

ESB 5524 - H AMD **484**

By Representative Walsh

1 Strike everything after the enacting clause and insert the
2 following:

3
4 "NEW SECTION. **Sec. 1.** The legislature finds that individuals
5 with developmental disabilities should be allowed to participate in
6 prevocational services if they choose. Requiring individuals to
7 transition out of this environment against their wishes undermines
8 the guiding supreme court decision in *Olmstead v. L.C.*, 527 U.S.
9 581, which held that Title II of the federal Americans with
10 disabilities act of 1990 (42 U.S.C. 12131 et. seq.) requires states
11 to provide certain individuals with developmental disabilities
12 community-based program options rather than institutional
13 placements, but that there is no requirement that community-based
14 treatments be imposed on individuals against their will.

15
16 NEW SECTION. **Sec. 2.** A new section is added to chapter 71A.12
17 RCW to read as follows:

18 The department shall develop rules to allow clients to
19 participate in prevocational services, if available and requested by
20 the client."

21

22 Correct the title.

EFFECT: Replaces the contents of the bill with a requirement
that the Developmental Disability Administration adopt rules to
allow clients to participate in prevocational services, if available
and requested by the client.

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