
HOUSE BILL 1921

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By Representatives Paris, Riley, Padden, Ludwig, Inslee, Mielke, R. Meyers, Vance, Broback, D. Sommers, Moyer, Anderson, Scott, Winsley, Zellinsky, R. Johnson, Beck, Braddock, Edmondson, Betrozoff, Holland, Rasmussen, Brough, Wynne, Wood and Ferguson.

Read first time February 14, 1991. Referred to Committee on Health Care\Appropriations.

1 AN ACT Relating to an interdepartmental advisory council for
2 persons with functional disabilities; amending RCW 18.51.070 and
3 43.20.030; adding a new chapter to Title 43 RCW; creating a new
4 section; and repealing RCW 43.20A.680, 43.20A.685, 43.20A.690,
5 43.20A.695, 18.51.100, 18.51.110, 18.51.910, and 18.51.911.

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

7 NEW SECTION. **Sec. 1.** The legislature acknowledges that
8 several departments and agencies of government provide diverse long-
9 term care services to a broad range of people who have functional
10 disabilities. The legislature also recognizes that the state council
11 on aging and the nursing home advisory council and the various councils
12 that advise specific entities of the administration do not adequately
13 represent the interests of persons with functional disabilities who
14 require these services. Therefore, it is the intent of the legislature
15 to replace the state council on aging and the nursing home advisory

1 council and establish an interdepartmental advisory council for persons
2 with functional disabilities. Further, it is the legislature's intent
3 that the secretary of social and health services use the authority in
4 RCW 43.20A.360 to create councils deemed necessary to comply with the
5 intent of RCW 43.20A.350.

6 NEW SECTION. **Sec. 2.** The interdepartmental advisory council
7 for persons with functional disabilities is established as an advisory
8 council to the governor, the secretaries of the departments of social
9 and health services and health, the directors of the departments of
10 community development, services for the blind, and veterans affairs,
11 and the insurance commissioner. The secretary of social and health
12 services shall provide appropriate staff support.

13 NEW SECTION. **Sec. 3.** (1) The interdepartmental advisory
14 council for persons with functional disabilities shall have not more
15 than twenty-one members. The initial members of the council shall be
16 appointed by the governor to staggered terms, such that approximately
17 one-third of the members serve terms of one year, one-third serve terms
18 of two years, and one-third serve terms of three years. Thereafter,
19 members of the council shall be appointed by the governor to terms of
20 three years, except in the case of a vacancy, in which event
21 appointment shall be for the remainder of the unexpired term for which
22 the vacancy occurs. No member of the council may serve more than two
23 consecutive terms.

24 (2) Eleven or more of the members shall be from charitable or
25 educational organizations that are exempt from federal taxation under
26 section 501(c)(3) of the internal revenue code and are primarily
27 concerned with a particular category or group of categories of persons
28 with functional disabilities. Members shall also be appointed to

1 represent the interests of federally funded agencies concerned with
2 categories of persons with functional disabilities. Such agencies
3 include the developmental disabilities planning council, governor's
4 committee for disability issues and employment, long-term care
5 ombudsman program, and protection and advocacy system (mental health
6 and developmental disabilities). At least one-fifth of the members
7 must represent persons with functional disabilities who are unserved or
8 underserved by the current systems because of disease, age, or ethnic
9 category or remoteness of residence. No members may also be providers
10 or administrators of long-term care services. The councilmembers shall
11 elect a chair of the council from its membership to serve for a maximum
12 of one year.

13 NEW SECTION. **Sec. 4.** The interdepartmental advisory council
14 for persons with functional disabilities shall meet bimonthly. Members
15 shall be reimbursed for travel expenses and per diem in the performance
16 of their duties as provided in RCW 43.03.050 and 43.03.060.

17 NEW SECTION. **Sec. 5.** (1) The interdepartmental advisory
18 council for persons with functional disabilities has the following
19 powers and duties:

20 (a) To serve in an advisory capacity to the governor, the
21 secretaries of social and health services and health, the directors of
22 the departments of community development, veterans affairs, and
23 services to the blind, and the insurance commissioner on all matters
24 pertaining to policies, programs, and services offered by any element
25 of state government providing long-term care services to persons with
26 functional disabilities; and

1 (b) To provide for self-advocacy by persons affected by functional
2 disability through sponsorship of training, legislative and other
3 conferences, workshops, and other methods as appropriate.

4 (2) The council shall establish bylaws to aid in the performance of
5 its powers and duties.

6 **Sec. 6.** RCW 18.51.070 and 1979 ex.s. c 211 s 64 are each amended
7 to read as follows:

8 The department, after consultation with the ((~~nursing home advisory~~
9 ~~council and the~~)) board of health, shall adopt, amend, and promulgate
10 ((~~such~~)) rules((~~, regulations,~~)) and standards with respect to all
11 nursing homes to be licensed hereunder as may be designed to further
12 the accomplishment of the purposes of this chapter in promoting safe
13 and adequate medical and nursing care of individuals in nursing homes
14 and the sanitary, hygienic and safe conditions of the nursing home in
15 the interest of public health, safety, and welfare.

16 **Sec. 7.** RCW 43.20.030 and 1984 c 287 s 75 are each amended to read
17 as follows:

18 The state board of health shall be composed of ten members. These
19 shall be the secretary or the secretary's designee and nine other
20 persons to be appointed by the governor, including four persons
21 experienced in matters of health and sanitation, an elected city
22 official who is a member of a local health board, an elected county
23 official who is a member of a local health board, a local health
24 officer, and two persons representing the consumers of health care.
25 Before appointing the city official, the governor shall consider any
26 recommendations submitted by the association of Washington cities.
27 Before appointing the county official, the governor shall consider any
28 recommendations submitted by the Washington state association of

1 counties. Before appointing the local health officer, the governor
2 shall consider any recommendations submitted by the Washington state
3 association of local public health officials. Before appointing one of
4 the two consumer representatives, the governor shall consider any
5 recommendations submitted by the ((state council on aging))
6 interdepartmental council for persons with functional disabilities.
7 The chairman shall be selected by the governor from among the nine
8 appointed members. The department of social and health services shall
9 provide necessary technical staff support to the board. The board may
10 employ an executive director and a confidential secretary, each of whom
11 shall be exempt from the provisions of the state civil service law,
12 chapter 41.06 RCW.

13 Members of the board shall be compensated in accordance with RCW
14 43.03.240 and shall be reimbursed for their travel expenses in
15 accordance with RCW 43.03.050 and 43.03.060.

16 NEW SECTION. **Sec. 8.** The following acts or parts of acts are
17 each repealed:

18 (1) RCW 43.20A.680 and 1981 c 151 s 1;

19 (2) RCW 43.20A.685 and 1981 c 151 s 2;

20 (3) RCW 43.20A.690 and 1981 c 151 s 3;

21 (4) RCW 43.20A.695 and 1981 c 151 s 4;

22 (5) RCW 18.51.100 and 1984 c 287 s 39, 1979 ex.s. c 211 s 65, 1971
23 ex.s. c 85 s 1, & 1951 c 117 s 11;

24 (6) RCW 18.51.110 and 1979 ex.s. c 211 s 66 & 1951 c 117 s 12;

25 (7) RCW 18.51.910 and 1990 c 297 s 3, 1988 c 288 s 4, 1986 c 270 s
26 3, & 1983 c 197 s 24; and

27 (8) RCW 18.51.911 and 1990 c 297 s 4, 1988 c 288 s 5, 1986 c 270 s
28 4, & 1983 c 197 s 50.

1 NEW SECTION. **Sec. 9.** Sections 2 through 5 of this act shall
2 constitute a new chapter in Title 43 RCW.