
HOUSE BILL 1407

State of Washington

68th Legislature

2023 Regular Session

By Representatives Taylor, Senn, Simmons, Stonier, Jacobsen, Bateman, Lekanoff, Peterson, Ramel, Macri, Pollet, Reed, and Doglio

Read first time 01/18/23. Referred to Committee on Human Services, Youth, & Early Learning.

1 AN ACT Relating to maintaining eligibility for developmental
2 disability services; and amending RCW 71A.16.040.

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

4 **Sec. 1.** RCW 71A.16.040 and 1989 c 175 s 141 are each amended to
5 read as follows:

6 (1) On receipt of an application for services submitted under RCW
7 71A.16.030, the secretary in a timely manner shall make a written
8 determination as to whether the applicant is eligible for services
9 provided under this title for persons with developmental
10 disabilities.

11 (2) The secretary shall give notice of the secretary's
12 determination on eligibility to the person who submitted the
13 application and to the applicant, if the applicant is a person other
14 than the person who submitted the application for services. The
15 notice shall also include a statement advising the recipient of the
16 right to an adjudicative proceeding under RCW 71A.10.050 and the
17 right to judicial review of the secretary's final decision.

18 (3) The secretary may establish rules for redetermination of
19 eligibility for services under this title; however, the rules may not
20 terminate or require redetermination of eligibility for a child under
21 the age of 18 based solely on the child's age if the child has been

1 determined to be eligible for services on or after the child's third
2 birthday.

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