

# HOUSE BILL REPORT

## HB 2599

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### As Passed Legislature

**Title:** An act relating to services for children with multiple handicaps.

**Brief Description:** Concerning services for children with multiple handicaps.

**Sponsors:** Representatives Eslick, Kilduff, Doglio and Leavitt; by request of Department of Social and Health Services.

#### **Brief History:**

##### **Committee Activity:**

Human Services & Early Learning: 1/28/20, 1/31/20 [DP].

##### **Floor Activity:**

Passed House: 2/18/20, 96-0.

Passed Senate: 3/3/20, 49-0.

Passed Legislature.

#### **Brief Summary of Bill**

- Repeals provisions in law related to the "services for children with multiple handicaps" program.

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### HOUSE COMMITTEE ON HUMAN SERVICES & EARLY LEARNING

**Majority Report:** Do pass. Signed by 12 members: Representatives Senn, Chair; Callan, Vice Chair; Frame, Vice Chair; Dent, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Corry, Goodman, Kilduff, Klippert, Lovick and Ortiz-Self.

**Staff:** Luke Wickham (786-7146).

#### **Background:**

*Services for Children with Multiple Handicaps.*

In 1980 the Legislature established in law a program to develop and review an alternative service delivery system for certain handicapped children with multiple handicaps who have

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continuing intensive medical needs but who are not required to continue in a hospital setting. To be eligible for this program, an individual must be:

- under age 22;
- under the care of a physician that diagnoses the child's condition as sufficiently serious;
- residing in, or in immediate jeopardy of residing in, a hospital or other residential medical facility; and
- within certain functional and medical categories.

The Developmental Disability Administration (DDA) was established to develop a plan for each child served under the "services for children with multiple handicaps" program that would include:

- nursing care;
- physician care;
- respiratory therapy;
- dental care;
- nutritional consultation;
- communication disorder therapy;
- physical and occupational therapy;
- special and regular education;
- recreation therapy;
- psychological counseling; and
- transportation.

This program has remained in law since 1980 but has not been implemented.

*Medically Intensive Children's Program.*

The Medically Intensive Children's Program (MICP) provides skilled nursing services to children under age 18 if the child:

- has complex medical needs;
- is enrolled in Washington Apple Health under the "medically needy" scope of care; and
- requires at least four hours of continuous skilled nursing care per day.

The MICP is administered by the DDA in partnership with the Health Care Authority (HCA). The DDA determines clinical and financial eligibility, assesses the child to determine medically necessary services, and arranges the services. The HCA arranges medically necessary skilled private duty nursing services through the DDA, helps families in obtaining private duty nursing services, and is responsible for ensuring that children enrolled in Apple Health receive the nursing services they need.

**Summary of Bill:**

Provisions in law relating to the "services for children with multiple handicaps" program are repealed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Since this program is not being administered, it makes sense to remove it from law. Making this change will be more transparent because this program was never funded or implemented. Every year, clients request to be served from this program and the DDA has to explain that this program has not been implemented. Instead, the DDA administers the MICP.

(Opposed) None.

(Other) Families with significant disabilities need these services even when their income is higher than required under the MICP. We encourage the bill to be amended to direct the HCA to complete a study on amending the state waiver to allow an expansion of services for families by disregarding family income for certain children who are disabled. The Katie Beckett option allows a family's income to be disregarded when being served in a residential setting. Some children will no longer be eligible for DDA services when turning age 10. There are many families who go into debt and crisis just trying to care for their children. There is often a large gap for children needing developmental disability services between ages 10 and 18.

**Persons Testifying:** (In support) Representative Eslick; and Debbi Roberts, Department of Social and Health Services.

(Other) Stacy Dym, The Arc of King County; and Doreen Vandervort.

**Persons Signed In To Testify But Not Testifying:** None.