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**ENGROSSED SUBSTITUTE SENATE BILL 6040**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Braun, Becker, and Kuderer)

AN ACT Relating to the budgeting process for certain state waiver services for individuals with developmental disabilities; amending RCW 43.88C.010; adding a new section to chapter 43.88 RCW; creating new sections; and providing an expiration date.

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

**Sec.**  RCW 43.88C.010 and 2019 c 406 s 24 are each amended to read as follows:

(1) The caseload forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(2) The council shall employ a caseload forecast supervisor to supervise the preparation of all caseload forecasts. As used in this chapter, "supervisor" means the caseload forecast supervisor.

(3) Approval by an affirmative vote of at least five members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(4) The caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official state caseload forecasts prepared under RCW 43.88C.020. If the council is unable to approve a forecast before a date required in RCW 43.88C.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official caseload forecast may request, and the supervisor shall provide, an alternative forecast based on assumptions specified by the member.

(6) Members of the caseload forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) "Caseload," as used in this chapter, means:

(a) The number of persons expected to meet entitlement requirements and require the services of public assistance programs, state correctional institutions, state correctional noninstitutional supervision, state institutions for juvenile offenders, the common school system, long-term care, medical assistance, foster care, and adoption support;

(b) The number of students who are eligible for the Washington college bound scholarship program and are expected to attend an institution of higher education as defined in RCW 28B.92.030;

(c) The number of students who are eligible for the Washington college grant program under RCW 28B.92.200 and 28B.92.205 and are expected to attend an institution of higher education as defined in RCW 28B.92.030; and

(d) The number of children who are eligible, as defined in RCW 43.216.505, to participate in, and the number of children actually served by, the early childhood education and assistance program.

(8) The caseload forecast council shall forecast the temporary assistance for needy families and the working connections child care programs as a courtesy.

(9) The caseload forecast council shall present the number of individuals who are assessed as eligible for and have requested a service through the individual and family services waiver and the basic plus waiver administered by the developmental disabilities administration as a courtesy. The caseload forecast council shall be presented with the service request list as defined in RCW 71A.10.020 to aid in development of this information.

(10) The caseload forecast council shall forecast youth participating in the extended foster care program pursuant to RCW 74.13.031 separately from other children who are residing in foster care and who are under eighteen years of age.

((~~(10)~~)) (11) The caseload forecast council shall forecast the number of youth expected to receive behavioral rehabilitation services while involved in the foster care system and the number of screened in reports of child abuse or neglect.

((~~(11)~~)) (12) Unless the context clearly requires otherwise, the definitions provided in RCW 43.88.020 apply to this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 43.88 RCW to read as follows:

For the purposes of this chapter, expenditures for the number of individuals who are assessed as eligible for and have requested a service through the individual and family services waiver and the basic plus waiver as referenced in RCW 43.88C.010 must be budgeted as maintenance level costs.

NEW SECTION. **Sec.**  Subject to amounts appropriated for this specific purpose, the developmental disabilities administration of the department of social and health services shall review the no-paid services caseload and update the information to accurately reflect a current headcount of eligible persons and the number of persons contacted who are currently interested in receiving a paid service from the developmental disabilities administration. A report of this information shall be submitted to the governor and the appropriate committees of the legislature by December 1, 2021.

NEW SECTION. **Sec.**  (1) The joint select committee on streamlining service delivery for individuals with developmental disabilities is established.

(2) The membership of the joint select committee on streamlining service delivery for individuals with developmental disabilities must consist of the following:

(a) The chairs of the fiscal committees in the senate and the house of representatives or their designees, who must serve as cochairs;

(b) Two additional members of the senate, one each appointed by the leadership of the two largest caucuses in the senate; and

(c) Two additional members of the house of representatives, one from each of the two largest caucuses in the house of representatives appointed by the speaker of the house of representatives.

(3) The duties of the joint select committee on streamlining service delivery for individuals with developmental disabilities include, but are not limited to:

(a) Reviewing the developmental disabilities administration's existing processes and staffing methodology used for determining eligibility, assessing for eligibility, and delivering services;

(b) Reviewing best practices from other states regarding eligibility determination, eligibility assessment, service delivery, and staffing models; and

(c) Making recommendations regarding legislative policy options for streamlining the eligibility, assessment, and service delivery processes and the level of staffing required.

(4) Staff support for the joint select committee on streamlining service delivery for individuals with developmental disabilities shall be provided by senate committee services and the house of representatives office of program research.

(5) Legislative members of the joint select committee on streamlining service delivery for individuals with developmental disabilities shall be reimbursed for travel expenses in accordance with RCW 44.04.120.

(6) The expenses of the joint select committee on streamlining service delivery for individuals with developmental disabilities must be paid jointly by the senate and the house of representatives and expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) The joint select committee on streamlining service delivery for individuals with developmental disabilities shall report its findings and recommendations to the governor and the appropriate committees of the legislature by December 31, 2020.

(8) This section expires January 31, 2021.

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