

HOUSE BILL REPORT

HB 2741

As Reported by House Committee On:
Early Learning & Children's Services
Ways & Means

Title: An act relating to the transfer of the administration of the infant and toddler early intervention program from the department of social and health services to the department of early learning.

Brief Description: Transferring the administration of the infant and toddler early intervention program from the department of social and health services to the department of early learning.

Sponsors: Representatives Dickerson, Walsh, Kagi, Sullivan, McCoy, Darneille, Pettigrew, O'Brien, Hunt, Santos, Priest, Haler, Roberts, Quall, Simpson, Morrell, Haigh and Ormsby.

Brief History:

Committee Activity:

Early Learning & Children's Services: 1/28/10, 1/29/10 [DPS];

Ways & Means: 2/6/10, 2/8/10 [DPS(ELCS)].

Brief Summary of Substitute Bill

- Transfers responsibility for the administration of the Infant and Toddler Early Intervention Program (ITEIP) from the Department of Social and Health Services to the Department of Early Learning (DEL), effective July 1, 2010.
- Renames the ITEIP to the Early Support Program.
- Establishes the DEL as the lead state agency for administering the program serving children ages birth to 3 with developmental disabilities under the federal Individuals with Disabilities Education Act.

HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Roberts, Vice Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Angel, Goodman and Seaquist.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Sydney Forrester (786-7120).

Background:

Federal funding for services to children with disabilities is provided, in part, under the federal Individuals with Disabilities Education Act (IDEA). Funding directed to states under the IDEA for serving children birth to 3 years of age is commonly called Part C funding. This Part C funding is administered by the Department of Social and Health Services (DSHS) through the Division of Developmental Disabilities (DDD). The Infant and Toddler Early Intervention Program (ITEIP) within the DDD serves children with developmental disabilities from birth to age 3.

Federal law requires that school districts provide necessary special education services for eligible children ages 3 to 21. In 2006 the Legislature enacted Substitute House Bill 1107 (SHB 1107) requiring school districts, beginning in September 2009, to also provide or contract for early intervention services for eligible children from birth to age 3. Most school districts currently are contracting, rather than directly providing, these services. During deliberations on SHB 1107, stakeholders reported that nearly a third of children who received ITEIP services did not require placement in special education programs when they exited the program at age 3.

According to the current federally-approved state plan for receipt of federal funds, services for infants and toddlers with disabilities and their families are coordinated with funding from school districts, the DDD, the Medicaid program, the Department of Health, and private insurance companies. The DDD provides block grants to counties to pay for services to people of all ages with disabilities, including children ages birth to 3. Individual counties have discretion regarding what portion of their block grant will be used to support local ITEIP programs.

Summary of Substitute Bill:

The Department of Early Learning (DEL) is designated as the lead agency for receipt of federal Part C funding to serve eligible children ages birth to 3. All duties, powers, functions, reports, documents, surveys, books, records, files, tangible property, and personnel pertaining to the administration of the ITEIP are transferred from the DSHS to the DEL, effective July 1, 2010. Classified employees who are members of a collective bargaining unit with the DSHS will become part of the comparable bargaining unit with the DEL.

The ITEIP is renamed the Early Support Program and the DEL replaces the DSHS for purposes of participating on the statewide council for the coordination of services to children who are deaf and hard-of-hearing and their parents.

Substitute Bill Compared to Original Bill:

The substitute bill renames the ITEIP the Early Support Program instead of renaming it the Birth-to-Three Program.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect July 1, 2010.

Staff Summary of Public Testimony:

(In support) Children served by the ITEIP need special education placement less frequently. The WEECARE Coalition supports this bill because we recognize the importance of early learning beginning at birth, including early intervention when appropriate. The time is right to make this transition of the early intervention program into the DEL.

The ITEIP has made a world of difference to many families. Linking the ITEIP with the DEL makes excellent sense and will provide more streamlined services for children with special needs. The DSHS has done an excellent job with this program, but the ITEIP's focus on children fits better with the DEL. The DSHS supports this bill and while we will miss those who have successfully administered this program, we will continue working together. There still will be an interagency advisory council to collaboratively serve these families as children graduate from the ITEIP and may continue to need services.

The DEL is thrilled to have the opportunity to bring the ITEIP into the scope of early learning programs and to have all early learners under one roof.

This legislation is important to ITEIP providers because it will provide a variety of opportunities to connect with all the other early learning efforts in Washington.

(Opposed) None.

Persons Testifying: Representative Dickerson, prime sponsor; Cassie Johnston, WEECARE Coalition; Amy Kocher; Bonnie Sandahl, State Interagency Coordinating Council; Kathy Leitch, Department of Social and Health Services, Aging and Disability Services; Bob Hamilton, Department of Early Learning; and Chris Morris, South Sound Parent to Parent.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON WAYS & MEANS

Majority Report: The substitute bill by Committee on Early Learning & Children's Services be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Linville, Chair; Ericks, Vice Chair; Sullivan, Vice Chair; Dammeier, Assistant Ranking Minority Member; Cody, Conway, Darneille, Haigh, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest and Seaquist.

Minority Report: Do not pass. Signed by 6 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Chandler, Hinkle, Ross and Schmick.

Staff: Wendy Polzin (786-7137).

Summary of Recommendation of Committee On Ways & Means Compared to Recommendation of Committee On Early Learning & Children's Services:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect on July 1, 2010.

Staff Summary of Public Testimony:

(In support) When the Department of Early Learning was formed, there was discussion of moving the ITEIP into it but the Governor didn't want the DEL to take on too much at one time. Although this is a more complicated fiscal program because of the federal funding, the DEL is now ready to absorb it. Both the DEL and the DSHS strongly support this move and feel that programs for young children should be in the DEL and that they will be able to integrate services much more effectively.

It's time to include children with disabilities in our statewide early learning program. Both populations benefit from an inclusive program. This will provide a truly integrated program for the DEL. The current infant toddler program already has ARRA funds which were primarily to be used to develop and implement a joint state policy to provide early intervention with other early childhood related programs in the state.

(Opposed) None.

Persons Testifying: Representative Kagi; and Cecile Lindquist, WEE Care Coalition.

Persons Signed In To Testify But Not Testifying: None.