with developmental disabilities
12 and for persons who work with persons with developmental disabilities.

13 (2) Designated state agencies may apply for and accept and disburse
14 federal grants, matching funds, or other funds or gifts or donations
15 from any source available for use by the state or by local government
16 or association of retarded citizens to provide more adequate services
17 for and habilitation of persons with developmental disabilities.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 71A.14 RCW
19 to read as follows:

20 The legislature finds that local communities can best administer
21 funding for community-based services to persons with developmental
22 disabilities. The legislature finds that county governments and
23 associations for retarded citizens are the entities best qualified to
24 administer these local funds and services. The legislature declares
25 its intent that all appropriations for community-based services shall
26 be administered by either the local county government or local
27 association of retarded citizens, under contract with the secretary.
28 Such contracts shall be executed pursuant to the provisions of RCW
29 71A.14.030 and 71A.14.040.

30 **Sec. 4.** RCW 71A.14.030 and 1988 c 176 s 303 are each amended to
31 read as follows:

32 Pursuant to RCW 71A.14.040 the secretary shall work with the county
33 governing authorities ~~((and))~~, developmental disability boards, and
34 associations of retarded citizens, who apply for state funds to
35 coordinate and provide local services for persons with developmental
36 disabilities and their families. The secretary ~~((is authorized to~~

1 ~~promulgate~~) shall adopt rules establishing the eligibility of each
2 county ~~((and))~~, the developmental disability board, and association of
3 retarded citizens for state funds to be used ~~((for the work of the~~
4 ~~board in coordinating and providing))~~ to coordinate and provide
5 services to persons with developmental disabilities and their families.
6 In developing these rules, the secretary shall give weight to the
7 efficiency of the proposal as demonstrated through minimized
8 administrative costs and maximized numbers of persons served. The
9 secretary shall give weight to the effectiveness of the proposal as
10 demonstrated by outcome measures. In the case of county governing
11 authorities and developmental disability boards, an application for
12 state funds shall be made by the board with the approval of the county
13 governing authority, or by the county governing authority on behalf of
14 the board. In the case of associations of retarded citizens, an
15 application for state funds shall be made by the local association with
16 the approval of its board.

17 **Sec. 5.** RCW 71A.14.040 and 1988 c 176 s 304 are each amended to
18 read as follows:

19 The secretary shall review the applications from the county
20 governing authority and association of retarded citizens made under RCW
21 71A.14.030. The secretary ~~((may))~~ shall approve an application if it
22 meets the requirements of this chapter and the rules ~~((promulgated))~~
23 adopted by the secretary. The amount of the contract shall be the same
24 as the funding administered by the secretary for community-based
25 services to persons with developmental disabilities in each county
26 during fiscal years 2001 and 2002. The secretary shall ((promulgate))
27 adopt rules to assist in determining the ~~((amount of the grant))~~
28 distribution of any funding increase or decrease appropriated to the
29 department in subsequent fiscal years. In ((promulgating)) adopting
30 the rules, the secretary shall consider the population of the area
31 served, the needs of the area, and the ability of the community to
32 provide funds for the developmental disability program provided in this
33 title.

34 **Sec. 6.** RCW 71A.14.050 and 1988 c 176 s 305 are each amended to
35 read as follows:

36 The department may require by rule that in order to be eligible for
37 state funds, the county ~~((and))~~, the developmental disability board,

1 and the association of retarded citizens shall provide the following
2 indirect services to the community:

3 (1) Serve as an informational and referral agency within the
4 community for persons with developmental disabilities and their
5 families;

6 (2) Coordinate all local services for persons with developmental
7 disabilities and their families to insure the maximum utilization of
8 all available services;

9 (3) Prepare comprehensive plans for present and future development
10 of services and for reasonable progress toward the coordination of all
11 local services to persons with developmental disabilities.

12 **Sec. 7.** RCW 71A.14.060 and 1988 c 176 s 306 are each amended to
13 read as follows:

14 The secretary by rule may authorize the county (~~and~~), the
15 developmental disability board, and the association of retarded
16 citizens to provide any service for persons with developmental
17 disabilities that the department is authorized to provide, except for
18 operating residential habilitation centers under chapter 71A.20 RCW.

19 **Sec. 8.** RCW 71A.14.070 and 1988 c 176 s 307 are each amended to
20 read as follows:

21 In order for the developmental disability board or association of
22 retarded citizens to plan, coordinate, and provide required services
23 for persons with developmental disabilities, the county governing
24 authority and the board or association of retarded citizens shall be
25 eligible to obtain such confidential information from public or private
26 schools and the department as is necessary to accomplish the purposes
27 of this chapter. Such information shall be kept in accordance with
28 state law and rules (~~promulgated~~) adopted by the secretary under
29 chapter 34.05 RCW to permit the use of the information to coordinate
30 and plan services. All persons permitted to have access to or to use
31 such information shall sign an oath of confidentiality, substantially
32 as follows:

33 "As a condition of obtaining information from (fill in facility,
34 agency, or person) I, , agree not to divulge, publish, or
35 otherwise make known to unauthorized persons or the public any
36 information obtained in the course of using such confidential
37 information, where release of such information may possibly make the

1 person who received such services identifiable. I recognize that
2 unauthorized release of confidential information may subject me to
3 civil liability under state law."

4 **Sec. 9.** RCW 71A.14.080 and 1988 c 176 s 308 are each amended to
5 read as follows:

6 The county governing authority ~~((and))~~, the developmental
7 disability board created under RCW 71A.14.020, and associations of
8 retarded citizens are authorized to receive and spend funds received
9 from the state under this chapter, or any federal funds received
10 through any state agency, or any gifts or donations received by it for
11 the benefit of persons with developmental disabilities.

12 **Sec. 10.** RCW 71A.14.090 and 1988 c 176 s 309 are each amended to
13 read as follows:

14 RCW 71A.12.120 authorizes local governments and associations of
15 retarded citizens to participate in federal programs for persons with
16 developmental disabilities.

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