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HOUSE BILL 1735

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Cooper, Ferguson, Dellwo and Rasmussen.

Read first time February 7, 1991. Referred to Committee on Health Care. Referred 2/14/91 to Committee on Appropriations.

1            AN ACT Relating to improving services for persons with  
2 developmental disabilities; amending RCW 71A.20.020; adding new  
3 sections to chapter 71A.20 RCW; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.**            The legislature finds that many people  
6 living in residential habilitation centers would be better served in  
7 more independent and integrated living situations in community  
8 settings.    The legislature further finds that some residential  
9 habilitation centers have experienced repeated decertification due to  
10 their inability to comply with federal standards for intermediate care  
11 facilities for the mentally retarded.    The continued threat of  
12 decertification requires additional state funding for facility  
13 improvements and significant numbers of new staff with no guarantee  
14 that the future compliance standards will be met.

1       **Sec. 2.** RCW 71A.20.020 and 1988 c 176 s 702 are each amended to  
2 read as follows:

3       The following residential habilitation centers are permanently  
4 established to provide services to persons with developmental  
5 disabilities: (~~Interlake School, located at Medical Lake, Spokane~~  
6 ~~county~~) Lakeland Village, located at Medical Lake, Spokane county;  
7 Rainier School, located at Buckley, Pierce county; Yakima Valley  
8 School, located at Selah, Yakima county; (~~Firerest School, located at~~  
9 ~~Seattle, King county~~) and Frances Haddon Morgan Children's Center,  
10 located at Bremerton, Kitsap county.

11       NEW SECTION.   **Sec. 3.**       To achieve the objectives of section 4  
12 of this act, the secretary of the department of social and health  
13 services has the authority to cease operating Interlake School, located  
14 at Medical Lake, Spokane county, and Fircrest school, located at  
15 Seattle, King county. If the secretary exercises his or her authority  
16 to cease such operations, the funding assets allocated to the operation  
17 of the two facilities shall be transferred to the community services  
18 budget and used for the benefit of providing residential and community-  
19 based employment or other appropriate day program services for persons  
20 with developmental disabilities living in communities.

21       NEW SECTION.   **Sec. 4.**       By June 30, 1995, the department of  
22 social and health services shall reduce the population of the state's  
23 residential habilitation centers by at least thirty percent below the  
24 population on the effective date of this act. The reduction of  
25 population shall be accomplished through development and implementation  
26 of a comprehensive plan that will guarantee that each person moved from  
27 a residential habilitation center is provided residential service in a

1 community setting. In addition, each person shall be provided private,  
2 community-based employment or other appropriate day program service.

3 NEW SECTION. **Sec. 5.** (1) To develop the comprehensive plan  
4 required by section 4 of this act, the residential habilitation center  
5 reduction task force is created.

6 (a) The secretary of the department of social and health services  
7 shall appoint eight task force members including one representative for  
8 each of the following groups: Department staff, county coordinators,  
9 community residential providers, community employment providers,  
10 community advocates, staff of institutions, residents of institutions,  
11 and parents and guardians of persons residing in institutions.

12 (b) The task force shall include four legislative members: One  
13 from each major caucus in the house of representatives appointed by the  
14 speaker of the house of representatives, and one from each major caucus  
15 in the senate appointed by the president of the senate.

16 (c) Members of the task force shall receive no compensation.  
17 Legislative members shall be reimbursed for travel expenses as provided  
18 in RCW 44.04.120. Other task force members shall be reimbursed for  
19 travel expenses as provided in RCW 43.03.050 and 43.03.060.

20 (2) The task force shall develop a comprehensive plan by June 30,  
21 1992.

22 (3) Upon acceptance of the comprehensive plan by the secretary of  
23 the department of social and health services, the secretary may, as  
24 provided by RCW 71A.20.080, move a resident from a residential  
25 habilitation center into a community setting when the secretary has  
26 determined that it is advisable to do so and case management services  
27 has developed a community service plan that is appropriate for the  
28 individual. The community service plan shall respect each individual's

1 ability to choose the community residential and day program service  
2 that best meets his or her individual strengths and needs.

3 NEW SECTION. **Sec. 6.** In making community residential  
4 placement of individuals residing in residential habilitation centers,  
5 the state may provide state-operated residential services in the  
6 community after: Efforts have been made to provide private support and  
7 services to the individual; private residential providers from the  
8 locale chosen by the individual or parent or guardian have been  
9 contacted about providing services; and the individual or parent or  
10 guardian requests placement in a state-operated community residential  
11 service. Individuals moved from residential habilitation centers to  
12 private community residential programs shall not thereafter be placed  
13 in a state-operated community residential service, unless no private  
14 program in the locale is able or willing to serve the individual.

15 NEW SECTION. **Sec. 7.** Sections 3 through 6 of this act are  
16 each added to chapter 71A.20 RCW.