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SENATE BILL 5571

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State of Washington

53rd Legislature

1993 Regular Session

By Senators L. Smith, Owen and McDonald

Read first time 02/03/93. Referred to Committee on Health & Human Services.

1 AN ACT Relating to developmental disabilities; amending RCW  
2 71A.10.015, and 71A.20.020; adding a new section to chapter 71A.20 RCW;  
3 adding new sections to Title 71A RCW; creating new sections; providing  
4 an effective date; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** (1) The state policy declares that the state  
7 shall promote the inclusion of all persons with developmental  
8 disabilities, including people with the most severe disabilities, in  
9 community life. Yet we have facility-based service delivery systems  
10 that continue to have an institutional bias and, in addition, provide  
11 community services that are fragmented. Residents of residential  
12 habilitation centers can be successfully supported in community  
13 placements. Home and community-based services and supports offer the  
14 greatest opportunity to people with developmental disabilities for  
15 personal self-control, integration with the community, and the ability  
16 to lead as normal a life as possible. Furthermore, the majority of  
17 individuals with disabilities live at home with their families. The  
18 system must change to better address the unmet needs of these  
19 individuals and their families.

1 (2) The legislature recognizes that living in home and community-  
2 based settings is most conducive to personal growth and independence  
3 and is generally more cost-effective than institutional care.

4 (3) The legislature finds that state institutions for people with  
5 developmental disabilities may be needed for special populations who  
6 cannot be served in a cost-effective manner in home and community-based  
7 settings. The legislature also finds that many current residents at  
8 the state institutions could be supported successfully in home and  
9 community-based settings.

10 (4) The department of social and health services shall review the  
11 service needs of each resident of the developmental disabilities state  
12 institutions and identify the level of services appropriate to maintain  
13 the person in the most normal and least restrictive setting that is  
14 consistent with the person's needs. If a community placement would be  
15 of equal or greater value to the resident than institutional care, the  
16 department of social and health services shall move the person to a  
17 community placement if it is cost-effective to do so.

18 (5) Services provided in both community and institutional settings  
19 should be designed to promote acquisition of independent living skills  
20 and self-sufficiency.

21 (6) Funds reallocated from institutional services should be used to  
22 support both movers from the state institutions and people on waiting  
23 lists for community services.

24 (7) The legislature recognizes the importance of developing (a) a  
25 resource allocation system based on individual need for supports and  
26 fair distribution of available resources, and (b) efficient and cost-  
27 effective service models and staffing levels. The department of social  
28 and health services shall develop a resource allocation system, service  
29 models, and staffing levels so that services are provided in the most  
30 cost-effective manner possible.

31 **Sec. 2.** RCW 71A.10.015 and 1988 c 176 s 101 are each amended to  
32 read as follows:

33 The legislature recognizes the capacity of all persons, including  
34 those with developmental disabilities, to be personally and socially  
35 productive. The legislature further recognizes the state's obligation  
36 to provide aid to persons with developmental disabilities through a  
37 uniform, coordinated system of services to enable them to achieve a  
38 greater measure of independence and fulfillment and to enjoy all rights

1 and privileges under the Constitution and laws of the United States,  
2 including the Americans with Disabilities Act, and the state of  
3 Washington. The legislature recognizes that home and community-based  
4 settings offer the greatest opportunity for normal living for persons  
5 with developmental disabilities.

6 NEW SECTION. Sec. 3. A new section is added to chapter 71A.20 RCW  
7 to read as follows:

8 The secretary shall close residential habilitation centers or major  
9 portions of residential habilitation centers if, in the judgment of the  
10 secretary, it is cost-effective to do so. Funds appropriated by the  
11 legislature for residential habilitation centers shall be used for the  
12 following purposes when a residential habilitation center or major  
13 portion of a residential habilitation center is closed: (1) To provide  
14 for the ongoing support of former residents in community-based  
15 residential, support, and service programs; and (2) to provide services  
16 to currently unserved, eligible people with developmental disabilities  
17 living in the community.

18 Residential habilitation centers closed under this section shall be  
19 managed in compliance with the requirements of RCW 79.01.006 and  
20 79.01.007.

21 **Sec. 4.** RCW 71A.20.020 and 1988 c 176 s 702 are each amended to  
22 read as follows:

23 (1) The following residential habilitation centers are  
24 ((permanently)) established to provide services to persons with  
25 developmental disabilities: Interlake School, located at Medical Lake,  
26 Spokane county; Lakeland Village, located at Medical Lake, Spokane  
27 county; Rainier School, located at Buckley, Pierce county; Yakima  
28 Valley School, located at Selah, Yakima county; Fircrest School,  
29 located at Seattle, King county; and Frances Haddon Morgan Children's  
30 Center, located at Bremerton, Kitsap county.

31 (2) The department shall institute the phased closure of the  
32 following institutions:

33 (a) Beginning July 1, 1993, Interlake School shall be closed by the  
34 moving of residents to specialized nursing facilities at Lakeland  
35 Village and Fircrest School, and moving the most capable residents from  
36 Lakeland Village and Fircrest School to community placement. The  
37 closure must be completed by December 31, 1994.

1       (b) Beginning January 1, 1994, Yakima Valley School shall be closed  
2 by moving some residents to other residential habilitation centers and  
3 by providing community alternatives for others. The closure must be  
4 completed by July 1, 1995.

5       (c) Beginning July 1, 1993, three hundred individuals shall be  
6 moved from Fircrest School to other residential habilitation centers  
7 and into community placement. The downsizing must be completed by July  
8 1, 1995.

9       (3) Interlake School and Yakima Valley School shall be transferred  
10 to the corpus of the charitable, educational, penal, and reformatory  
11 institution account and managed in compliance with the requirements of  
12 RCW 79.01.006 and 79.01.007.

13       NEW SECTION. Sec. 5. A new section is added to Title 71A RCW to  
14 read as follows:

15       The department shall review actions taken under chapter . . . , Laws  
16 of 1993 (this act) for quality assurance purposes to ensure the health  
17 and safety of individuals moved out of residential habilitation  
18 centers, and the adequacy of community integration, assistance in  
19 activities of daily living, interpersonal relationships, and personal  
20 autonomy in the making of daily decisions.

21       NEW SECTION. Sec. 6. A new section is added to Title 71A RCW to  
22 read as follows:

23       The legislature acknowledges the talent, skill, and experience of  
24 employees of the residential habilitation centers. Many individuals  
25 who have had success in their jobs at residential habilitation centers  
26 have years of experience and have gained professional and  
27 paraprofessional skills that may be assets to other government  
28 institutional programs and to many home and community-based support  
29 systems. It is the intent of the legislature to encourage the  
30 development of a system of strategies to assist individuals with these  
31 skills to find and retain employment in a federal, state, or community  
32 setting, by maximizing the use of the current department of personnel  
33 system and the voluntary efforts of the private sector. The secretary  
34 shall develop with the assistance of the state department of personnel,  
35 the state employment security department, and other state and federal  
36 agencies as appropriate, a strategic and sequential plan for assisting

1 employees of residential habilitation centers that close or are reduced  
2 in size find other employment.

3 NEW SECTION. **Sec. 7.** Money remaining after placement and care of  
4 the individuals who are transferred due to the closure or downsizing  
5 under RCW 71A.20.020(2) shall be used to provide family support  
6 services and support for individuals and their families eligible under  
7 Title 71A RCW who are not receiving any services and for whom family  
8 support services would be most appropriate.

9 NEW SECTION. **Sec. 8.** This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of the  
11 state government and its existing public institutions, and shall take  
12 effect July 1, 1993.

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