

2SSB 5467 - H COMM AMD

By Committee on Human Services

ADOPTED 04/05/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

4 (a) A developmental disability is a natural part of human life, and
5 the presence of a developmental disability in the life of a person does
6 not diminish the person's rights or opportunity to participate fully in
7 the life of the local community;

8 (b) Investing in family members who have children and adults living
9 in the family home preserves a valuable natural support system for the
10 individual with a developmental disability and is also cost-effective
11 for the state of Washington;

12 (c) Providing support services to families can help maintain the
13 well-being of the family and stabilize the family unit.

14 (2) It is the intent of the legislature:

15 (a) To partner with families as care providers for children with
16 developmental disabilities and adults who choose to live in the family
17 home;

18 (b) That individual and family services be centered on the needs of
19 the person with a developmental disability and the family;

20 (c) That, to the maximum extent possible, individuals and families
21 must be given choice of services and exercise control over the
22 resources available to them.

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

25 (1) The individual and family services program for individuals
26 eligible to receive services under this title is established. This
27 program replaces family support opportunities, traditional family
28 support, and the flexible family support pilot program. The department
29 shall transfer funding associated with these existing family support

1 programs to the individual and family services program and shall
2 operate the program within available funding. The services provided
3 under the individual and family services program shall be funded by
4 state funding without benefit of federal match.

5 (2) The department shall adopt rules to implement this section.
6 The rules shall provide:

7 (a) That eligibility to receive services in the individual and
8 family services program be determined solely by an assessment of
9 individual need;

10 (b) For service priority levels to be developed that specify a
11 maximum amount of dollars for each person per level per year;

12 (c) That the dollar caps for each service priority level be
13 adjusted by the vendor rate increases authorized by the legislature;
14 and

15 (d) That the following services be available under the program:

16 (i) Respite care;

17 (ii) Therapies;

18 (iii) Architectural and vehicular modifications;

19 (iv) Equipment and supplies;

20 (v) Specialized nutrition and clothing;

21 (vi) Excess medical costs not covered by another source;

22 (vii) Copays for medical and therapeutic services;

23 (viii) Transportation;

24 (ix) Training;

25 (x) Counseling;

26 (xi) Behavior management;

27 (xii) Parent/sibling education;

28 (xiii) Recreational opportunities; and

29 (xiv) Community services grants.

30 (3) In addition to services provided for the service priority
31 levels under subsections (1) and (2) of this section, the department
32 shall provide for:

33 (a) One-time exceptional needs and emergency needs for individuals
34 and families not receiving individual and family services annual grants
35 to assist individuals and families who experience a short-term crisis;
36 and

37 (b) Respite services based on the department's assessment for a

1 parent who provides personal care in the home to his or her adult son
2 or daughter with developmental disabilities.

3 (4) If a person has more complex needs, a family is experiencing a
4 more prolonged crisis, or it is determined a person needs additional
5 services, the department shall assess the individual to determine if
6 placement in a waiver program would be appropriate.

7 NEW SECTION. **Sec. 3.** This act may be known and cited as the Lance
8 Morehouse, Jr. memorial individual and family services act.

9 NEW SECTION. **Sec. 4.** Nothing in this act shall be construed to
10 create an entitlement to services or to create judicial authority to
11 order the provision of services to any person or family if the services
12 are unavailable or unsuitable, the child or family is not eligible for
13 such services, or sufficient funding has not been appropriated for this
14 program."

EFFECT: Replaces the language in the bill with the language from
SHB 1548 and includes changes to the eligibility for the Family Support
Program to be based solely on an assessment of need and allows respite
for parents caring for their adult child with a developmental
disability regardless of whether the parents qualify for the program.

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