

SENATE BILL REPORT

SHB 1724

As Reported By Senate Committee On:
Government Operations & Elections, April 2, 2003

Title: An act relating to changing provisions on the department of services for the blind.

Brief Description: Conforming the department of services for the blind provisions with federal law.

Sponsors: House Committee on Children & Family Services (originally sponsored by Representatives Cody, Dickerson, Pflug, Skinner, Hunt, Alexander and Kenney; by request of Department of Services for the Blind).

Brief History:

Committee Activity: Government Operations & Elections: 4/2/03 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Roach, Chair; Stevens, Vice Chair; Horn, Kastama and McCaslin.

Staff: Ronda Larson (786-7429)

Background: The Department of Services for the Blind provides a variety of programs to blind and visually impaired persons of all ages. People whose vision is not correctable by ordinary eye care are likely candidates for services. The purpose of the department is to help such people become employed or retain employment so that they can live independently wherever they choose to live. For example, the department runs a vending business in which blind persons operate vending facilities in public buildings.

When a client of the department's services is dissatisfied with the department, he or she can appeal the department's decision. Before a hearing occurs, the department conducts a process of reviewing the complaint.

Funding for the department mostly comes from federal sources. The Federal Rehabilitation Act of 1973 allocates the federal funding. To receive the federal dollars, the state must fund at least 21.3 percent of the department's costs. Any agency that receives the federal money must comply with the federal act. Currently, provisions in the Washington statutes are not in compliance with amendments to the act.

Summary of Bill: Technical changes are made in language relating to the department. Regarding the department's vending business, the definition of "public building" is changed to clarify that it includes adjacent outdoor space such as patios. Other technical changes make language more consistent with language in the Federal Rehabilitation Act. For example, terms relating to blindness are modernized and some definitions are clarified.

Substantive changes make the appeals process within the department consistent with the Federal Rehabilitation Act. The administrative review that occurs before the hearing is removed, allowing the appellant to go straight to the hearing stage.

Substantive changes also give the department the authority to conduct background checks of applicants for jobs within the department. When doing background checks, the department must protect the confidentiality of applicants' personal information.

Finally, sections are repealed that are repetitive or not used. The section relating to vocational rehabilitation training centers is repealed because another statute addresses such centers. The statute relating to medical eye care services is repealed because this service is provided by the Department of Social and Health Services rather than the Department of Services for the Blind.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The House amendments are acceptable to the department. It is very important that the current statute be updated. The federal government amends the federal act every five years. The state statute has not changed for 15 years. This bill changes the statute so that it is more flexible with the frequency of federal amendments. Instead of tracking every specific change in the federal act, the bill uses more general language that simply requires the department to be in compliance with federal amendments as they arise. This will prevent having to come back every five years to amend the state statute. This bill causes no fiscal impact. As for the medical eye care services statute that the bill repealed, this simply codifies what has existed in fact since 1983. Since that time, the eye care program has been the responsibility of DSHS rather than the department.

Testimony Against: None.

Testified: Debbie Cook, Assistant to Director, Department of Services for the Blind.