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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

Read first time 01/15/24. Referred to Committee on Human Services, Youth, & Early Learning.

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

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

6 NEW SECTION. **Sec. 1.** The legislature finds that respite care is  
7 an essential component of waiver services as it gives much needed  
8 breaks to the main caregiver and to the person being cared for with  
9 intellectual or developmental disabilities. Respite care is a popular  
10 service with a high usage rate, but many people need more respite  
11 care in order to live independently in the community and main  
12 caregivers need breaks from caregiving.

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

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 71A.12  
2    RCW to read as follows:

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

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

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

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

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