

# HOUSE BILL REPORT

## HB 1986

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*As Reported By House Committee on:  
Human Services*

**Title:** An act relating to protection and advocacy of the rights of developmentally disabled persons.

**Brief Description:** Providing for the protection and advocacy of the rights of developmentally disabled persons.

**Sponsor(s):** Representatives Leonard, Cooper, Prentice, Ferguson, Sprenkle, Winsley, Appelwick, Braddock, Moyer, Locke, Paris, R. King, Wang, Valle, Ludwig, Kremen, Jacobsen, Dellwo, Holland, Inslee, H. Myers, Van Luven, O'Brien, Spanel, Mitchell, Brekke and Rasmussen.

**Brief History:**

Reported by House Committee on:  
Human Services, February 27, 1991, DP.

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**HOUSE COMMITTEE ON  
HUMAN SERVICES**

**Majority Report:** *Do pass.* Signed by 11 members: Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

**Staff:** Dawn Jones (786-7077).

**Background:** Federal Statute requires that states provide protection and advocacy for developmentally disabled and mentally ill persons.

Historically, the Washington Protection and Advocacy System (WPAS) has provided independent protection and advocacy services to developmentally disabled persons and mentally ill persons in the state of Washington.

In addition to receiving federal monies, WPAS also received state funds through contracts from the Division of the Developmental Disabilities, Department of Social and Health Services (DDD).

These contracts however, did not ensure the independence of WPAS in providing protection and advocacy for these

population groups. Consequently, WPAS canceled the contracts effective September 30, 1990.

There is a discussion between WPAS and DDD concerning the extent to which DDD's input into the services provided by WPAS, present a conflict of interest.

**Summary of Bill:** The governor will designate an agency for the protection and advocacy of the rights of persons with developmental disabilities and mental illnesses.

An appropriate state official will serve as liaison between the agency designated to implement the protection and advocacy programs, and the state departments and agencies that provide services to the population.

**Fiscal Note:** Requested February 19, 1991.

**Appropriation:** Yes.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The Washington Advocacy System (WPAS) is part of a network of state protection and advocacy systems established in federal law. People come to WPAS when the system is no longer working for them the way that the Congress and Washington State Legislature designed it to work. WPAS ensures that the legislative work on behalf of people with developmental disabilities and people of mental illness, does not get lost in some black hole of bureaucratic implementation. We are oftentimes the last hope of the people who come to us. Recipients of advocacy services want to know that their choices will be pursued and that the advocate is free from any undue or inappropriate influence or interference.

This as an agency which serves as a vital link in the services of our State. We need to have the quality commitment in statute.

Our state benefits from an independent agency that works the bureaucracy to assure that individuals in need of service can get that type of service where they are eligible.

**Testimony Against:** None.

**Witnesses:** Janet Taggart, State Developmental Disabilities Planning Council; Mark Stroh, Washington Protection and Advocacy System; Thelma Struck, Department of Social and Health Services; Christine Perkins, Washington State Special Education Coalition; and Mary Jo Wilcox, Washington Assembly

for Citizens with Disabilities.