

CERTIFICATION OF ENROLLMENT

SENATE BILL 5547

Chapter 312, Laws of 2009

61st Legislature
2009 Regular Session

RESPITE CARE--PRIMARY CAREGIVER--FAMILY MEMBER

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 20, 2009
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 1, 2009
YEAS 97 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 30, 2009, 11:40 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5547** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 1, 2009

**Secretary of State
State of Washington**

SENATE BILL 5547

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

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:

29 (i) A parent who provides personal care in the home to his or her
30 adult son or daughter with developmental disabilities; or

31 (ii) A family member who replaces the parent as the primary
32 caregiver, resides with, and provides personal care in the home for the
33 adult with developmental disabilities.

34 (4) If a person has more complex needs, a family is experiencing a
35 more prolonged crisis, or it is determined a person needs additional
36 services, the department shall assess the individual to determine if

1 placement in a waiver program would be appropriate.

Passed by the Senate April 20, 2009.

Passed by the House April 1, 2009.

Approved by the Governor April 30, 2009.

Filed in Office of Secretary of State May 1, 2009.