H-2584.1

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**HOUSE BILL 2365**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Barnard, Taylor, Robertson, Leavitt, Callan, Davis, Farivar, Nance, Reed, Jacobsen, Simmons, Goodman, Caldier, Pollet, and Santos

AN ACT Relating to increasing access to respite care for those with intellectual or developmental disabilities and their caregivers; adding a new section to chapter 71A.12 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that respite care is an essential component of waiver services as it gives much needed breaks to the main caregiver and to the person being cared for with intellectual or developmental disabilities. Respite care is a popular service with a high usage rate, but many people need more respite care in order to live independently in the community and main caregivers need breaks from caregiving.

The legislature declares that given the fundamental importance of respite care to both the caregiver and the person being cared for, in addition to the respite care currently offered, the department of social and health services shall add respite care to the aggregate portion of the basic plus and children's intensive in-home behavioral support waiver service so that aggregate funds can be accessed for respite care without prior administrative approval once the annual assessed hours have been exhausted.

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

(1) The department shall provide respite care as part of the aggregate services available under both the basic plus waiver and the children's intensive in-home behavioral support waiver.

(2) The department may adopt rules as necessary to implement subsection (1) of this section.

(3) By September 1, 2024, the department shall submit a waiver amendment to the centers for medicare and medicaid services.

(4) Upon the approval from the centers for medicare and medicaid services, the department has 30 days to update the basic plus and children's intensive in-home behavioral support waivers to allow respite care as aggregate services.

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