

2SHB 1394 - S AMD TO WM COMM AMD (S-3941.1/19) 726
By Senator Braun

ADOPTED 04/17/2019

1 On page 9, line 11, after "(4)" insert "Establish requirements
2 for the ability to provide services and an appropriate level of care
3 to individuals with intellectual or developmental disabilities. The
4 requirements must include staffing and training;

5 (5) "

6 Renumber the remaining subsections consecutively and correct any
7 internal references accordingly.

8 On page 19, beginning on line 25, strike all of section 10 and
9 insert the following:

10 "NEW SECTION. **Sec. 10.** By July 1, 2020, the health care
11 authority and the department of social and health services, in
12 consultation with the department of health, the department of
13 children, youth, and families, representatives from providers serving
14 children's inpatient psychiatric needs in each of the three largest
15 cities in Washington, representatives from behavioral health and
16 developmental disability service providers, and representatives from
17 developmental disability advocacy organizations including individuals
18 and families of individuals who need or receive behavioral health and
19 developmental disability services, must provide recommendations to
20 the governor's office and the appropriate committees of the
21 legislature relating to short-term and long-term residential
22 intensive behavioral health and developmental disability services for
23 youth and adults with developmental disabilities and behavioral
24 health needs who are experiencing, or are in danger of experiencing,
25 barriers discharging from inpatient behavioral health treatment
26 received in community hospitals or state hospitals. The
27 recommendations must address the needs of youth and adults with
28 developmental or intellectual disabilities separately and: (1)
29 Consider services necessary to support the youth or adult, the youth
30 or adult's family, and the residential service provider in
31 preparation for and after discharge, including in-home behavioral

1 health and developmental disability supports that may be needed after
2 discharge to maintain stability; (2) establish staffing and funding
3 requirements that provide an appropriate level of treatment for
4 residents in facilities, including both licensed mental health
5 professionals and developmental disability professionals; and (3) for
6 youth clients, consider how to successfully transition a youth to
7 adult services without service disruption."

8 On page 21, after line 32, insert the following:

9 "NEW SECTION. **Sec. 13.** A new section is added to chapter 71A.12
10 RCW to read as follows:

11 (1) Subject to the availability of amounts appropriated for this
12 specific purpose, the developmental disabilities administration of
13 the department of social and health services shall track and monitor
14 the following items and make the deidentified information available
15 to the office of the developmental disabilities ombuds created in RCW
16 43.382.005, the legislature, the Washington state hospital
17 association, and the public upon request:

18 (a) Information about clients receiving services from a provider
19 who are taken or admitted to a hospital. This includes:

20 (i) The number of clients who are taken or admitted to a hospital
21 for services without a medical need;

22 (ii) The number of clients who are taken or admitted to a
23 hospital with a medical need, but are unable to discharge once the
24 medical need is met;

25 (iii) Each client's length of hospital stay for nonmedical
26 purposes;

27 (iv) The reason each client was unable to be discharged from a
28 hospital once the client's medical need was met;

29 (v) The location, including the type of provider, where each
30 client was before being taken or admitted to a hospital; and

31 (vi) The location where each client is discharged.

32 (b) Information about clients who are taken or admitted to a
33 hospital once the client's provider terminates services. This
34 includes:

35 (i) The number of clients who are taken or admitted to a hospital
36 for services without a medical need;

1 (ii) The number of clients who are taken or admitted to a
2 hospital with a medical need, but are unable to discharge once the
3 medical need is met;

4 (iii) Each client's length of hospital stay for nonmedical
5 purposes;

6 (iv) The reason each client was unable to be discharged from a
7 hospital once the client's medical need was met;

8 (v) For each client, the reason the provider terminated services;

9 (vi) The location, including the type of provider, where each
10 client was before being taken or admitted to a hospital; and

11 (vii) The location where each client is discharged.

12 (2) A provider must notify the department when a client is taken
13 or admitted to a hospital for services without a medical need and
14 when a client is taken or admitted to a hospital with a medical need
15 but is unable to discharge back to the provider, so that the
16 department may track and collect data as required under subsection
17 (1) of this section.

18 (3) The definitions in this subsection apply throughout this
19 section unless the context clearly requires otherwise.

20 (a) "Hospital" means a facility licensed under chapter 70.41 or
21 71.12 RCW.

22 (b) "Provider" means a certified residential services and support
23 program that contracts with the developmental disabilities
24 administration of the department of social and health services to
25 provide services to administration clients. "Provider" also includes
26 the state-operated living alternatives program operated by the
27 administration."

2SHB 1394 - S AMD TO WM COMM AMD (S-3941.1/19) **726**
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28 On page 22, line 4, after "RCW;" insert "adding a new section to
29 chapter 71A.12 RCW;"

EFFECT: (1) Requires the Department of Health to establish requirements for intensive behavioral health treatment facilities that include the ability to provide services and an appropriate level of care to persons with intellectual or developmental disabilities. Amends the work group established to recommend residential treatment options for youth with developmental disability and behavioral health

treatment needs to: Extend the report date to July 1, 2020; include short-term and long-term residential placements; include recommendations for adults as well as youth; and transfer the responsibility to create the recommendations to the Health Care Authority and Department of Social and Health Services, in consultation with specified stakeholders.

(2) Subject to appropriation, requires the Developmental Disabilities Administration of the Department of Social and Health Services (DSHS) to track and monitor the following items and make deidentified information available to the DD Ombuds, Legislature, Washington State Hospital Association, and the public:

(a) The number of clients receiving developmental disabilities services who are taken to a hospital;

(b) The number of clients taken to a hospital once their developmental disability services are terminated by a provider;

(c) For the clients in (a) and (b) of this subsection, whether or not the client had a medical need, their length of stay in the hospital, location, whether they experienced barriers to discharge, and for clients in (b) of this subsection, the reason for termination of provider services.

(3) Requires developmental disabilities services providers to notify DSHS when a client is taken to the hospital without a medical need and when a client is admitted to a hospital with a medical need but is unable to discharge back to the provider.

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