

RCW 71A.12.290 Transition from employment services to community access program.

(1) Clients age 21 and older who are receiving employment services must be offered the choice to transition to a community access program after nine months of enrollment in an employment program, and the option to transition from a community access program to an employment program at any time. Enrollment in an employment program begins at the time the client is authorized to receive employment.

(2) Prior approval by the department shall not be required to effectuate the client's choice to transition from an employment program to community access services after verifying nine months of participation in employment-related services.

(3) The department shall inform clients and their legal representatives of all available options for employment and day services, including the opportunity to request an exception from enrollment in an employment program. Information provided to the client and the client's legal representative must include the types of activities each service option provides, and the amount, scope, and duration of service for which the client would be eligible under each service option.

(4) The department shall work with counties and stakeholders to strengthen and expand the existing community access program, including the consideration of options that allow for alternative service settings outside of the client's residence. The program should emphasize support for the clients so that they are able to participate in activities that integrate them into their community and support independent living and skills.

(5) The department shall develop rules to allow for an exception to the requirement that a client participate in an employment program for nine months prior to transitioning to a community access program. [2022 c 142 § 2; 2012 c 49 § 1.]

Finding—Intent—2022 c 142: "The legislature finds that individuals with intellectual and developmental disabilities have the right to choose how they engage in their community, while having the necessary supports to do so. The dual services prohibition between individual supported employment and community inclusion has prevented individuals with intellectual and developmental disabilities from engaging in the supported activities, volunteerism, and social and practical skill-building offered by community inclusion while employed or waiting for job placement. This lack of dual services has left many individuals with intellectual and developmental disabilities unengaged, isolated, and without the freedom to choose between services. By removing this prohibition, the legislature intends to enhance and supplement individual supported employment and give back an individual's right to participate in multiple services that best meet their needs for community growth and engagement." [2022 c 142 § 1.]