HOUSE BILL REPORT
2SHB 1429

As Passed House:

March 6, 2009

Title: An act relating to respite care for primary care providers of persons with developmental disabilities.

Brief Description: Concerning respite care.

Sponsors: House Committee on Health & Human Services Appropriations (originally sponsored by Representatives O'Brien, Bailey, Sells, Hinkle, Cody, Kessler, Hudgins, Ericks, Moeller, Morrell and Ormsby).

Brief History:
Committee Activity:
Human Services: 2/2/09, 2/11/09 [DPS];
Health & Human Services Appropriations: 2/25/09 [DP2S(w/o sub HS)].
Floor Activity
Passed House: 3/6/09, 96-0.

Brief Summary of Second Substitute Bill

- Allows respite services to a non parent family member who takes the place of a parent, if the family member is the primary care provider and lives with a person with developmental disabilities.

HOUSE COMMITTEE ON HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Dickerson, Chair; Orwall, Vice Chair; Dammeier, Ranking Minority Member; Green, Klippert, Morrell, O'Brien and Walsh.

Staff: Linda Merelle (786-7092)

HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Human Services.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Signed by 15 members: Representatives Pettigrew, Chair; Seaquist, Vice Chair; Schmick, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Appleton, Cody, Dickerson, Ericksen, Johnson, Miloscia, Morrell, O'Brien, Roberts, Walsh and Wood.

Staff: Trista Zugel (786-7157)

Background:

The Individual Family Support Program, provided through the Division of Developmental Disabilities, supports families while caring for a family member with developmental disabilities in their home. Families may receive the following services:
- respite care;
- therapies;
- home and motor vehicle modifications;
- specialized nutrition and clothing;
- transportation;
- training;
- behavior management;
- education; and
- recreational opportunities.

Respite care is a service provided to parents who live with and take care of their children with developmental disabilities. It allows these parents to have a "respite" from the demands of caring for their son or daughter 24 hours per day, 7 days per week or to allow time to run errands and take care of other matters outside of the home. A parent may hire an independent care provider who comes into the home or takes the son or daughter on an outing. Under some circumstances, parents may take their child to a licensed facility for a period of hours. The number of respite hours allotted may vary. They may be taken pursuant to a set schedule, but more often, they are taken sporadically when the need arises. Only care providers who are parents are allowed to receive respite services through the Division of Developmental Disabilities.

Summary of Second Substitute Bill:

Respite services under the Individual Family Support Program may be provided for a family member who takes the place of a parent who can no longer take care of an adult son or daughter with a developmental disability if the family member also lives with the adult and provides personal care in the home for the adult.

Appropriation: None.

Fiscal Note: Requested on March 1, 2009.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Human Services):

(In support) Under this bill, respite will be provided for any family member. Right now, only the parent is allowed the right to have respite services. The bill does not expand to let a whole bunch of persons receive respite, instead only the person who is the primary caregiver will receive respite services. Without respite care for other family members who are the primary caregivers, we will see more persons go into institutions. If non-parent primary caregivers are not allowed respite, the persons that they care for will be lost in the shuffle.

(Information only) When the Department of Social and Health Services adopted rules regarding respite, they took into consideration paid providers and their hours for vacation time. The permanent rules which excluded individuals who were not the parent went into effect last year, in 2008.

(Opposed) None.

Staff Summary of Public Testimony (Health & Human Services Appropriations):

(In support) This bill is necessary to ensure the continuity of care for developmentally disabled persons when their parents can no longer care for them. It would be a significant burden on the new caregiver to manage the needs of a developmentally disabled individual without respite care. This may lead to institutionalization and families will fall apart. It would be best to have this coverage expanded to those on waivers as well. The extension of this legislation to those on waivers would be extremely expensive, the Department of Social and Health Services would require additional funds.

(Opposed) None.

Persons Testifying (Human Services): (In support) Representative O'Brien, prime sponsor; Sally Coomer; Darla Helt, Clark County Parent Coalition; Kenneth Schweibish; Cindy O'Neill, and Patty Gee.

(Information only) Linda Rolfe, Division of Developmental Disabilities, Department of Social and Health Services.

Persons Testifying (Health & Human Services Appropriations): Representative O'Brien, prime sponsor; Cindy O'Neill, Parent Advocates; Sally Coomer, Parent Advocates; and Lynn Weeks.

Persons Signed In To Testify But Not Testifying (Human Services): (In support) Margaret Lee Thompson, The Arc of King County and King County Parent Coalition for Developmental Disabilities.

Persons Signed In To Testify But Not Testifying (Health & Human Services Appropriations): None.