
HOUSE BILL 2871

State of Washington 58th Legislature 2004 Regular Session

By Representatives Darneille, Campbell, Cody, Miloscia, Moeller,
Wallace, Schual-Berke, Skinner, Murray, Upthegrove and Santos

Read first time 01/21/2004. Referred to Committee on Health Care.

1 AN ACT Relating to measuring the performance of the HIV/AIDS
2 service delivery system; amending RCW 70.24.400; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that Washington state
6 has a long-standing commitment to reducing the rate of HIV infection in
7 the state and to assisting individuals who are HIV positive. The
8 legislature further finds that it is appropriate to develop measures
9 that will allow an assessment of the performance of the HIV/AIDS
10 service delivery system to ensure that public funds spent for this
11 purpose are being used most effectively to respond to this important
12 public health issue.

13 **Sec. 2.** RCW 70.24.400 and 1998 c 245 s 126 are each amended to
14 read as follows:

15 The department shall establish a statewide system of regional
16 acquired immunodeficiency syndrome (AIDS) service networks as follows:

17 (1) The secretary of health shall direct that all state or federal
18 funds, excluding those from federal Title XIX for services or other

1 activities authorized in this chapter, shall be allocated to the office
2 on AIDS established in RCW 70.24.250. The secretary shall further
3 direct that all funds for services and activities specified in
4 subsection (3) of this section shall be provided to lead counties
5 through contractual agreements based on plans developed as provided in
6 subsection (2) of this section, unless direction of such funds is
7 explicitly prohibited by federal law, federal regulation, or federal
8 policy. The department shall deny funding allocations to lead counties
9 only if the denial is based upon documented incidents of nonfeasance,
10 misfeasance, or malfeasance. However, the department shall give
11 written notice and thirty days for corrective action in incidents of
12 misfeasance or nonfeasance before funding may be denied. The
13 department shall designate six AIDS service network regions
14 encompassing the state. In doing so, the department shall use the
15 boundaries of the regional structures in place for the community
16 services administration on January 1, 1988.

17 (2) The department shall request that a lead county within each
18 region, which shall be the county with the largest population, prepare,
19 through a cooperative effort of local health departments within the
20 region, a regional organizational and service plan, which meets the
21 requirements set forth in subsection (3) of this section. Efforts
22 should be made to use existing plans, where appropriate. The plan
23 should place emphasis on contracting with existing hospitals, major
24 voluntary organizations, or health care organizations within a region
25 that have in the past provided quality services similar to those
26 mentioned in subsection (3) of this section and that have demonstrated
27 an interest in providing any of the components listed in subsection (3)
28 of this section. If any of the counties within a region do not
29 participate, it shall be the lead county's responsibility to develop
30 the part of the plan for the nonparticipating county or counties. If
31 all of the counties within a region do not participate, the department
32 shall assume the responsibility.

33 (3) The regional AIDS service network plan shall include the
34 following components:

- 35 (a) A designated single administrative or coordinating agency;
- 36 (b) A complement of services to include:
 - 37 (i) Voluntary and anonymous counseling and testing;

1 (ii) Mandatory testing and/or counseling services for certain
2 individuals, as required by law;

3 (iii) Notification of sexual partners of infected persons, as
4 required by law;

5 (iv) Education for the general public, health professionals, and
6 high-risk groups;

7 (v) Intervention strategies to reduce the incidence of HIV
8 infection among high-risk groups, possibly including needle
9 sterilization and methadone maintenance;

10 (vi) Related community outreach services for runaway youth;

11 (vii) Case management;

12 (viii) Strategies for the development of volunteer networks;

13 (ix) Strategies for the coordination of related agencies within the
14 network; and

15 (x) Other necessary information, including needs particular to the
16 region;

17 (c) A service delivery model that includes:

18 (i) Case management services; and

19 (ii) A community-based continuum-of-care model encompassing both
20 medical, mental health, and social services with the goal of
21 maintaining persons with AIDS in a home-like setting, to the extent
22 possible, in the least-expensive manner; and

23 (d) Budget, caseload, and staffing projections.

24 (4) Efforts shall be made by both the counties and the department
25 to use existing service delivery systems, where possible, in developing
26 the networks.

27 (5) The University of Washington health science program, in
28 cooperation with the office on AIDS may, within available resources,
29 establish a center for AIDS education, which shall be linked to the
30 networks. The center for AIDS education is not intended to engage in
31 state-funded research related to HIV infection, AIDS, or HIV-related
32 conditions. Its duties shall include providing the office on AIDS with
33 the appropriate educational materials necessary to carry out that
34 office's duties.

35 (6) The department shall ~~((implement this section, consistent with~~
36 ~~available funds, by October 1, 1988, by establishing six regional AIDS~~
37 ~~service networks whose combined jurisdictions shall include the entire~~
38 ~~state.~~

1 ~~(a) Until June 30, 1991, available funding for each regional AIDS~~
2 ~~service network shall be allocated as follows:~~

3 ~~(i) Seventy five percent of the amount provided for regional AIDS~~
4 ~~service networks shall be allocated per capita based on the number of~~
5 ~~persons residing within each region, but in no case less than one~~
6 ~~hundred fifty thousand dollars for each regional AIDS service network~~
7 ~~per fiscal year. This amount shall be expended for testing,~~
8 ~~counseling, education, case management, notification of sexual partners~~
9 ~~of infected persons, planning, coordination, and other services~~
10 ~~required by law, except for those enumerated in (a)(ii) of this~~
11 ~~subsection.~~

12 ~~(ii) Twenty five percent of the amount provided for regional AIDS~~
13 ~~service networks shall be allocated for intervention strategies~~
14 ~~specifically addressing groups that are at a high risk of being~~
15 ~~infected with the human immunodeficiency virus. The allocation shall~~
16 ~~be made by the office on AIDS based on documented need as specified in~~
17 ~~regional AIDS network plans.~~

18 ~~(b) After June 30, 1991, the funding shall be allocated as provided~~
19 ~~by law)):~~

20 (a) Use recommendations from the federal department of health and
21 human services to determine best practices for the HIV-related
22 activities included in subsection (3)(b) of this section;

23 (b) In collaboration with the regional AIDS service networks and
24 other interested organizations, establish performance indicators to
25 assess progress in conducting those HIV-related activities included in
26 subsection (3) of this section; and

27 (c) Report the chosen performance indicators to relevant committees
28 of the legislature by December 31, 2004. During calendar year 2005,
29 the department will collect baseline data. Beginning January 1, 2006,
30 the department shall submit an annual report on progress toward the
31 performance indicators to the legislature.

32 (7) The regional AIDS service networks shall be the official state
33 regional agencies for AIDS information education and coordination of
34 services. The state public health officer, as designated by the
35 secretary of health, shall make adequate efforts to publicize the
36 existence and functions of the networks.

37 (8) If the department is not able to establish a network by an

1 agreement solely with counties, it may contract with nonprofit agencies
2 for any or all of the designated network responsibilities.

3 (9) The department, in establishing the networks, shall study
4 mechanisms that could lead to reduced costs and/or increased access to
5 services. The methods shall include capitation.

6 (10) The department shall reflect in its departmental biennial
7 budget request the funds necessary to implement this section.

8 (11) The use of appropriate materials may be authorized by regional
9 AIDS service networks in the prevention or control of HIV infection.

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