CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1407**

68th Legislature

2023 Regular Session

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| Passed by the House February 28, 2023  Yeas 97 Nays 0  **Speaker of the House of Representatives**  Passed by the Senate April 12, 2023  Yeas 49 Nays 0  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1407** as passed by the House of Representatives and the Senate on the dates hereon set forth.  Chief Clerk |
| Approved |  |
| **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**HOUSE BILL 1407**

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Passed Legislature - 2023 Regular Session

**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Taylor, Senn, Simmons, Stonier, Jacobsen, Bateman, Lekanoff, Peterson, Ramel, Macri, Pollet, Reed, and Doglio

AN ACT Relating to maintaining eligibility for developmental disability services; and amending RCW 71A.16.040.

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

**Sec.**  RCW 71A.16.040 and 1989 c 175 s 141 are each amended to read as follows:

(1) On receipt of an application for services submitted under RCW 71A.16.030, the secretary in a timely manner shall make a written determination as to whether the applicant is eligible for services provided under this title for persons with developmental disabilities.

(2) The secretary shall give notice of the secretary's determination on eligibility to the person who submitted the application and to the applicant, if the applicant is a person other than the person who submitted the application for services. The notice shall also include a statement advising the recipient of the right to an adjudicative proceeding under RCW 71A.10.050 and the right to judicial review of the secretary's final decision.

(3) The secretary may establish rules for redetermination of eligibility for services under this title; however, the rules may not terminate or require redetermination of eligibility for a child under the age of 18 based solely on the child's age if the child has been determined to be eligible for services on or after the child's third birthday.

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