

# HOUSE BILL REPORT

## HB 2591

---

*As Passed House  
February 17, 1992*

**Title:** An act relating to protection and advocacy of the rights of persons with developmental disability or mental illness.

**Brief Description:** Providing for protection and advocacy for persons with developmental disability or mental illness.

**Sponsor(s):** Representatives Leonard, Winsley, Riley, Franklin, Paris, Mitchell, Jacobsen, Dellwo, Rasmussen, J. Kohl and Brekke; by request of Department of Community Development.

**Brief History:**

Reported by House Committee on:  
Human Services, February 5, 1992, DP;  
Passed House, February 17, 1992, 84-0.

---

**HOUSE COMMITTEE ON  
HUMAN SERVICES**

**Majority Report:** *Do pass.* Signed by 10 members: Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

**Minority Report:** *Do not pass.* Signed by 1 member: Representative Beck.

**Staff:** David Knutson (786-7146).

**Background:** The federal government requires Washington State to provide protection and advocacy services to developmentally disabled and mentally ill persons under two separate federal laws. The Developmental Disabilities Assistance and Bill of Rights Act and the Protection and Advocacy for Mentally Ill Individuals Act of 1986, both require legal, administrative, and other appropriate remedies be in place for eligible persons. The statutory authority to operate these two protection and advocacy programs is found in Title 71A RCW; Relating to Developmental Disabilities.

**Summary of Bill:** The statutory authority to operate a protection and advocacy program for the developmentally disabled remains in Title 71A RCW. The statutory authority to operate a protection and advocacy program for the mentally ill is transferred to Title 71 RCW; relating to Mental Illness. The Protection and Advocacy Programs for the developmentally disabled and mentally ill are terminated on June 30, 1998, and subject to the Washington Sunset Act of 1977.

**Fiscal Note:** Requested January 24, 1992.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The existing statute governing protection and advocacy services for the developmentally disabled and mentally ill should be recodified between the developmental disabilities statutes and the mental health statutes. Additional assurances should be provided to the federal government to ensure continued receipt of federal funds. The Department of Community Development should competitively bid the protection and advocacy functions for the developmentally disabled and the mentally ill to allow additional agencies to provide services.

**Testimony Against:** The Department of Community Development should be required to contract with several organizations to provide protection and advocacy services.

**Witnesses:** Joby Winans, Department of Community Development (pro); and Eleanor Owen, Washington Advocates for the Mentally Ill (con).