
SUBSTITUTE HOUSE BILL 1200

State of Washington

69th Legislature

2025 Regular Session

By House Early Learning & Human Services (originally sponsored by Representatives Taylor, Low, Jacobsen, Alvarado, Ryu, Berry, Mena, Macri, Callan, Obras, Doglio, Fosse, Gregerson, Simmons, Peterson, Goodman, Wylie, Couture, Street, Pollet, Penner, Kloba, Cortes, Nance, Springer, Davis, Leavitt, Scott, Salahuddin, Stonier, and Hill)

READ FIRST TIME 02/18/25.

1 AN ACT Relating to authorizing payment for parental caregivers of
2 minor children with developmental disabilities; adding a new section
3 to chapter 71A.12 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that Washington has
6 promised to fund home and community-based supports to help children
7 with developmental disabilities grow up as fully included members of
8 their families and communities. The legislature also finds that
9 personal care hours have been allocated to these children on the
10 basis of need, but have historically only been budgeted based on
11 utilization. Efforts to increase the in-home care workforce to meet
12 demand have never produced full employment, and 41 percent of
13 authorized hours systemwide go unused.

14 The legislature further finds that the unique needs of children
15 to have stable and familiar caregivers are complicated by the current
16 caregiver workforce shortage. Additionally, while the child care
17 crisis has widespread effects on Washington families, it is
18 particularly acute for families of children with disabilities, who
19 often cannot find the highly trained providers to meet their child's
20 needs. Nationwide research has shown that families of children with
21 disabilities often have to forgo income opportunities due to these

1 care needs and that a lack of income has lasting impacts on those
2 children.

3 The legislature further finds that long term in-home care
4 services are a less costly alternative to institutional care, saving
5 taxpayers significant amounts. Many other states have demonstrated
6 the positive effects of employing parents as caregivers after being
7 authorized to do so during the COVID-19 public health emergency. In
8 these states, paid family caregiving leads to better outcomes for
9 medically fragile children and lower costs to taxpayers in the form
10 of fewer hospitalizations. Washington currently allows employment of
11 parent caregivers for their adult children assuring their access to
12 home and community-based services and avoiding more costly forms of
13 care like institutionalization.

14 The legislature further finds that the centers for medicare and
15 medicaid services has recently updated its guidance to instruct
16 states to strongly consider allowing legally responsible individuals,
17 such as parents, to be paid for their caregiving in order to meet the
18 requirement placed on all states to provide for the delivery of
19 needed services.

20 Therefore, the legislature intends to support children with
21 developmental disabilities and their family caregivers through
22 legislative actions that promote fair labor practices, equitable
23 compensation, and comprehensive support systems.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 71A.12
25 RCW to read as follows:

26 (1) No later than January 31, 2026, the administration shall
27 submit a request to the centers for medicare and medicaid services
28 for amendments to applicable developmental disabilities
29 administration home and community-based services waivers to allow
30 parents who provide personal care services to their minor children
31 with developmental disabilities to receive payment for providing
32 personal care services that qualify as extraordinary care.

33 (2) If amendments as described in subsection (1) of this section
34 are approved by the centers for medicare and medicaid services, upon
35 receiving approval, the administration shall authorize payments to
36 parents providing extraordinary care services to their minor
37 children.

38 (3) In implementing the authorization to pay parents for
39 providing extraordinary care to their minor children:

1 (a) In addition to its existing rule-making authority, the
2 administration may adopt rules for assessing and authorizing personal
3 care hours for minors with compensated parental caregivers and other
4 rules as necessary to comply with centers for medicare and medicaid
5 services requirements related to payments to legally responsible
6 individuals, such as parents;

7 (b) The administration must allow parental caregivers the option
8 to be employed as individual providers, as defined in RCW 74.39A.240,
9 subject to the same training and oversight requirements as other
10 individual providers who are parents of the person for whom they are
11 providing care; and

12 (c) The administration may only offer personal care services
13 hours served by parent providers as a waiver service. All other
14 assessed personal care services hours served by providers who are not
15 parents must remain on the community first choice option.

16 (4) Nothing in this section shall be interpreted to affect the
17 availability of personal care services hours assessed to persons who
18 are not clients of the administration, or who are clients of the
19 administration who are not minors, through the community first choice
20 option.

21 (5) For purposes of this section:

22 (a) "Extraordinary care" means care provided to a minor child who
23 is assessed in an E classification category or the B high
24 classification category by the comprehensive assessment and reporting
25 evaluation, that exceeds the range of activities that a legally
26 responsible individual, such as a parent, would ordinarily perform in
27 the household on behalf of a person without a disability or chronic
28 illness of the same age, and is necessary to assure the health and
29 welfare of the minor child and avoid their institutionalization.

30 (b) "Minor child" means a person who is under the age of 18 and
31 who is a client of the administration.

32 (c) "Parent" means a natural parent, an adoptive parent, a
33 stepparent, or a legal guardian.

--- END ---