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**HOUSE BILL 2591**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Representatives Senn, Dent, Kilduff, Eslick, Appleton, Callan, Macri, Corry, Frame, Pollet, Robinson, Thai, Caldier, Fey, Chopp, Bergquist, Lekanoff, Cody, Doglio, Gregerson, Goodman, J. Johnson, Leavitt, Santos, Ormsby, Riccelli, and Davis

Read first time 01/16/20. Referred to Committee on Human Services & Early Learning.

1 AN ACT Relating to youth eligible for developmental disability  
2 services who are expected to exit the foster care system; amending  
3 RCW 43.88C.010 and 74.13.341; adding a new section to chapter 43.88  
4 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature intends that this act help  
7 reduce the number of former foster youth with developmental  
8 disabilities discharged into homelessness or inappropriately placed  
9 in hospitals. The legislature further intends that the steps taken  
10 under this act maximize the use of the most cost-effective services  
11 for former foster youth with developmental disabilities.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.88  
13 RCW to read as follows:

14 The legislature intends that the caseload forecast council  
15 forecast under RCW 43.88C.010(11) be used to inform an expansion of  
16 developmental disability waiver slots to serve individuals upon an  
17 exit from a dependency under chapter 13.34 RCW or from extended  
18 foster care services as defined in RCW 74.13.020. Funding for the  
19 waiver slots for individuals included in the caseload forecast

1 council forecast under RCW 43.88C.010(11) must be budgeted as a  
2 maintenance level cost.

3 **Sec. 3.** RCW 43.88C.010 and 2019 c 406 s 24 are each amended to  
4 read as follows:

5 (1) The caseload forecast council is hereby created. The council  
6 shall consist of two individuals appointed by the governor and four  
7 individuals, one of whom is appointed by the chairperson of each of  
8 the two largest political caucuses in the senate and house of  
9 representatives. The chair of the council shall be selected from  
10 among the four caucus appointees. The council may select such other  
11 officers as the members deem necessary.

12 (2) The council shall employ a caseload forecast supervisor to  
13 supervise the preparation of all caseload forecasts. As used in this  
14 chapter, "supervisor" means the caseload forecast supervisor.

15 (3) Approval by an affirmative vote of at least five members of  
16 the council is required for any decisions regarding employment of the  
17 supervisor. Employment of the supervisor shall terminate after each  
18 term of three years. At the end of the first year of each three-year  
19 term the council shall consider extension of the supervisor's term by  
20 one year. The council may fix the compensation of the supervisor. The  
21 supervisor shall employ staff sufficient to accomplish the purposes  
22 of this section.

23 (4) The caseload forecast council shall oversee the preparation  
24 of and approve, by an affirmative vote of at least four members, the  
25 official state caseload forecasts prepared under RCW 43.88C.020. If  
26 the council is unable to approve a forecast before a date required in  
27 RCW 43.88C.020, the supervisor shall submit the forecast without  
28 approval and the forecast shall have the same effect as if approved  
29 by the council.

30 (5) A councilmember who does not cast an affirmative vote for  
31 approval of the official caseload forecast may request, and the  
32 supervisor shall provide, an alternative forecast based on  
33 assumptions specified by the member.

34 (6) Members of the caseload forecast council shall serve without  
35 additional compensation but shall be reimbursed for travel expenses  
36 in accordance with RCW 44.04.120 while attending sessions of the  
37 council or on official business authorized by the council.  
38 Nonlegislative members of the council shall be reimbursed for travel  
39 expenses in accordance with RCW 43.03.050 and 43.03.060.

1 (7) "Caseload," as used in this chapter, means:

2 (a) The number of persons expected to meet entitlement  
3 requirements and require the services of public assistance programs,  
4 state correctional institutions, state correctional noninstitutional  
5 supervision, state institutions for juvenile offenders, the common  
6 school system, long-term care, medical assistance, foster care, and  
7 adoption support;

8 (b) The number of students who are eligible for the Washington  
9 college bound scholarship program and are expected to attend an  
10 institution of higher education as defined in RCW 28B.92.030;

11 (c) The number of students who are eligible for the Washington  
12 college grant program under RCW 28B.92.200 and 28B.92.205 and are  
13 expected to attend an institution of higher education as defined in  
14 RCW 28B.92.030; and

15 (d) The number of children who are eligible, as defined in RCW  
16 43.216.505, to participate in, and the number of children actually  
17 served by, the early childhood education and assistance program.

18 (8) The caseload forecast council shall forecast the temporary  
19 assistance for needy families and the working connections child care  
20 programs as a courtesy.

21 (9) The caseload forecast council shall forecast youth  
22 participating in the extended foster care program pursuant to RCW  
23 74.13.031 separately from other children who are residing in foster  
24 care and who are under eighteen years of age.

25 (10) The caseload forecast council shall forecast the number of  
26 youth expected to receive behavioral rehabilitation services while  
27 involved in the foster care system and the number of screened in  
28 reports of child abuse or neglect.

29 (11) The caseload forecast council shall forecast the number of  
30 individuals under age twenty-one who are functionally and financially  
31 eligible for medicaid waiver services administered by the  
32 developmental disabilities administration who are also defined as  
33 dependent children under chapter 13.34 RCW and expected to exit  
34 dependency proceedings under chapter 13.34 RCW after reaching the  
35 maximum age for dependent children or the maximum age youth may be  
36 served through extended foster care services as defined in RCW  
37 74.13.020.

38 (12) Unless the context clearly requires otherwise, the  
39 definitions provided in RCW 43.88.020 apply to this chapter.

1       **Sec. 4.** RCW 74.13.341 and 2018 c 58 s 49 are each amended to  
2 read as follows:

3       (1) With respect to ((youth who will be aging out of foster  
4 care)) children who are dependent under chapter 13.34 RCW and are  
5 expected to exit dependency proceedings under chapter 13.34 RCW after  
6 reaching the maximum age for dependent children, the department shall  
7 invite representatives from the department of social and health  
8 services ~~((division of))~~ behavioral health ~~((and recovery))~~  
9 administration, the ~~((disability services))~~ developmental  
10 disabilities administration, and the economic services  
11 administration~~((, and the juvenile justice and rehabilitation~~  
12 ~~administration))~~ to the youth's shared planning meeting that occurs  
13 between age seventeen and seventeen and one-half that is used to  
14 develop a transition plan. It is the responsibility of the department  
15 to include these agencies in the shared planning meeting.

16       (2) If ((foster youth)) children who are dependent under chapter  
17 13.34 RCW who are the subject of this meeting may qualify for  
18 services provided by the developmental ((disability services))  
19 disabilities administration pursuant to Title 71A RCW, the department  
20 shall direct these youth to apply for these services and provide  
21 assistance in the application process.

22       (3) For youth who are dependent under chapter 13.34 RCW and  
23 eligible for services administered by the developmental disabilities  
24 administration, the department shall convene a shared planning  
25 meeting that includes developmental disabilities administration staff  
26 when the youth is between ages sixteen and sixteen and one-half. This  
27 meeting shall be used to begin planning services for the youth in  
28 advance of his or her transition to adulthood. The shared planning  
29 meeting required under this subsection may include:

30       (a) Assessing eligibility for developmental disability waiver  
31 services;

32       (b) Understanding the services that the youth wants or needs upon  
33 their exit from a dependency under chapter 13.34 RCW;

34       (c) Advanced planning for housing options the youth wants or  
35 needs upon their exit from a dependency under chapter 13.34 RCW; and

36       (d) Development of an action plan so that the services the youth  
37 wants or needs will be provided following the youth's exit from  
38 dependency proceedings under chapter 13.34 RCW.

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