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SENATE BILL 5547

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State of Washington

61st Legislature

2009 Regular Session

By Senators Hargrove, Pflug, McAuliffe, Oemig, Marr, Fairley, Kauffman, Franklin, Parlette, Carrell, Haugen, Kilmer, Jarrett, Pridemore, Shin, Kohl-Welles, Murray, Regala, and Keiser

Read first time 01/26/09. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to respite care for primary care providers of  
2 persons with developmental disabilities; and amending RCW 71A.12.161.

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

4 **Sec. 1.** RCW 71A.12.161 and 2007 c 283 s 2 are each amended to read  
5 as follows:

6 (1) The individual and family services program for individuals  
7 eligible to receive services under this title is established. This  
8 program replaces family support opportunities, traditional family  
9 support, and the flexible family support pilot program. The department  
10 shall transfer funding associated with these existing family support  
11 programs to the individual and family services program and shall  
12 operate the program within available funding. The services provided  
13 under the individual and family services program shall be funded by  
14 state funding without benefit of federal match.

15 (2) The department shall adopt rules to implement this section.  
16 The rules shall provide:

17 (a) That eligibility to receive services in the individual and  
18 family services program be determined solely by an assessment of  
19 individual need;

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

3 (c) That the dollar caps for each service priority level be  
4 adjusted by the vendor rate increases authorized by the legislature;  
5 and

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

7 (i) Respite care;

8 (ii) Therapies;

9 (iii) Architectural and vehicular modifications;

10 (iv) Equipment and supplies;

11 (v) Specialized nutrition and clothing;

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

13 (vii) Copays for medical and therapeutic services;

14 (viii) Transportation;

15 (ix) Training;

16 (x) Counseling;

17 (xi) Behavior management;

18 (xii) Parent/sibling education;

19 (xiii) Recreational opportunities; and

20 (xiv) Community services grants.

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

24 (a) One-time exceptional needs and emergency needs for individuals  
25 and families not receiving individual and family services annual grants  
26 to assist individuals and families who experience a short-term crisis;  
27 and

28 (b) Respite services based on the department's assessment for a  
29 ~~((parent))~~ family member who resides with and is the primary care  
30 provider who provides personal care in the home to ~~((his or her))~~ an  
31 adult ~~((son or daughter))~~ with developmental disabilities.

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

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