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**SENATE BILL 6013**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Frockt, Darneille, Keiser, Palumbo, Kuderer, and Hasegawa

AN ACT Relating to behavioral rehabilitation services; amending RCW 43.88C.010; adding a new section to chapter 74.13 RCW; adding a new section to chapter 43.88 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that dependent children with high acuity behavioral and mental health needs require robust and consistent behavioral rehabilitation services in order to address their needs and ensure stable, permanent outcomes. The legislature also finds that a reliable network of providers is critical to ensuring our highest needs children receive prompt and appropriate services. Therefore, it is the intent of the legislature to ensure that behavioral rehabilitation services rates are established at levels appropriate to ensure that future rates address the real costs of care and that the caseload for these services are forecasted.

NEW SECTION. **Sec.**  A new section is added to chapter 74.13 RCW to read as follows:

Effective July 1, 2018, contracted rates for behavioral rehabilitation services must be adjusted as needed to reflect the actual costs of care provided by the vendor. To determine actual costs of care, the vendors shall furnish adequate documented evidence related to the cost of providing their particular services to the extent and at such times as the department determines to be necessary.

**Sec.**  RCW 43.88C.010 and 2015 c 128 s 2 are each amended to read as follows:

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

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

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

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

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

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

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

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

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

(c) The number of children who are eligible, as defined in RCW ((~~43.215.405~~)) 43.216.505, to participate in, and the number of children actually served by, the early childhood education and assistance program.

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

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

(10) The caseload forecast council shall forecast the number of youth expected to receive behavioral rehabilitation services while involved in the foster care system.

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

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

For the purposes of this chapter, behavioral rehabilitation services placements must be forecasted and budgeted as maintenance level costs.

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