
HOUSE BILL 2851

State of Washington

52nd Legislature

1992 Regular Session

By Representatives J. Kohl, Leonard, Rust, Rasmussen, Beck, Franklin, Winsley, Anderson, G. Cole, H. Myers, Forner, H. Sommers, Valle, Jones, Ferguson, Pruitt, Rayburn, Basich, Ogden, Roland and Inslee

Read first time 01/29/92. Referred to Committee on Human Services.

1 AN ACT Relating to establishment of a volunteer service credit
2 program; adding a new chapter to Title 74 RCW; and making an
3 appropriation.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that it is
6 valuable to establish and encourage community-based services that
7 enable persons with physical or mental disabilities or illnesses to
8 remain in their communities and homes. The legislature further finds
9 that voluntary community assistance activities constitute an effective
10 mechanism to supplement and not supplant essential public and private
11 community-based services needed by persons with physical or mental
12 disabilities or illnesses. The legislature further finds that
13 volunteers should have the opportunity to receive credits for their
14 donated time so that they can receive similar assistance if they or a

1 family member, at some later time, experience a physical or mental
2 disability or illness.

3 (2) It is the purpose of this chapter to establish a volunteer
4 service credit program that will enhance the community-based services
5 available to persons with physical or mental disabilities or illnesses
6 who wish to remain in their communities and homes.

7 NEW SECTION. **Sec. 2.** Unless the context clearly requires
8 otherwise, the definitions in this section apply throughout this
9 chapter.

10 (1) "Eligible person" means an individual who is sixty years of age
11 or older or is functionally disabled as a result of a physical or
12 mental disability or illness;

13 (2) "Service credit" means the unit of exchange upon which the
14 volunteer service credit program operates. No monetary value may be
15 attached to the service credit;

16 (3) "Sponsor" means a nonprofit organization or a consortium of
17 nonprofit organizations that receives and dispenses service credits on
18 behalf of eligible persons and is designated by the department to
19 perform the administrative tasks necessary to implement this chapter.

20 (4) "Targeted service" means a task for which service credits may
21 be earned when performed by a volunteer for an eligible person.

22 (5) "Volunteer" means an individual who earns service credits by:

23 (a) Providing targeted services to an eligible person not related
24 to him or her by blood, marriage, guardianship, or adoption;

25 (b) Participating in preservice or inservice training under the
26 volunteer service credit program; or

27 (c) Performing administrative tasks in direct support of the
28 volunteer service credit program.

1 (6) "Program" means the volunteer credit service program
2 established by this chapter, funded entirely or in part by
3 appropriation.

4 NEW SECTION. **Sec. 3.** (1) The department shall establish a
5 volunteer service credit program, in at least three program sites,
6 through which individuals may volunteer targeted services and in return
7 earn service credits that may be subsequently exchanged for targeted
8 services. To implement the program, the department shall develop a
9 process for notifying potential sponsors of the availability of program
10 grants, then awarding grants to those sponsors that best meet the
11 objectives set forth in this chapter.

12 (2)(a) The department shall ensure that each sponsor maintains a
13 register containing all of the following:

14 (i) The names of participating volunteers, services for which they
15 are available, and any other personal information relevant to the
16 program;

17 (ii) An accounting system with the capacity to make available to
18 the department, each volunteer, and the sponsor a monthly balance of
19 service credits earned and used; and

20 (iii) Any other data that may be needed to monitor and administer
21 the program.

22 (b) The register required by this section shall be used solely to
23 match volunteers with eligible persons and to accomplish other tasks
24 consistent with the purposes of this chapter.

25 (3) The department shall require that any grantee of funds awarded
26 under this chapter shall provide twenty-five percent of the funding for
27 its program under this chapter in matching funds provided by private or
28 public entities. Contributions of materials, supplies, or physical
29 facilities may be considered as all or part of the matching funds.

1 (3)(a) Volunteers who provide targeted services shall earn one
2 service credit for each hour of targeted services provided.

3 (b) Volunteers may also earn service credits for the completion of
4 preservice and inservice training and for the performance of
5 administrative tasks in direct support of the program. Service credits
6 earned in this manner shall be computed at a rate of one credit for
7 every two hours of training or administrative service.

8 (4)(a) A volunteer who has service credits may transfer all or part
9 of those credits, either directly or through a sponsor, to an eligible
10 person. Credits thus transferred may not be retransferred.

11 (b) A volunteer who has service credits may transfer all or part of
12 those credits to the department or a sponsor for the purpose of
13 replenishing a pool of service credits established under subsection (1)
14 or (2) of this section.

15 (5) Except as otherwise provided by the rules adopted by the
16 department under section 10 of this act, an eligible person may at any
17 time exchange service credits that he or she has earned, received by
18 transfer, or been awarded for an equal number of hours of any targeted
19 service. The sponsor shall determine whether a requested service is a
20 targeted service and whether the requestor is an eligible person.

21 NEW SECTION. **Sec. 6.** (1) Before entering the program, every
22 program volunteer and every eligible person requesting targeted
23 services from the program shall read and sign a clearly written
24 information sheet. This sheet shall include a notice that the program
25 carries no guarantees of credits earned by program volunteers.

26 (2) To ensure that outstanding service credits can be honored when
27 exchanged for targeted services, the sponsor shall engage in diligent
28 volunteer recruitment.

1 (3) If the state-wide program expires or is terminated, the
2 department shall promptly give written notice to all sponsors and to
3 all persons known to have outstanding credits. In the event the
4 sponsor expects its program to end, the sponsor shall promptly give
5 written notice of the program's expiration or termination to all other
6 persons known to have outstanding credits.

7 NEW SECTION. **Sec. 7.** (1) Each sponsor shall have an advisory
8 committee that includes all of the following:

9 (a) Persons skilled in providing targeted services;

10 (b) Persons who represent or advocate the interests of eligible
11 persons; and

12 (c) Persons representing the interests of program volunteers. The
13 advisory committee shall monitor the sponsor's compliance with program
14 requirements, make recommendations to the sponsor on program
15 implementation, and carry out any other program-related tasks that the
16 department deems appropriate.

17 (2) Members of the advisory committee serve in an informal capacity
18 and assume no legal responsibility for program actions or decisions.

19 NEW SECTION. **Sec. 8.** (1) Volunteers shall not, by virtue of
20 their participation in the program be considered for any purpose to be
21 employees or agents of either the department or a sponsor, or be
22 entitled to any monetary compensation for their services. Service
23 credit hours to be claimed are contingent upon the availability of
24 volunteer hours during the course of the program, and shall not cause
25 any liability, monetary or otherwise, to accrue to the sponsor's
26 program, the department, or the state.

1 (2) Notwithstanding subsection (1) of this section, sponsors may
2 reimburse volunteers for necessary expenses directly related to their
3 provision of targeted services.

4 NEW SECTION. Sec. 9. (1) If a volunteer completes a
5 department-approved training program, no cause of action may arise
6 against a volunteer participating in a program under this chapter
7 except in instances of gross negligence or intentional conduct.

8 (2) No cause of action may arise against the state as a result of
9 any negligent or intentional act or omission of a sponsor or volunteer
10 in the implementation of a program under this chapter.

11 NEW SECTION. Sec. 10. The department shall adopt rules
12 necessary to carry out the purposes of this chapter. The rules shall
13 include, but need not be limited to, standards and procedures with
14 respect to the following:

15 (1) Volunteer qualifications, screening, preservice and inservice
16 training, monitoring, and termination;

17 (2) Minimum liability and accident insurance for volunteers;

18 (3) Sponsor qualifications;

19 (4) The awarding of service credits;

20 (5) Weekly and annual limits on the number of service credits a
21 volunteer may earn;

22 (6) Contingency planning and volunteer reserves; and

23 (7) Responsibilities of sponsor advisory committees.

24 NEW SECTION. Sec. 11. The department shall prepare and submit
25 to the legislature annual reports on the program established by this
26 chapter. These reports shall, at a minimum, include all of the
27 following information on each program:

- 1 (1) A description of the participating population, including the
- 2 number of persons served and the services provided;
- 3 (2) The number of service credits outstanding at the conclusion of
- 4 the reporting period; and
- 5 (3) Program costs.

6 NEW SECTION. **Sec. 12.** Sections 1 through 10 of this act shall
7 constitute a new chapter in Title 74 RCW.

8 NEW SECTION. **Sec. 13.** The sum of one hundred fifty thousand
9 dollars, or as much thereof as may be necessary, is appropriated for
10 the biennium ending June 30, 1993, from the general fund to the
11 department of social and health services for purposes of implementation
12 of this act. No more than forty thousand dollars of the appropriation
13 in this section may be used by the department for administrative costs.

14 NEW SECTION. **Sec. 14.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.